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ONE HUNDRED SIXTH CONGRESS

SECOND SESSION

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PART 2

Journal of the House of Representatives
Page 1307

Proceedings of the House Subsequent to Sine Die Adjournment
Page 1993

Rules of the House of Representatives
Page 1997

Index
Page 2043

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OF THE

HOUSE OF REPRESENTATIVES

CONGRESS OF THE UNITED STATES

MONDAY, SEPTEMBER 18, 2000 (91)

¶91.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mrs. BIGGERT, who laid before the House the following communication:

WASHINGTON, DC,
September 18, 2000.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

¶91.2 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Cheek, one of its clerks, announced that the Senate has passed without amendments concurrent resolutions of the House of the following titles:

H. Con. Res. 319. Concurrent resolution congratulating the Republic of Latvia on the 10th anniversary of the reestablishment of its independence from the rule of the former Soviet Union.

H. Con. Res. 371. Concurrent resolution supporting the goals and ideas of National Alcohol and Drug Recovery Month.

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

S. 1608. An Act to provide stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for the benefit of public schools and roads and to enhance the health, diversity and productivity of Federal lands.

S. Con. Res. 130. Concurrent resolution establishing a special task force to recommend an appropriate recognition for the slave laborers who worked on the construction of the United States Capitol.

¶91.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to the order of the House of Tuesday, January 19, 1999, recognized Members for ''morning-hour debate''.

¶91.4 RECESS—12:43 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 43 minutes p.m. until 2 o'clock p.m.

¶91.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. PETRI, called the House to order.

¶91.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PETRI, announced he had examined and approved the Journal of the proceedings of Thursday, September 14, 2000.

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

¶91.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10052. A letter from the Chief, Regulatory Analysis and Development, Department of Agriculture, transmitting the Department's final rule—Plum Pox Compensation [Docket No. 00–035–1] (RIN: 0579–AB19) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10053. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule—Winter Pears Grown in Oregon and Washington; Establishment of Quality Requirements for the Beurre D'Anjou Variety of Pears; Correction [Docket No. FV00–927–1 FRC] received September 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10054. A letter from the Associate Administrator, Agriculture Marketing Service, Department of Agriculture, transmitting the Department's final rule—Kiwifruit Grown in California and Imported Kiwifruit; Relaxation of the Minimum Materity Requirement [Doc No. FV00–920–2–FR] received September 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10055. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hexythiazox; Extension of Tolerance for Emergency Exemptions [OPP–301046; FRL–6744–5] (RIN: 2070–AB78) received September 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10056. A letter from the Chairman, Council of the District of Columbia, transmitting a report of a violation of the Anti-Deficiency Act, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Appropriations.

10057. A letter from the Under Secretary, Policy, Department of Defense, transmitting the Cooperative Threat Reduction Multi-Year Program Plan Fiscal Year 2001, pursuant to Public Law 103–337, section 1314(a) (108 Stat. 2895); to the Committee on Armed Services.

10058. A letter from the Chief, Programs and Legislative Division, Office of Legislative Liaison, Department of Defense, transmitting notification of the decision to convert to contractor performance the base operating support function at the Pittsburgh International (IAP) Air Reserve Station (ARS), Pennsylvania, pursuant to Public Law 100–463, section 8061 (102 Stat. 2270–27); to the Committee on Armed Services.

10059. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to grade of lieutenant general on the retired list Lieutenant General Micheal A. Canavan, United States Army; to the Committee on Armed Services.

10060. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of general on the retired list General Peter J. Schoomaker, United States Army; to the Committee on Armed Services.

10061. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the annual report of the Office of Juvenile Justice and Delinquency Prevention for Fiscal Year 1999, pursuant to 42 U.S.C. 5617; to the Committee on Education and the Workforce.

10062. A letter from the General Counsel, Corporation for National and Community

Service, transmitting the Corporation's final rule—Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations—received September 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10063. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Tehama County Air Pollution Control District [Doc. No. CA226–0250; FRL–68527] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10064. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, San Diego County Air Pollution Control District and Bay Area Air Quality Management District [Doc. No. CA 210–0247a; FRL–6850–1], pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10065. A letter from the Assoc. Bur. Chief/Wireless Telecommunications, Federal Communications Commission, transmitting the Commission's final rule—Amendment to the Geographic Channel Block Layout for Commercial Aviation Air-Ground Systems in the Air-Ground Radiotelephone Service [Docket No. DA 00–1654] received September 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10066. A letter from the Associate Chief, Wireless Telecommunications, Auctions & Industry Analysis Division, Federal Communications Commission, transmitting the Commission's ''Major'' rule—Amendment of the Commission's Rules Regarding Installment Payment Financing for Personal Communications Services (PCS) Licensees [WT Docket No. 97–82] received September 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10067. A letter from the Deputy Secretary, U.S. Securities and Exchange Commission, transmitting the Commission's final rule—Electronic Final by Investment Advisers; Amendments to Form ADV (RIN: 3235–AD21) received September 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10068. A letter from the Deputy Associate Administrator, United States Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Tehama County Air Pollution Control District [CA 226–0251; FRL–6868–9] received September 11, 2000; to the Committee on Commerce.

10069. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Germany [Transmittal No. DTC 083–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10070. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Germany [Transmittal No. DTC 055–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10071. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

10072. A letter from the Chairman, Commission for the Preservation of America's Heritage Board, transmitting the FY 2000 annual consolidated report in compliance with the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

10073. A letter from the Librarian of Congress, transmitting the report of the activities of the Library of Congress, including the Copyright Office, for the fiscal year ending September 30, 1999, pursuant to 2 U.S.C. 139; to the Committee on House Administration.

10074. A letter from the Chairperson, Commission on Civil Rights, transmitting a report entitled, ''The Crisis of the Young African American Male In the Inner Cities'' pursuant to Public Law 103–419; to the Committee on the Judiciary.

10075. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule—Listed Chemicals; Final Establishment of Thresholds for Iodine and Hydrochloric Gas (Anhydrous Hydrogen Chloride) [DEA–156F] (RIN: 1117–AAA43) received August 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10076. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—National Interest Waivers for Second Preference Employment-Based Immigrant Physicians Serving in Medically Underserved Areas or at Department of Veterans Affairs Facilities [INS No. 2048–00] (RIN: 1115–AF75) received September 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10077. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a report of the Bureau of Justice Assistance entitled, ''Fiscal Year 1999 Annual Report to Congress,'' pursuant to 42 U.S.C. 3789e; to the Committee on the Judiciary.

10078. A letter from the Under Secretary of Commerce for Intellectual Property and Director, Patent and Trademark Office, transmitting the Office's final rule—Changes to Implement Eighteen-Month Publication of Patent Applications (RIN: 0651–AB05) received September 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10079. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D Stuart, FL [Airspace Docket No. 00–ASO–12] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10080. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Kearney, NE [Airspace Docket No. 00–ACE–11] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10081. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Elko, NV [Airspace Docket No. 00–AWP–5] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10082. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D Airspace; Boca Raton, FL [Airspace Docket No. 00–ASO–22] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10083. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30175; Amdt. No. 2007] received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10084. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Savannah, GA [Airspace Docket No. 00–ASO–10] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10085. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Hampton, IA; Correction [Airspace Docket No. 00–ACE–7] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10086. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Realignment to Restricted Area R–6901A Fort McCoy; WI [Airspace Docket No. 00–AGL–20] (RIN: 2120–AA66) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10087. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Removal of Class E Airspace; Melbourne, FL, and Cocoa Patrick AFB, FL [Airspace Docket No. 00–ASO–27] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10088. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Soldiers Grove, WI [Airspace Docket No. 00–AGL–19] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10089. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Coffeyville, KS [Airspace Docket No. 00–ACE–15] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10090. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Marquette, MI; Correction [Airspace Docket No. 00–AGL–02] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10091. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Pratt, KS; Correction [Airspace Docket No. 00–ACE–14] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10092. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Removal of Class E Airspace; Melbourne, FL, and Cocoa Patrick AFB, FL [Airspace Docket No. 00–ASO–27] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10093. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Frankfort, MI [Airspace Docket No. 00–AGL–18] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10094. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D Airspace; Cocoa Beach, FL [Docket No. 00–ASO–31] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10095. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D Airspace; Simmons Army Airfield (AAF), NC, and Class E4 [Docket No. 00–ASO–30] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10096. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Dickinson, ND [Docket No. 00–AGL–17] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10097. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–45, –50, –80A, –80C2, and –80E1 Turbofan Engines [Docket No. 2000–NE–31–AD; Amendment 39–11868; AD 2000–16–12] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10098. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9, Model MD–90–30, Model 717–200, and Model MD–88 Airplanes [Docket No. 2000–NM–89–AD; Amendment 39–11847; AD 2000–15–15] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10099. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0100 Series Airplanes [Docket No. 2000–NM–02–AD; Amendment 39–11876; AD 2000–17–03] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10100. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model BAe 146 and Model Avro 146–RJ Series Airplanes [Docket No. 99–NM–355–AD; Amendments 39–11875; AD 2000–17–02] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10101. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes [Docket No. 98–CE–117–AD; Amendment 39–11870; AD2000–16–13] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10102. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 and 767 Series Airplanes Equipped with General Electric CF6–80C2 Series Engines [Docket No. 2000–NM–24–AD; Amendment 39–11880; AD 2000–17–06] (RIN:2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10103. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft, Inc. Models SA226–T, SA226–AT, SA226–T(B), SA226–TC, SA–227–TT, and SA–227–AC Airplanes [Docket No. 99–CE–62–AD; Amendment 39–11874; AD 2000–17–01] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10104. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airwothiness Directives; Eurocopter France Model EC120B Helicopters [Docket No, 2000–SW–33–AD; Amendment 39–11881; AD 2000–17–07] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10105. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives;; Eurocopter Deutshland GMBH Model BO–105A, BO105C, BO–105C–2, BO–105 CB–2, BO–105 CB–4, BO–105S CS–2, BO–105 CBS–2, BO–105 CBS–4 and BO105LS A–1 Helicopters [Dcocket No. 99–SW–66–AD: Amendment 39–11882; AD 2000–17–08] (RIN 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10106. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Appeals Regulations: Title for Members of the Board of Veterans' Appeals (RIN: 2900–AK14) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

10107. A letter from the Chief Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Comprehensive Case Resolution Pilot Notice (RIN: SRLY ELECTION NOTICE 2000–53) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶91.8 FUNERAL COMMITTEE OF THE LATE HERBERT H. BATEMAN

The SPEAKER, pro tempore, Mr. PETRI, pursuant to House Resolution 573, announced the Speaker appointed as additional members to attend the funeral for the late Honorable Herbert H. Bateman the following Members on the part of the House; Messrs. GOODLING, LEWIS of California, and TAYLOR of Mississippi.

¶91.9 AGREEING TO THE AMENDMENT OF THE SENATE WITH AN AMENDMENT TO H.R. 1651

Mr. GILCHREST moved to suspend the rules and agree to the following resolution (H. Res. 579):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill H.R. 1651, with the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendment:

Page 1, line 4, strike "**SEC. 401. USE OF AIRCRAFT PROHIBITED.**" and all that follows through "**SEC. 402.**", and insert "**SEC. 401.**".

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. GILCHREST and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said resolution.

¶91.10 PACIFIC SALMON RECOVERY

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 2798) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, and California for salmon habitat restoration projects in coastal waters and upland drainages; as amended.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. GILCHREST and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes.".

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.11 BLACK HILLS NATIONAL FOREST AND ROCKY MOUNTAIN RESEARCH STATION

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 4226) to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest; as amended.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. GILCHREST and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.12 COLUSA BASIN WATERSHED

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 1113) to assist in the development and implementation of projects to provide for the control of drainage, storm, flood and other waters as part of water-related integrated resource management, environmental infrastructure, and resource protection and development projects in the Colusa Basin Watershed, California; as amended.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. GILCHREST and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.13 MISSOURI RIVER BASIN

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 2984) to direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska; as amended.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. GILCHREST and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

Mr. FALEOMAVAEGA objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶91.14 TORRES-MARTINEZ DESERT CAHUILLA INDIAN CLAIMS SETTLEMENT

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 4643) to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. GILCHREST and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.15 EL CAMINO REAL DE TIERRA ADENTRO NATIONAL HISTORIC TRAIL

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 2271) to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail; as amended.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. GILCHREST and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PETRI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.16 WHITE CLAY CREEK WILD AND SCENIC RIVERS SYSTEM

Mr. GILCHREST moved to suspend the rules and pass the bill of the Senate (S. 1849) to designate segments and tributaries of White Clay Creek, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; as amended.

The SPEAKER pro tempore, Mr. PETRI, recognized Mr. GILCHREST and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶91.17 DISTRICT OF COLUMBIA AND UNITED STATES TERRITORIES CIRCULATING QUARTER DOLLAR PROGRAM

Mr. BACHUS moved to suspend the rules and pass the bill (H.R. 5010) to provide for a circulating quarter dollar coin program to commemorate the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. BACHUS and Ms. WATERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BACHUS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶91.18 DEFENSE PRODUCTION

Mr. BACHUS moved to suspend the rules and pass the bill (H.R. 1715) to extend the expiration date of the Defense Production Act of 1950, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. BACHUS and Ms. WATERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of

the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to extend and reauthorize the Defense Production Act of 1950.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.19 BUREAU OF ENGRAVING AND PRINTING SECURITY PRINTING

Mr. BACHUS moved to suspend the rules and pass the bill (H.R. 4096) to authorize the Secretary of the Treasury to produce currency, postage stamps, and other security documents at the request of foreign governments, and security documents at the request of the individual States or any political subdivision thereof, on a reimbursable basis, and for other purposes.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. BACHUS and Ms. WATERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.20 DECREASE STATUTORY LIMIT ON PUBLIC DEBT

Mr. HERGER moved to suspend the rules and pass the bill (H.R. 5173) to provide for reconciliation pursuant to sections 103(b)(2) and 213(b)(2)(C) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt; as amended.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. HERGER and Mr. McDERMOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HERGER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MORELLA, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶91.21 RECESS—5:02 P.M.

The SPEAKER pro tempore, Mrs. MORELLA, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 2 minutes p.m., until approximately 6 o'clock p.m.

¶91.22 AFTER RECESS—6:02 P.M.

The SPEAKER pro tempore, Mr. HULSHOF, called the House to order.

¶91.23 H.R. 5173—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULSHOF, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5173) to provide for reconciliation pursuant to sections 103(b)(2) and 213(b)(2)(C) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 381 / Nays 3

¶91.24 [Roll No. 477]

YEAS—381

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Ney
Northup
Nussle
Obey
Olver
Ortiz
Ose
Packard
Pallone
Pastor
Paul
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Mollohan
Nadler
Sabo

NOT VOTING—50

Blunt
Boucher
Campbell
Chenoweth-Hage
Cook
Crane
Cubin
Dooley
Dunn
Ehrlich
Emerson
Fattah
Franks (NJ)
Frost
Gordon
Hastings (WA)
Hilleary
Hinchey
Johnson, Sam
Jones (NC)
Kasich
Kingston
Klink
Lazio
Lewis (CA)
Lewis (GA)
McCollum
McIntosh
Moakley
Neal
Nethercutt
Norwood
Oberstar
Owens
Oxley
Pascrell
Pelosi
Pryce (OH)
Rogan
Saxton
Stark
Sweeney
Talent
Taylor (NC)
Thurman
Vento
Walsh
Wamp
Waxman
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.25 H.R. 5010—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULSHOF, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5010) to provide for a circulating quarter dollar coin program to commemorate the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 377 / Nays 6

¶91.26 [Roll No. 478]

YEAS—377

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Ney
Northup
Nussle
Obey
Olver
Ortiz
Ose
Packard
Pallone
Pastor
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—6

Boehner
Goss
Miller, Gary
Paul
Royce
Schaffer

NOT VOTING—50

Blunt
Boucher
Campbell
Chenoweth-Hage
Cook
Crane
Cubin
Dooley
Dunn
Ehrlich
Emerson
Fattah
Fletcher
Franks (NJ)
Frost
Gordon
Hastings (WA)
Hilleary
Johnson, Sam
Jones (NC)
Kasich
Kingston
Klink
Lazio
Lewis (CA)
Lewis (GA)
McCollum
McIntosh
Moakley
Neal
Nethercutt
Norwood
Oberstar
Owens
Oxley
Pascrell
Pelosi
Pryce (OH)
Rogan
Saxton
Stark
Sweeney
Talent
Taylor (NC)
Thurman
Vento
Walsh
Wamp
Waxman
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.27 H.R. 2984—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULSHOF, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2984) to direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HULSHOF, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.28 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. COBURN, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to recede to section 517 of the Senate amendment to the House bill, prohibiting the use of funds to distribute postcoital emergency contraception (the morning-after pill) to minors on the premises or in the facilities of any elementary or secondary school.

¶91.29 CLEAR CREEK COLORADO PUBLIC LAND TRANSFER

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 2799) to amend the Clear Creek County, Colorado, Public Land Transfer Act of 1993 to provide additional time for Clear Creek County to dispose of certain lands transferred to the county under the Act.

The SPEAKER pro tempore, Mr. HULSHOF, recognized Mr. HANSEN and Mr. UDALL of Colorado, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HULSHOF, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶91.30 INTERCOUNTRY ADOPTION

On motion of Mr. GILMAN, by unanimous consent, the bill (H.R. 2909) to provide for implementation by the United States of the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intercountry Adoption Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.

TITLE I—UNITED STATES CENTRAL AUTHORITY

Sec. 101. Designation of central authority.
Sec. 102. Responsibilities of the Secretary of State.
Sec. 103. Responsibilities of the Attorney General.
Sec. 104. Annual report on intercountry adoptions.

TITLE II—PROVISIONS RELATING TO ACCREDITATION AND APPROVAL

Sec. 201. Accreditation or approval required in order to provide adoption services in cases subject to the Convention.
Sec. 202. Process for accreditation and approval; role of accrediting entities.
Sec. 203. Standards and procedures for providing accreditation or approval.
Sec. 204. Secretarial oversight of accreditation and approval.
Sec. 205. State plan requirement.

TITLE III—RECOGNITION OF CONVENTION ADOPTIONS IN THE UNITED STATES

Sec. 301. Adoptions of children immigrating to the United States.
Sec. 302. Immigration and Nationality Act amendments relating to children adopted from Convention countries.
Sec. 303. Adoptions of children emigrating from the United States.

TITLE IV—ADMINISTRATION AND ENFORCEMENT

Sec. 401. Access to Convention records.
Sec. 402. Documents of other Convention countries.
Sec. 403. Authorization of appropriations; collection of fees.
Sec. 404. Enforcement.

TITLE V—GENERAL PROVISIONS

Sec. 501. Recognition of Convention adoptions.
Sec. 502. Special rules for certain cases.
Sec. 503. Relationship to other laws.
Sec. 504. No private right of action.
Sec. 505. Effective dates; transition rule.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress recognizes—

(1) the international character of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (done at The Hague on May 29, 1993), and

(2) the need for uniform interpretation and implementation of the Convention in the United States and abroad,

and therefore finds that enactment of a Federal law governing adoptions and prospective adoptions subject to the Convention involving United States residents is essential.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide for implementation by the United States of the Convention;

(2) to protect the rights of, and prevent abuses against, children, birth families, and adoptive parents involved in adoptions (or prospective adoptions) subject to the Convention, and to ensure that such adoptions are in the children's best interests; and

(3) to improve the ability of the Federal Government to assist United States citizens seeking to adopt children from abroad and residents of other countries party to the Convention seeking to adopt children from the United States.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) ACCREDITED AGENCY.—The term ''accredited agency'' means an agency accredited under title II to provide adoption services in the United States in cases subject to the Convention.

(2) ACCREDITING ENTITY.—The term ''accrediting entity'' means an entity designated under section 202(a) to accredit agencies and approve persons under title II.

(3) ADOPTION SERVICE.—The term ''adoption service'' means—

(A) identifying a child for adoption and arranging an adoption;

(B) securing necessary consent to termination of parental rights and to adoption;

(C) performing a background study on a child or a home study on a prospective adoptive parent, and reporting on such a study;

(D) making determinations of the best interests of a child and the appropriateness of adoptive placement for the child;

(E) post-placement monitoring of a case until final adoption; and

(F) where made necessary by disruption before final adoption, assuming custody and providing child care or any other social service pending an alternative placement.

The term ''providing'', with respect to an adoption service, includes facilitating the provision of the service.

(4) AGENCY.—The term ''agency'' means any person other than an individual.

(5) APPROVED PERSON.—The term ''approved person'' means a person approved under title II to provide adoption services in the United States in cases subject to the Convention.

(6) ATTORNEY GENERAL.—Except as used in section 404, the term ''Attorney General'' means the Attorney General, acting through the Commissioner of Immigration and Naturalization.

(7) CENTRAL AUTHORITY.—The term ''central authority'' means the entity designated as such by any Convention country under Article 6(1) of the Convention.

(8) CENTRAL AUTHORITY FUNCTION.—The term ''central authority function'' means any duty required to be carried out by a central authority under the Convention.

(9) CONVENTION.—The term ''Convention'' means the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

(10) CONVENTION ADOPTION.—The term ''Convention adoption'' means an adoption of a child resident in a foreign country party to the Convention by a United States citizen, or an adoption of a child resident in the United States by an individual residing in another Convention country.

(11) CONVENTION RECORD.—The term ''Convention record'' means any item, collection, or grouping of information contained in an electronic or physical document, an electronic collection of data, a photograph, an audio or video tape, or any other information storage medium of any type whatever that contains information about a specific past, current, or prospective Convention adoption (regardless of whether the adoption was made final) that has been preserved in accordance with section 401(a) by the Secretary of State or the Attorney General.

(12) CONVENTION COUNTRY.—The term ''Convention country'' means a country party to the Convention.

(13) OTHER CONVENTION COUNTRY.—The term ''other Convention country'' means a Convention country other than the United States.

(14) PERSON.—The term ''person'' shall have the meaning provided in section 1 of title 1, United States Code, and shall not include any agency of government or tribal government entity.

(15) PERSON WITH AN OWNERSHIP OR CONTROL INTEREST.—The term ''person with an ownership or control interest'' has the meaning given such term in section 1124(a)(3) of the Social Security Act (42 U.S.C. 1320a–3).

(16) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(17) STATE.—The term ''State'' means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands.

TITLE I—UNITED STATES CENTRAL AUTHORITY

SEC. 101. DESIGNATION OF CENTRAL AUTHORITY.

(a) IN GENERAL.—For purposes of the Convention and this Act—

(1) the Department of State shall serve as the central authority of the United States; and

(2) the Secretary shall serve as the head of the central authority of the United States.

(b) PERFORMANCE OF CENTRAL AUTHORITY FUNCTIONS.—

(1) Except as otherwise provided in this Act, the Secretary shall be responsible for the performance of all central authority functions for the United States under the Convention and this Act.

(2) All personnel of the Department of State performing core central authority functions in a professional capacity in the Office of Children's Issues shall have a strong background in consular affairs, personal experience in international adoptions, or professional experience in international adoptions or child services.

(c) AUTHORITY TO ISSUE REGULATIONS.—Except as otherwise provided in this Act, the Secretary may prescribe such regulations as may be necessary to carry out central authority functions on behalf of the United States.

SEC. 102. RESPONSIBILITIES OF THE SECRETARY OF STATE.

(a) LIAISON RESPONSIBILITIES.—The Secretary shall have responsibility for—

(1) liaison with the central authorities of other Convention countries; and

(2) the coordination of activities under the Convention by persons subject to the jurisdiction of the United States.

(b) INFORMATION EXCHANGE.—The Secretary shall be responsible for—

(1) providing the central authorities of other Convention countries with information concerning—

(A) accredited agencies and approved persons, agencies and persons whose accreditation or approval has been suspended or canceled, and agencies and persons who have been temporarily or permanently debarred from accreditation or approval;

(B) Federal and State laws relevant to implementing the Convention; and

(C) any other matters necessary and appropriate for implementation of the Convention;

(2) not later than the date of the entry into force of the Convention for the United States (pursuant to Article 46(2)(a) of the Convention) and at least once during each subsequent calendar year, providing to the central authority of all other Convention countries a notice requesting the central authority of each such country to specify any requirements of such country regarding adoption, including restrictions on the eligibility of persons to adopt, with respect to which information on the prospective adoptive parent or parents in the United States would be relevant;

(3) making responses to notices under paragraph (2) available to—

(A) accredited agencies and approved persons; and

(B) other persons or entities performing home studies under section 201(b)(1);

(4) ensuring the provision of a background report (home study) on prospective adoptive parent or parents (pursuant to the requirements of section 203(b)(1)(A)(ii)), through the central authority of each child's country of origin, to the court having jurisdiction over the adoption (or, in the case of a child emigrating to the United States for the purpose of adoption, to the competent authority in the child's country of origin with responsibility for approving the child's emigration) in adequate time to be considered prior to the granting of such adoption or approval;

(5) providing Federal agencies, State courts, and accredited agencies and approved persons with an identification of Convention countries and persons authorized to perform functions under the Convention in each such country; and

(6) facilitating the transmittal of other appropriate information to, and among, central authorities, Federal and State agencies (including State courts), and accredited agencies and approved persons.

(c) ACCREDITATION AND APPROVAL RESPONSIBILITIES.—The Secretary shall carry out the functions prescribed by the Convention with respect to the accreditation of agencies and the approval of persons to provide adoption services in the United States in cases subject to the Convention as provided in title II. Such functions may not be delegated to any other Federal agency.

(d) ADDITIONAL RESPONSIBILITIES.—The Secretary—

(1) shall monitor individual Convention adoption cases involving United States citizens; and

(2) may facilitate interactions between such citizens and officials of other Convention countries on matters relating to the Convention in any case in which an accredited agency or approved person is unwilling or unable to provide such facilitation.

(e) ESTABLISHMENT OF REGISTRY.—The Secretary and the Attorney General shall jointly establish a case registry of all adoptions involving immigration of children into the United States and emigration of children from the United States, regardless of whether the adoption occurs under the Convention. Such registry shall permit tracking of pending cases and retrieval of information on both pending and closed cases.

(f) METHODS OF PERFORMING RESPONSIBILITIES.—The Secretary may—

(1) authorize public or private entities to perform appropriate central authority functions for which the Secretary is responsible, pursuant to regulations or under agreements published in the Federal Register; and

(2) carry out central authority functions through grants to, or contracts with, any individual or public or private entity, except as may be otherwise specifically provided in this Act.

SEC. 103. RESPONSIBILITIES OF THE ATTORNEY GENERAL.

In addition to such other responsibilities as are specifically conferred upon the Attorney General by this Act, the central authority functions specified in Article 14 of the Convention (relating to the filing of applications by prospective adoptive parents to the central authority of their country of residence) shall be performed by the Attorney General.

SEC. 104. ANNUAL REPORT ON INTERCOUNTRY ADOPTIONS.

(a) REPORTS REQUIRED.—Beginning one year after the date of the entry into force of the Convention for the United States and each year thereafter, the Secretary, in consultation with the Attorney General and other appropriate agencies, shall submit a report describing the activities of the central authority of the United States under this Act during the preceding year to the Committee on International Relations, the Committee on Ways and Means, and the Committee on the Judiciary of the House of Representatives and the Committee on Foreign Relations, the Committee on Finance, and the Committee on the Judiciary of the Senate.

(b) REPORT ELEMENTS.—Each report under subsection (a) shall set forth with respect to the year concerned, the following:

(1) The number of intercountry adoptions involving immigration to the United States, regardless of whether the adoption occurred under the Convention, including the country from which each child emigrated, the State to which each child immigrated, and the country in which the adoption was finalized.

(2) The number of intercountry adoptions involving emigration from the United States, regardless of whether the adoption occurred under the Convention, including the country to which each child immigrated and the State from which each child emigrated.

(3) The number of Convention placements for adoption in the United States that were disrupted, including the country from which the child emigrated, the age of the child, the date of the placement for adoption, the reasons for the disruption, the resolution of the disruption, the agencies that handled the placement for adoption, and the plans for the child, and in addition, any information regarding disruption or dissolution of adoptions of children from other countries received pursuant to section 422(b)(14) of the Social Security Act, as amended by section 205 of this Act.

(4) The average time required for completion of a Convention adoption, set forth by country from which the child emigrated.

(5) The current list of agencies accredited and persons approved under this Act to provide adoption services.

(6) The names of the agencies and persons temporarily or permanently debarred under this Act, and the reasons for the debarment.

(7) The range of adoption fees charged in connection with Convention adoptions involving immigration to the United States and the median of such fees set forth by the country of origin.

(8) The range of fees charged for accreditation of agencies and the approval of persons in the United States engaged in providing adoption services under the Convention.

TITLE II—PROVISIONS RELATING TO ACCREDITATION AND APPROVAL

SEC. 201. ACCREDITATION OR APPROVAL REQUIRED IN ORDER TO PROVIDE ADOPTION SERVICES IN CASES SUBJECT TO THE CONVENTION.

(a) IN GENERAL.—Except as otherwise provided in this title, no person may offer or provide adoption services in connection with a Convention adoption in the United States unless that person—

(1) is accredited or approved in accordance with this title; or

(2) is providing such services through or under the supervision and responsibility of an accredited agency or approved person.

(b) EXCEPTIONS.—Subsection (a) shall not apply to the following:

(1) BACKGROUND STUDIES AND HOME STUDIES.—The performance of a background study on a child or a home study on a prospective adoptive parent, or any report on any such study by a social work professional or organization who is not providing any other adoption service in the case, if the background or home study is approved by an accredited agency.

(2) CHILD WELFARE SERVICES.—The provision of a child welfare service by a person who is not providing any other adoption service in the case.

(3) LEGAL SERVICES.—The provision of legal services by a person who is not providing any adoption service in the case.

(4) PROSPECTIVE ADOPTIVE PARENTS ACTING ON OWN BEHALF.—The conduct of a prospective adoptive parent on his or her own behalf in the case, to the extent not prohibited by the law of the State in which the prospective adoptive parent resides.

SEC. 202. PROCESS FOR ACCREDITATION AND APPROVAL; ROLE OF ACCREDITING ENTITIES.

(a) DESIGNATION OF ACCREDITING ENTITIES.—

(1) IN GENERAL.—The Secretary shall enter into agreements with one or more qualified entities under which such entities will perform the duties described in subsection (b) in accordance with the Convention, this title, and the regulations prescribed under section 203, and upon entering into each such agreement shall designate the qualified entity as an accrediting entity.

(2) QUALIFIED ENTITIES.—In paragraph (1), the term ''qualified entity'' means—

(A) a nonprofit private entity that has expertise in developing and administering standards for entities providing child welfare services and that meets such other criteria as the Secretary may by regulation establish; or

(B) a public entity (other than a Federal entity), including an agency or instrumentality of State government having responsibility for licensing adoption agencies, that—

(i) has expertise in developing and administering standards for entities providing child welfare services;

(ii) accredits only agencies located in the State in which the public entity is located; and

(iii) meets such other criteria as the Secretary may by regulation establish.

(b) DUTIES OF ACCREDITING ENTITIES.—The duties described in this subsection are the following:

(1) ACCREDITATION AND APPROVAL.—Accreditation of agencies, and approval of persons, to provide adoption services in the United States in cases subject to the Convention.

(2) OVERSIGHT.—Ongoing monitoring of the compliance of accredited agencies and approved persons with applicable requirements, including review of complaints against such agencies and persons in accordance with procedures established by the accrediting entity and approved by the Secretary.

(3) ENFORCEMENT.—Taking of adverse actions (including requiring corrective action, imposing sanctions, and refusing to renew, suspending, or canceling accreditation or approval) for noncompliance with applicable requirements, and notifying the agency or person against whom adverse actions are taken of the deficiencies necessitating the adverse action.

(4) DATA, RECORDS, AND REPORTS.—Collection of data, maintenance of records, and reporting to the Secretary, the United States central authority, State courts, and other entities (including on persons and agencies granted or denied approval or accreditation), to the extent and in the manner that the Secretary requires.

(c) REMEDIES FOR ADVERSE ACTION BY ACCREDITING ENTITY.—

(1) CORRECTION OF DEFICIENCY.—An agency or person who is the subject of an adverse action by an accrediting entity may re-apply for accreditation or approval (or petition for termination of the adverse action) on demonstrating to the satisfaction of the accrediting entity that the deficiencies necessitating the adverse action have been corrected.

(2) NO OTHER ADMINISTRATIVE REVIEW.—An adverse action by an accrediting entity shall not be subject to administrative review.

(3) JUDICIAL REVIEW.—An agency or person who is the subject of an adverse action by an accrediting entity may petition the United States district court in the judicial district in which the agency is located or the person resides to set aside the adverse action. The court shall review the adverse action in accordance with section 706 of title 5, United States Code, and for purposes of such review the accrediting entity shall be considered an agency within the meaning of section 701 of such title.

(d) FEES.—The amount of fees assessed by accrediting entities for the costs of accreditation shall be subject to approval by the Secretary. Such fees may not exceed the costs of accreditation. In reviewing the level of such fees, the Secretary shall consider the relative size of, the geographic location of, and the number of Convention adoption cases managed by the agencies or persons subject to accreditation or approval by the accrediting entity.

SEC. 203. STANDARDS AND PROCEDURES FOR PROVIDING ACCREDITATION OR APPROVAL.

(a) IN GENERAL.—

(1) PROMULGATION OF REGULATIONS.—The Secretary, shall, by regulation, prescribe the standards and procedures to be used by accrediting entities for the accreditation of agencies and the approval of persons to provide adoption services in the United States in cases subject to the Convention.

(2) CONSIDERATION OF VIEWS.—In developing such regulations, the Secretary shall consider any standards or procedures developed or proposed by, and the views of, individuals and entities with interest and expertise in international adoptions and family social services, including public and private entities with experience in licensing and accrediting adoption agencies.

(3) APPLICABILITY OF NOTICE AND COMMENT RULES.—Subsections (b), (c), and (d) of section 553 of title 5, United States Code, shall apply in the development and issuance of regulations under this section.

(b) MINIMUM REQUIREMENTS.—

(1) ACCREDITATION.—The standards prescribed under subsection (a) shall include the requirement that accreditation of an agency may not be provided or continued under this title unless the agency meets the following requirements:

(A) SPECIFIC REQUIREMENTS.—

(i) The agency provides prospective adoptive parents of a child in a prospective Convention adoption a copy of the medical records of the child (which, to the fullest extent practicable, shall include an English-language translation of such records) on a date which is not later than the earlier of the date that is 2 weeks before (I) the adoption, or (II) the date on which the prospective parents travel to a foreign country to complete all procedures in such country relating to the adoption.

(ii) The agency ensures that a thorough background report (home study) on the prospective adoptive parent or parents has been completed in accordance with the Convention and with applicable Federal and State requirements and transmitted to the Attorney General with respect to each Convention adoption. Each such report shall include a criminal background check and a full and complete statement of all facts relevant to the eligibility of the prospective adopting parent or parents to adopt a child under any requirements specified by the central authority of the child's country of origin under section 102(b)(3), including, in the case of a child emigrating to the United States for the purpose of adoption, the requirements of the child's country of origin applicable to adoptions taking place in such country. For purposes of this clause, the term ''background report (home study)'' includes any supplemental statement submitted by the agency to the Attorney General for the purpose of providing information relevant to any requirements specified by the child's country of origin.

(iii) The agency provides prospective adoptive parents with a training program that includes counseling and guidance for the purpose of promoting a successful intercountry adoption before such parents travel to adopt the child or the child is placed with such parents for adoption.

(iv) The agency employs personnel providing intercountry adoption services on a fee for service basis rather than on a contingent fee basis.

(v) The agency discloses fully its policies and practices, the disruption rates of its placements for intercountry adoption, and all fees charged by such agency for intercountry adoption.

(B) CAPACITY TO PROVIDE ADOPTION SERVICES.—The agency has, directly or through arrangements with other persons, a sufficient number of appropriately trained and qualified personnel, sufficient financial resources, appropriate organizational structure, and appropriate procedures to enable the agency to provide, in accordance with this Act, all adoption services in cases subject to the Convention.

(C) USE OF SOCIAL SERVICE PROFESSIONALS.—The agency has established procedures designed to ensure that social service functions requiring the application of clinical skills and judgment are performed only by professionals with appropriate qualifications and credentials.

(D) RECORDS, REPORTS, AND INFORMATION MATTERS.—The agency is capable of—

(i) maintaining such records and making such reports as may be required by the Secretary, the United States central authority, and the accrediting entity that accredits the agency;

(ii) cooperating with reviews, inspections, and audits;

(iii) safeguarding sensitive individual information; and

(iv) complying with other requirements concerning information management necessary to ensure compliance with the Convention, this Act, and any other applicable law.

(E) LIABILITY INSURANCE.—The agency agrees to have in force adequate liability insurance for professional negligence and any other insurance that the Secretary considers appropriate.

(F) COMPLIANCE WITH APPLICABLE RULES.—The agency has established adequate measures to comply (and to ensure compliance of their agents and clients) with the Convention, this Act, and any other applicable law.

(G) NONPROFIT ORGANIZATION WITH STATE LICENSE TO PROVIDE ADOPTION SERVICES.—The agency is a private nonprofit organization licensed to provide adoption services in at least one State.

(2) APPROVAL.—The standards prescribed under subsection (a) shall include the requirement that a person shall not be approved under this title unless the person is a private for-profit entity that meets the requirements of subparagraphs (A) through (F) of paragraph (1) of this subsection.

(3) RENEWAL OF ACCREDITATION OR APPROVAL.—The standards prescribed under subsection (a) shall provide that the accreditation of an agency or approval of a person under this title shall be for a period of not less than 3 years and not more than 5 years, and may be renewed on a showing that the agency or person meets the requirements applicable to original accreditation or approval under this title.

(c) TEMPORARY REGISTRATION OF COMMUNITY BASED AGENCIES.—

(1) ONE-YEAR REGISTRATION PERIOD FOR MEDIUM COMMUNITY BASED AGENCIES.—For a 1-year period after the entry into force of the Convention and notwithstanding subsection (b), the Secretary may provide, in regulations issued pursuant to subsection (a), that an agency may register with the Secretary and be accredited to provide adoption services in the United States in cases subject to the Convention during such period if the agency has provided adoption services in fewer than 100 intercountry adoptions in the preceding calendar year and meets the criteria described in paragraph (3).

(2) TWO-YEAR REGISTRATION PERIOD FOR SMALL COMMUNITY-BASED AGENCIES.—For a 2-year period after the entry into force of the Convention and notwithstanding subsection (b), the Secretary may provide, in regulations issued pursuant to subsection (a), that an agency may register with the Secretary and be accredited to provide adoption services in the United States in cases subject to the Convention during such period if the agency has provided adoption services in fewer than 50 intercountry adoptions in the preceding calendar year and meets the criteria described in paragraph (3).

(3) CRITERIA FOR REGISTRATION.—Agencies registered under this subsection shall meet the following criteria:

(A) The agency is licensed in the State in which it is located and is a nonprofit agency.

(B) The agency has been providing adoption services in connection with intercountry adoptions for at least 3 years.

(C) The agency has demonstrated that it will be able to provide the United States Government with all information related to the elements described in section 104(b) and provides such information.

(D) The agency has initiated the process of becoming accredited under the provisions of this Act and is actively taking steps to become an accredited agency.

(E) The agency has not been found to be involved in any improper conduct relating to intercountry adoptions.

SEC. 204. SECRETARIAL OVERSIGHT OF ACCREDITATION AND APPROVAL.

(a) OVERSIGHT OF ACCREDITING ENTITIES.—The Secretary shall—

(1) monitor the performance by each accrediting entity of its duties under section 202 and its compliance with the requirements of the Convention, this Act, other applicable laws, and implementing regulations under this Act; and

(2) suspend or cancel the designation of an accrediting entity found to be substantially out of compliance with the Convention, this Act, other applicable laws, or implementing regulations under this Act.

(b) SUSPENSION OR CANCELLATION OF ACCREDITATION OR APPROVAL.—

(1) SECRETARY'S AUTHORITY.—The Secretary shall suspend or cancel the accreditation or approval granted by an accrediting entity to an agency or person pursuant to section 202 when the Secretary finds that—

(A) the agency or person is substantially out of compliance with applicable requirements; and

(B) the accrediting entity has failed or refused, after consultation with the Secretary, to take appropriate enforcement action.

(2) CORRECTION OF DEFICIENCY.—At any time when the Secretary is satisfied that the deficiencies on the basis of which an adverse action is taken under paragraph (1) have been corrected, the Secretary shall—

(A) notify the accrediting entity that the deficiencies have been corrected; and

(B)(i) in the case of a suspension, terminate the suspension; or

(ii) in the case of a cancellation, notify the agency or person that the agency or person may re-apply to the accrediting entity for accreditation or approval.

(c) DEBARMENT.—

(1) SECRETARY'S AUTHORITY.—On the initiative of the Secretary, or on request of an accrediting entity, the Secretary may temporarily or permanently debar an agency from accreditation or a person from approval under this title, but only if—

(A) there is substantial evidence that the agency or person is out of compliance with applicable requirements; and

(B) there has been a pattern of serious, willful, or grossly negligent failures to comply or other aggravating circumstances indicating that continued accreditation or approval would not be in the best interests of the children and families concerned.

(2) PERIOD OF DEBARMENT.—The Secretary's debarment order shall state whether the debarment is temporary or permanent. If the debar-

ment is temporary, the Secretary shall specify a date, not earlier than 3 years after the date of the order, on or after which the agency or person may apply to the Secretary for withdrawal of the debarment.

(3) EFFECT OF DEBARMENT.—An accrediting entity may take into account the circumstances of the debarment of an agency or person that has been debarred pursuant to this subsection in considering any subsequent application of the agency or person, or of any other entity in which the agency or person has an ownership or control interest, for accreditation or approval under this title.

(d) JUDICIAL REVIEW.—A person (other than a prospective adoptive parent), an agency, or an accrediting entity who is the subject of a final action of suspension, cancellation, or debarment by the Secretary under this title may petition the United States District Court for the District of Columbia or the United States district court in the judicial district in which the person resides or the agency or accrediting entity is located to set aside the action. The court shall review the action in accordance with section 706 of title 5, United States Code.

(e) FAILURE TO ENSURE A FULL AND COMPLETE HOME STUDY.—

(1) IN GENERAL.—Willful, grossly negligent, or repeated failure to ensure the completion and transmission of a background report (home study) that fully complies with the requirements of section 203(b)(1)(A)(ii) shall constitute substantial noncompliance with applicable requirements.

(2) REGULATIONS.—Regulations promulgated under section 203 shall provide for—

(A) frequent and careful monitoring of compliance by agencies and approved persons with the requirements of section 203(b)(A)(ii); and

(B) consultation between the Secretary and the accrediting entity where an agency or person has engaged in substantial noncompliance with the requirements of section 203(b)(A)(ii), unless the accrediting entity has taken appropriate corrective action and the noncompliance has not recurred.

(3) REPEATED FAILURES TO COMPLY.—Repeated serious, willful, or grossly negligent failures to comply with the requirements of section 203(b)(1)(A)(ii) by an agency or person after consultation between Secretary and the accrediting entity with respect to previous noncompliance by such agency or person shall constitute a pattern of serious, willful, or grossly negligent failures to comply under subsection (c)(1)(B).

(4) FAILURE TO COMPLY WITH CERTAIN REQUIREMENTS.—A failure to comply with the requirements of section 203(b)(1)(A)(ii) shall constitute a serious failure to comply under subsection (c)(1)(B) unless it is shown by clear and convincing evidence that such noncompliance had neither the purpose nor the effect of determining the outcome of a decision or proceeding by a court or other competent authority in the United States or the child's country of origin.

SEC. 205. STATE PLAN REQUIREMENT.

Section 422(b) of the Social Security Act (42 U.S.C. 622(b)) is amended—

(1) in paragraph (11), by striking ''and'' at the end;

(2) in paragraph (12), by striking ''children.'' and inserting ''children;''; and

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

''(13) contain a description of the activities that the State has undertaken for children adopted from other countries, including the provision of adoption and post-adoption services; and

''(14) provide that the State shall collect and report information on children who are adopted from other countries and who enter into State custody as a result of the disruption of a placement for adoption or the dissolution of an adoption, including the number of children, the agencies who handled the placement or adoption, the plans for the child, and the reasons for the disruption or dissolution.''.

TITLE III—RECOGNITION OF CONVENTION ADOPTIONS IN THE UNITED STATES

SEC. 301. ADOPTIONS OF CHILDREN IMMIGRATING TO THE UNITED STATES.

(a) LEGAL EFFECT OF CERTIFICATES ISSUED BY THE SECRETARY OF STATE.—

(1) ISSUANCE OF CERTIFICATES BY THE SECRETARY OF STATE.—The Secretary of State shall, with respect to each Convention adoption, issue a certificate to the adoptive citizen parent domiciled in the United States that the adoption has been granted or, in the case of a prospective adoptive citizen parent, that legal custody of the child has been granted to the citizen parent for purposes of emigration and adoption, pursuant to the Convention and this Act, if the Secretary of State—

(A) receives appropriate notification from the central authority of such child's country of origin; and

(B) has verified that the requirements of the Convention and this Act have been met with respect to the adoption.

(2) LEGAL EFFECT OF CERTIFICATES.—If appended to an original adoption decree, the certificate described in paragraph (1) shall be treated by Federal and State agencies, courts, and other public and private persons and entities as conclusive evidence of the facts certified therein and shall constitute the certification required by section 204(d)(2) of the Immigration and Nationality Act, as amended by this Act.

(b) LEGAL EFFECT OF CONVENTION ADOPTION FINALIZED IN ANOTHER CONVENTION COUNTRY.—A final adoption in another Convention country, certified by the Secretary of State pursuant to subsection (a) of this section or section 303(c), shall be recognized as a final valid adoption for purposes of all Federal, State, and local laws of the United States.

(c) CONDITION ON FINALIZATION OF CONVENTION ADOPTION BY STATE COURT.—In the case of a child who has entered the United States from another Convention country for the purpose of adoption, an order declaring the adoption final shall not be entered unless the Secretary of State has issued the certificate provided for in subsection (a) with respect to the adoption.

SEC. 302. IMMIGRATION AND NATIONALITY ACT AMENDMENTS RELATING TO CHILDREN ADOPTED FROM CONVENTION COUNTRIES.

(a) DEFINITION OF CHILD.—Section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)) is amended—

(1) by striking ''or'' at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting ''; or''; and

(3) by adding after subparagraph (F) the following new subparagraph:

''(G) a child, under the age of sixteen at the time a petition is filed on the child's behalf to accord a classification as an immediate relative under section 201(b), who has been adopted in a foreign state that is a party to the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption done at The Hague on May 29, 1993, or who is emigrating from such a foreign state to be adopted in the United States, by a United States citizen and spouse jointly, or by an unmarried United States citizen at least twenty-five years of age—

''(i) if—

''(I) the Attorney General is satisfied that proper care will be furnished the child if admitted to the United States;

''(II) the child's natural parents (or parent, in the case of a child who has one sole or surviving parent because of the death or disappearance of, abandonment or desertion by, the other parent), or other persons or institutions that retain legal custody of the child, have freely given their written irrevocable consent to the termination of their legal relationship with the child, and to the child's emigration and adoption;

''(III) in the case of a child having two living natural parents, the natural parents are incapable of providing proper care for the child;

''(IV) the Attorney General is satisfied that the purpose of the adoption is to form a bona fide parent-child relationship, and the parent-child relationship of the child and the biological parents has been terminated; and

''(V) in the case of a child who has not been adopted—

''(aa) the competent authority of the foreign state has approved the child's emigration to the United States for the purpose of adoption by the prospective adoptive parent or parents; and

''(bb) the prospective adoptive parent or parents has or have complied with any pre-adoption requirements of the child's proposed residence; and

''(ii) except that no natural parent or prior adoptive parent of any such child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this Act.''.

(b) APPROVAL OF PETITIONS.—Section 204(d) of the Immigration and Nationality Act (8 U.S.C. 1154(d)) is amended—

(1) by striking ''(d)'' and inserting ''(d)(1)'';

(2) by striking ''section 101(b)(1)(F)'' and inserting ''subparagraph (F) or (G) of section 101(b)(1)''; and

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

''(2) Notwithstanding the provisions of subsections (a) and (b), no petition may be approved on behalf of a child defined in section 101(b)(1)(G) unless the Secretary of State has certified that the central authority of the child's country of origin has notified the United States central authority under the convention referred to in such section 101(b)(1)(G) that a United States citizen habitually resident in the United States has effected final adoption of the child, or has been granted custody of the child for the purpose of emigration and adoption, in accordance with such convention and the Intercountry Adoption Act of 2000.''.

(c) DEFINITION OF PARENT.—Section 101(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(2)) is amended by inserting ''and paragraph (1)(G)(i)'' after ''second proviso therein)''.

SEC. 303. ADOPTIONS OF CHILDREN EMIGRATING FROM THE UNITED STATES.

(a) DUTIES OF ACCREDITED AGENCY OR APPROVED PERSON.—In the case of a Convention adoption involving the emigration of a child residing in the United States to a foreign country, the accredited agency or approved person providing adoption services, or the prospective adoptive parent or parents acting on their own behalf (if permitted by the laws of such other Convention country in which they reside and the laws of the State in which the child resides), shall do the following:

(1) Ensure that, in accordance with the Convention—

(A) a background study on the child is completed;

(B) the accredited agency or approved person—

(i) has made reasonable efforts to actively recruit and make a diligent search for prospective adoptive parents to adopt the child in the United States; and

(ii) despite such efforts, has not been able to place the child for adoption in the United States in a timely manner; and

(C) a determination is made that placement with the prospective adoptive parent or parents is in the best interests of the child.

(2) Furnish to the State court with jurisdiction over the case—

(A) documentation of the matters described in paragraph (1);

(B) a background report (home study) on the prospective adoptive parent or parents (including a criminal background check) prepared in accordance with the laws of the receiving country; and

(C) a declaration by the central authority (or other competent authority) of such other Convention country—

(i) that the child will be permitted to enter and reside permanently, or on the same basis as the adopting parent, in the receiving country; and

(ii) that the central authority (or other competent authority) of such other Convention country consents to the adoption, if such consent is necessary under the laws of such country for the adoption to become final.

(3) Furnish to the United States central authority—

(A) official copies of State court orders certifying the final adoption or grant of custody for the purpose of adoption;

(B) the information and documents described in paragraph (2), to the extent required by the United States central authority; and

(C) any other information concerning the case required by the United States central authority to perform the functions specified in subsection (c) or otherwise to carry out the duties of the United States central authority under the Convention.

(b) CONDITIONS ON STATE COURT ORDERS.—An order declaring an adoption to be final or granting custody for the purpose of adoption in a case described in subsection (a) shall not be entered unless the court—

(1) has received and verified to the extent the court may find necessary—

(A) the material described in subsection (a)(2); and

(B) satisfactory evidence that the requirements of Articles 4 and 15 through 21 of the Convention have been met; and

(2) has determined that the adoptive placement is in the best interests of the child.

(c) DUTIES OF THE SECRETARY OF STATE.—In a case described in subsection (a), the Secretary, on receipt and verification as necessary of the material and information described in subsection (a)(3), shall issue, as applicable, an official certification that the child has been adopted or a declaration that custody for purposes of adoption has been granted, in accordance with the Convention and this Act.

(d) FILING WITH REGISTRY REGARDING NONCONVENTION ADOPTIONS.—Accredited agencies, approved persons, and other persons, including governmental authorities, providing adoption services in an intercountry adoption not subject to the Convention that involves the emigration of a child from the United States shall file information required by regulations jointly issued by the Attorney General and the Secretary of State for purposes of implementing section 102(e).

TITLE IV—ADMINISTRATION AND ENFORCEMENT

SEC. 401. ACCESS TO CONVENTION RECORDS.

(a) PRESERVATION OF CONVENTION RECORDS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Attorney General, shall issue regulations that establish procedures and requirements in accordance with the Convention and this section for the preservation of Convention records.

(2) APPLICABILITY OF NOTICE AND COMMENT RULES.—Subsections (b), (c), and (d) of section 553 of title 5, United States Code, shall apply in the development and issuance of regulations under this section.

(b) ACCESS TO CONVENTION RECORDS.—

(1) PROHIBITION.—Except as provided in paragraph (2), the Secretary or the Attorney General may disclose a Convention record, and access to such a record may be provided in whole or in part, only if such record is maintained under the authority of the Immigration and Nationality Act and disclosure of, or access to, such record is permitted or required by applicable Federal law.

(2) EXCEPTION FOR ADMINISTRATION OF THE CONVENTION.—A Convention record may be disclosed, and access to such a record may be provided, in whole or in part, among the Secretary, the Attorney General, central authorities, accredited agencies, and approved persons, only to the extent necessary to administer the Convention or this Act.

(3) PENALTIES FOR UNLAWFUL DISCLOSURE.—Unlawful disclosure of all or part of a Convention record shall be punishable in accordance with applicable Federal law.

(c) ACCESS TO NON-CONVENTION RECORDS.—Disclosure of, access to, and penalties for unlawful disclosure of, adoption records that are not Convention records, including records of adoption proceedings conducted in the United States, shall be governed by applicable State law.

SEC. 402. DOCUMENTS OF OTHER CONVENTION COUNTRIES.

Documents originating in any other Convention country and related to a Convention adoption case shall require no authentication in order to be admissible in any Federal, State, or local court in the United States, unless a specific and supported claim is made that the documents are false, have been altered, or are otherwise unreliable.

SEC. 403. AUTHORIZATION OF APPROPRIATIONS; COLLECTION OF FEES.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to agencies of the Federal Government implementing the Convention and the provisions of this Act.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.

(b) ASSESSMENT OF FEES.—

(1) The Secretary may charge a fee for new or enhanced services that will be undertaken by the Department of State to meet the requirements of this Act with respect to intercountry adoptions under the Convention and comparable services with respect to other intercountry adoptions. Such fee shall be prescribed by regulation and shall not exceed the cost of such services.

(2) Fees collected under paragraph (1) shall be retained and deposited as an offsetting collection to any Department of State appropriation to recover the costs of providing such services.

(3) Fees authorized under this section shall be available for obligation only to the extent and in the amount provided in advance in appropriations Acts.

(c) RESTRICTION.—No funds collected under the authority of this section may be made available to an accrediting entity to carry out the purposes of this Act.

SEC. 404. ENFORCEMENT.

(a) CIVIL PENALTIES.—Any person who—

(1) violates section 201;

(2) makes a false or fraudulent statement, or misrepresentation, with respect to a material fact, or offers, gives, solicits, or accepts inducement by way of compensation, intended to influence or affect in the United States or a foreign country—

(A) a decision by an accrediting entity with respect to the accreditation of an agency or approval of a person under title II;

(B) the relinquishment of parental rights or the giving of parental consent relating to the adoption of a child in a case subject to the Convention; or

(C) a decision or action of any entity performing a central authority function; or

(3) engages another person as an agent, whether in the United States or in a foreign country, who in the course of that agency takes any of the actions described in paragraph (1) or (2),

shall be subject, in addition to any other penalty that may be prescribed by law, to a civil money penalty of not more than $50,000 for a first violation, and not more than $100,000 for each succeeding violation.

(b) CIVIL ENFORCEMENT.—

(1) AUTHORITY OF ATTORNEY GENERAL.—The Attorney General may bring a civil action to enforce subsection (a) against any person in any United States district court.

(2) FACTORS TO BE CONSIDERED IN IMPOSING PENALTIES.—In imposing penalties the court shall consider the gravity of the violation, the degree of culpability of the defendant, and any history of prior violations by the defendant.

(c) CRIMINAL PENALTIES.—Whoever knowingly and willfully violates paragraph (1) or (2) of subsection (a) shall be subject to a fine of not more than $250,000, imprisonment for not more than 5 years, or both.

TITLE V—GENERAL PROVISIONS

SEC. 501. RECOGNITION OF CONVENTION ADOPTIONS.

Subject to Article 24 of the Convention, adoptions concluded between two other Convention countries that meet the requirements of Article 23 of the Convention and that became final before the date of entry into force of the Convention for the United States shall be recognized thereafter in the United States and given full effect. Such recognition shall include the specific effects described in Article 26 of the Convention.

SEC. 502. SPECIAL RULES FOR CERTAIN CASES.

(a) AUTHORITY TO ESTABLISH ALTERNATIVE PROCEDURES FOR ADOPTION OF CHILDREN BY RELATIVES.—To the extent consistent with the Convention, the Secretary may establish by regulation alternative procedures for the adoption of children by individuals related to them by blood, marriage, or adoption, in cases subject to the Convention.

(b) WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, to the extent consistent with the Convention, the Secretary may, on a case-by-case basis, waive applicable requirements of this Act or regulations issued under this Act, in the interests of justice or to prevent grave physical harm to the child.

(2) NONDELEGATION.—The authority provided by paragraph (1) may not be delegated.

SEC. 503. RELATIONSHIP TO OTHER LAWS.

(a) PREEMPTION OF INCONSISTENT STATE LAW.—The Convention and this Act shall not be construed to preempt any provision of the law of any State or political subdivision thereof, or prevent a State or political subdivision thereof from enacting any provision of law with respect to the subject matter of the Convention or this Act, except to the extent that such provision of State law is inconsistent with the Convention or this Act, and then only to the extent of the inconsistency.

(b) APPLICABILITY OF THE INDIAN CHILD WELFARE ACT.—The Convention and this Act shall not be construed to affect the application of the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.).

(c) RELATIONSHIP TO OTHER LAWS.—Sections 3506(c), 3507, and 3512 of title 44, United States Code, shall not apply to information collection for purposes of sections 104, 202(b)(4), and 303(d) of this Act or for use as a Convention record as defined in this Act.

SEC. 504. NO PRIVATE RIGHT OF ACTION.

The Convention and this Act shall not be construed to create a private right of action to seek administrative or judicial relief, except to the extent expressly provided in this Act.

SEC. 505. EFFECTIVE DATES; TRANSITION RULE.

(a) EFFECTIVE DATES.—

(1) PROVISIONS EFFECTIVE UPON ENACTMENT.—Sections 2, 3, 101 through 103, 202 through 205, 401(a), 403, 503, and 505(a) shall take effect on the date of the enactment of this Act.

(2) PROVISIONS EFFECTIVE UPON THE ENTRY INTO FORCE OF THE CONVENTION.—Subject to subsection (b), the provisions of this Act not specified in paragraph (1) shall take effect upon the entry into force of the Convention for the United States pursuant to Article 46(2)(a) of the Convention.

(b) TRANSITION RULE.—The Convention and this Act shall not apply—

(1) in the case of a child immigrating to the United States, if the application for advance processing of an orphan petition or petition to

classify an orphan as an immediate relative for the child is filed before the effective date described in subsection (a)(2); or

(2) in the case of a child emigrating from the United States, if the prospective adoptive parents of the child initiated the adoption process in their country of residence with the filing of an appropriate application before the effective date described in subsection (a)(2).

On motion of Mr. GILMAN, said Senate amendment was agreed to with the following amendment:

Page 36, strike lines 22 and 23 and insert ''and the natural parents has been terminated (and in carrying out both obligations under this subclause the Attorney General may consider whether there is a petition pending to confer immigrant status on one or both of such natural parents); and''.

A motion to reconsider the vote whereby said Senate amendment was agreed to with an amendment was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶91.31 ORDER OF BUSINESS—''MORNING HOUR DEBATE''

On motion of Mr. PITTS, by unanimous consent,

Ordered, That it may be in order that Members be permitted to refer to a retiring Member of the other body in tributes during ''morning hour debate'' on Tuesday, September 19, 2000.

¶91.32 BILLS PRESENTED TO THE PRESIDENT

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

On September 14, 2000:

H.R. 4040. To amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees, members of the uniformed services, and civilian and military retirees, provide for the correction of retirement coverage errors under chapters 83 and 84 of such title, and for other purposes.

On September 15, 2000:

H.R. 1729. To designate the Federal facility located at 1301 Emmet Street in Charlottesville, Virginia, as the ''Pamela B. Gwin Hall''.

H.R. 1901. To designate the United States border station located in Pharr, Texas, as the ''Kika de la Garza United States Border Station''.

H.R. 1959. To designate the Federal building located at 643 East Durango Boulevard in San Antonio, Texas, as the ''Adrian A. Spears Judicial Training Center''.

H.R. 4608. To designate the United States courthouse located at 220 West Depot Street in Greenville, Tennessee, as the ''James H. Quillen United States Courthouse''.

¶91.33 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mrs. CHENOWETH-HAGE, for today;

To Mr. SAXTON, for today; and

To Mr. WAMP for today.

And then,

¶91.34 ADJOURNMENT

On motion of Mr. McINNIS, at 10 o'clock and 20 minutes p.m., the House adjourned.

¶91.35 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4643. A bill to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians, and for other purposes (Rept. No. 106–855). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4847. A bill to direct the Secretary of the Interior to refund certain amounts received by the United States pursuant to the Reclamation Reform Act of 1982 (Rept. No. 106–856). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 1694. An act to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii; with an amendment (Rept. No. 106–857). Referred to the Committee of the Whole House on the State of the Union.

Mr. TALENT: Committee on Small Business. H.R. 4945. A bill to amend the Small Business Act to strengthen existing protections for small business participation in the Federal procurement contracting process, and for other purposes (Rept. No. 106–858). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 3235. A bill to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during non-school hours; with an amendment (Rept. No. 106–859). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 5106. A bill to make technical corrections in copyright law; with an amendment (Rept. No. 106–860). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 5107. A bill to make certain corrections in copyright law (Rept. No. 106–861). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 5173. A bill to provide for reconciliation pursuant to sections 103(b)(2) and 213(b)(2)(C) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt; with an amendment (Rept. No. 106–862 Pt. 1).

Mr. STUMP: Committee on Veterans' Affairs. H.R. 5109. A bill to amend title 38, United States Code, to improve the personnel system of the Veterans Health Administration, and for other purposes; with an amendment (Rept. No. 106–863). Referred to the Committee of the Whole House on the State of the Union.

¶91.36 TIME LIMITATIONS OF REFERRED BILL

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

[The following action occurred on September 15, 2000]

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than September 19, 2000.

[Submitted September 18, 2000]

H.R. 5173. Referral to the Committees on the Budget and Rules extended for a period ending not later than September 18, 2000.

¶91.37 DISCHARGE OF COMMITTEE

[The following action occurred on September 15, 2000]

Pursuant to clause 5 of rule X the Committee on the Judiciary discharged. H.R. 1954 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

[Submitted September 18, 2000]

Pursuant to clause 5 of rule X the Committees on the Budget and Rules discharged. H.R. 5173 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶91.38 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LAZIO (for himself and Mr. KUYKENDALL):

H.R. 5193. A bill to amend the National Housing Act to temporarily extend the applicability of the downpayment simplification provisions for the FHA single family housing mortgage insurance program; to the Committee on Banking and Financial Services.

By Mr. MOORE (for himself, Mrs. McCARTHY of New York, Mr. UDALL of New Mexico, Mr. HOUGHTON, Mr. McCOLLUM, Mr. STUPAK, Mr. McGOVERN, Mr. HOLT, Ms. McCARTHY of Missouri, Mrs. LOWEY, Ms. DANNER, and Mr. HUTCHINSON):

H.R. 5194. A bill to prohibit the possession of a firearm by an individual who has committed an act of juvenile delinquency that would be a violent felony if committed by an adult; to the Committee on the Judiciary.

By Mr. EHLERS:

H.R. 5195. A bill to provide for the establishment of a position of Deputy Administrator for Science and Technology of the Environmental Protection Agency, and for other purposes; to the Committee on Science.

By Mr. GILMAN (for himself and Mr. GEJDENSON):

H.R. 5196. A bill to promote, protect, and enhance democracy and human rights in United States foreign policy; to the Committee on International Relations.

By Mr. ANDREWS:

H.R. 5197. A bill to amend title XVIII of the Social Security Act to provide certain Medicare beneficiaries living abroad a special Medicare part B enrollment period during which the late enrollment penalty is waived and a special Medigap open enrollment period during which no underwriting is permitted; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DeGETTE (for herself and Mr. LaTOURETTE):

H.R. 5198. A bill to protect the health and welfare of children involved in research; to the Committee on Commerce.

By Mr. HINCHEY:

H.R. 5199. A bill to provide for conveyance of a lighthouse to the City of Kingston, New York; to the Committee on Transportation and Infrastructure.

By Mr. TOOMEY (for himself and Ms. BERKLEY):

H.R. 5200. A bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians and other health care providers that are attempting to properly submit claims under the Medicare Program and to ensure that the Secretary targets truly fraudulent activity for enforcement of Medicare billing regulations, rather than inadvertent billing errors; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H. Con. Res. 403. Concurrent resolution recognizing, appreciating, and remembering with dignity and respect the Native American men and women who have served the United States in military service; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska:

H. Res. 579. A resolution providing for the concurrence by the House with an amendment in the Senate amendment to H.R. 1651; considered and agreed to.

By Mr. CROWLEY (for himself, Mr. PITTS, Mr. KUCINICH, Mr. HALL of Ohio, Mr. SMITH of New Jersey, Mr. WEINER and Mrs. LOWEY):

H. Res. 580. A resolution expressing the sense of the House of Representatives regarding the murder of human rights lawyer Jafar Siddiq Hamzah in Medan, Indonesia; to the Committee on International Relations.

¶91.39 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SAXTON:

H.R. 5201. A bill for the relief of Richard Steinmetz; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 5202. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and fisheries for the vessel ANNANDALE; to the Committee on Transportation and Infrastructure.

¶91.40 ADDITIONAL SPONSORS

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

H.R. 82: Mr. TRANCREDO and Mr. LEVIN.
H.R. 207: Mr. FATTAH.
H.R. 225: Mr. MINGE.
H.R. 284: Ms. SLAUGHTER, Mr. BOEHLERT, Mr. RAMSTAD, Mr. STENHOLM, Mr. CAPUANO, Mr. BAKER, Mr. BRADY of Texas, Mr. PASTOR, Mr. PETERSON of Minnesota, Mrs. TAUSCHER, and Mr. ENGEL.
H.R. 303: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 363: Mr. WHITFIELD.
H.R. 531: Mr. GUTIERREZ.
H.R. 534: Mr. SHOWS, Mr. WELDON of Florida, Mr. TIAHRT, Mr. SHAW, and Mr. HASTINGS of Washington.
H.R. 692: Mr. DEAL of Georgia.
H.R. 742: Mr. GREEN of Texas.
H.R. 842: Mr. STUPAK, Mr. SHIMKUS, and Mr. GEPHARDT.
H.R. 876: Mr. HOSTETTLER.
H.R. 1071: Mr. STENHOLM.
H.R. 1168: Mr. MCCRERY.
H.R. 1228: Ms. KILPATRICK, Mr. FATTAH, and Mr. KILDEE.
H.R. 1239: Ms. JACKSON-LEE of Texas.
H.R. 1285: Mrs. LOWEY and Ms. PELOSI.
H.R. 1396: Mr. BERMAN.
H.R. 1671: Mr. STUPAK, Mr. MCHUGH, Mr. BAKER, and Mr. STENHOLM.
H.R. 1824: Mr. SANDLIN and Mr. BONILLA.
H.R. 1841: Mr. DOOLEY of California.
H.R. 1871: Mr. NADLER.
H.R. 1997: Mr. FOLEY and Mr. ENGEL.
H.R. 2121: Mrs. NAPOLITANO, Mr. ALLEN, Mrs. CLAYTON, Mr. GONZALEZ, and Mr. CLEMENT.
H.R. 2308: Mr. MCINNIS.
H.R. 2457: Mr. KOLBE.
H.R. 2544: Mr. REYNOLDS.
H.R. 2562: Mr. MCINTYRE.
H.R. 2620: Mr. BARTON of Texas and Mr. SCOTT.
H.R. 2710: Mr. FRANKS of New Jersey, Mr. GALLEGLY, and Mr. TANCREDO.
H.R. 2720: Mr. COSTELLO.
H.R. 3004: Mr. DOYLE, Mr. BECERRA, and Mr. WEYGAND.
H.R. 3272: Mr. UDALL of Colorado.
H.R. 3302: Mr. DEAL of Georgia, Mr. BURTON of Indiana, Mr. THUNE, Mr. HASTINGS of Washington, and Mr. DUNCAN.
H.R. 3514: Mrs. MCCARTHY of New York and Mr. BLUMENAUER.
H.R. 3580: Mr. CASTLE.
H.R. 3590: Mrs. FOWLER and Mr. OSE.
H.R. 3594: Mr. KANJORSKI.
H.R. 3610: Mr. FILNER and Mr. GONZALEZ.
H.R. 3694: Mrs. THURMAN.
H.R. 3840: Mr. BALDACCI, Mr. MCNULTY, and Mrs. KELLY.
H.R. 3850: Mr. BERRY.
H.R. 4025: Mr. MCHUGH, Mr. MILLER of Florida, Mr. SHADEGG, Mr. SIMPSON, and Ms. DANNER.
H.R. 4167: Mr. RODRIGUEZ and Mrs. MINK of Hawaii.
H.R. 4239: Mr. LAHOOD.
H.R. 4259: Mr. QUINN, Mr. NORWOOD, Mr. REYNOLDS, Mr. PASCRELL, Mr. FOLEY, Mr. SABO, Mr. DAVIS of Virginia, Mr. WELDON of Florida, Mr. WAXMAN, Mr. LAMPSON, Mr. BERMAN, Mr. STARK, Mr. MENENDEZ, Mr. RAMSTAD, Mr. RILEY, Mr. ROHRABACHER, Mr. SALMON, Mr. HALL of Texas, Mr. SMITH of Michigan, and Mr. NADLER.
H.R. 4271: Mr. EVANS.
H.R. 4272: Mr. EVANS.
H.R. 4273: Mr. EVANS.
H.R. 4274: Mr. MCDERMOTT, Mr. SMITH of Washington, Mr. MEEKS of New York, Mr. LEVIN, and Mr. MCHUGH.
H.R. 4301: Mr. ALLEN, Mr. SUNUNU, Mr. ANDREWS, Mr. BALDACCI, Mr. DINGELL, Mr. PRICE of North Carolina, and Mr. TIAHRT.
H.R. 4308: Mr. PITTS and Mr. ABERCROMBIE.
H.R. 4315: Ms. KAPTUR, Mr. SAWYER, and Mr. STRICKLAND.
H.R. 4328: Mr. GIBBONS and Mr. PETERSON of Minnesota.
H.R. 4330: Mr. REGULA.
H.R. 4352: Mr. HEFLEY, Mr. PACKARD, Mr. BRADY of Texas, Mr. THORNBERRY, Mr. CUNNINGHAM, Mr. SCHAFFER, and Mr. HANSEN.
H.R. 4356: Mr. REGULA.
H.R. 4375: Mr. GONZALEZ.
H.R. 4395: Mr. HALL of Texas.
H.R. 4483: Mrs. LOWEY.
H.R. 4536: Mr. MOORE, Mr. SANDERS, Mr. THOMPSON of Mississippi, and Mr. WEYGAND.
H.R. 4538: Ms. DANNER.
H.R. 4570: Mr. BAIRD, Mr. TERRY, Mr. FOLEY, Mr. MOORE, and Mrs. JONES of Ohio.
H.R. 4634: Ms. DANNER and Mr. JEFFERSON.
H.R. 4636: Mr. BAIRD and Mr. STUPAK.
H.R. 4640: Mr. SMITH of Washington.
H.R. 4659: Mr. STARK.
H.R. 4677: Mr. EWING.
H.R. 4713: Mr. SAM JOHNSON of Texas.
H.R. 4722: Mr. EHRLICH.
H.R. 4723: Mr. KINGSTON and Mr. JONES of North Carolina.
H.R. 4734: Mr. GONZALEZ.
H.R. 4736: Mr. GREEN of Texas and Mr. BARR of Georgia.
H.R. 4739: Mr. LIPINSKI.
H.R. 4746: Mr. REGULA and Mr. BARCIA.
H.R. 4792: Mrs. THURMAN, Mr. LEWIS of Georgia, and Mr. KUCINICH.
H.R. 4798: Mr. OWENS and Mr. REYES.
H.R. 4800: Mr. TIAHRT.
H.R. 4825: Mr. HALL of Ohio, Ms. SLAUGHTER, Mrs. FOWLER, Mr. MALONEY of Connecticut, Ms. CARSON, and Mr. BILIRAKIS.
H.R. 4841: Mr. STENHOLM, Mr. HILLIARD, and Mr. GUTKNECHT.
H.R. 4848: Mr. RAHALL, Mr. BISHOP, and Mr. BENTSEN.
H.R. 4926: Mr. MOORE, Mr. SANDLIN, Mr. OSE, Mr. KUYKENDALL, Mr. MARTINEZ, Mr. GREEN of Texas, Ms. WATERS, Mr. LEWIS of Georgia, Mr. FARR of California, Mr. BOYD, Ms. HOOLEY of Oregon, Mr. DOYLE, Mr. BALDACCI, Mr. HOLDEN, Mr. STENHOLM, Mr. CRAMER, Mr. LIPINSKI, Mrs. MORELLA, and Mr. COYNE.
H.R. 4951: Mr. SMITH of Washington.
H.R. 4966: Mr. GEORGE MILLER of California.
H.R. 4971: Mr. ADERHOLT, Mr. MCGOVERN, and Mr. GONZALEZ.
H.R. 5034: Mr. SOUDER.
H.R. 5035: Ms. SCHAKOWSKY and Mr. KUCINICH.
H.R. 5045: Mr. RYUN of Kansas, Mr. HALL of Texas, Mr. BARLETT of Maryland, Mrs. MYRICK, Mrs. CHENOWETH-HAGE, Mr. COBURN, Mr. GOODE, and Mr. LARGENT.
H.R. 5065: Mr. ROHRABACHER, Mr. METCALF, Ms. ROS-LEHTINEN, Mr. FILNER, and Mr. NADLER.
H.R. 5107: Mr. SCOTT.
H.R. 5109: Mr. UDALL of New Mexico and Mr. BAKER.
H.R. 5116: Mrs. EMERSON and Ms. PELOSI.
H.R. 5130: Mr. CAMPBELL.
H.R. 5131: Mr. HUNTER and Mr. BILBRAY.
H.R. 5136: Mr. CONYERS and Mr. SCOTT.
H.R. 5146: Mr. SANFORD, Mr. HEFLEY, and Mr. MCHUGH.
H.R. 5153: Mr. SABO, Ms. HOOLEY of Oregon, and Mr. HOLDEN.
H.R. 5173: Mr. THUNE, Mr. ROYCE, Mr. GALLEGLY, and Mr. TALENT.
H.R. 5178: Mrs. ROUKEMA, Mr. GOODLING, Mr. BARRETT of Nebraska, Mr. MCKEON, Mr. BOEHNER, Mrs. MCCARTHY of New York, Ms. SANCHEZ, Mr. KUCINICH, Mr. GEORGE MILLER of California, Ms. WOOLSEY, and Mr. STARK.
H.R. 5182: Mrs. MALONEY of New York.
H.J. Res. 22: Mr. KILDEE.
H.J. Res. 48: Mr. CALVERT.
H. Con. Res. 115: Mr. DEFAZIO, Mr. HOEFFEL, Mr. FRANKS of New Jersey, Mr. LOBIONDO, and Mr. MINGE.
H. Con. Res. 328: Mr. GEJDENSON.
H. Con. Res. 341: Mrs. FOWLER and Mr. MILLER of Florida.
H. Con. Res. 373: Mr. UDALL of New Mexico, Mr. FILNER, and Mr. MANZULLO.
H. Con. Res. 376: Mr. HEFLEY, Mr. MCINNIS, Mr. BUYER, Mr. LANTOS, and Mr. LIPINSKI.
H. Con. Res. 377: Mr. BEREUTER, Mr. FROST, Mr. HORN, Mr. LATOURETTE, Mr. LIPINSKI, and Mr. OBEY.
H. Con. Res. 383: Mr. DAVIS of Virginia.
H. Con. Res. 384: Mr. STUMP, Mr. EWING, Mr. WICKER, Mr. BARRETT of Nebraska, Mr. TAYLOR of Mississippi, Mrs. FOWLER, and Mr. BAKER.
H. Con. Res. 392: Mr. VISCLOSKY, Mr. KUCINICH, Mr. BOEHLERT, and Mr. REYES.
H. Con. Res. 396: Mr. MORAN of Virginia and Mr. DAVIS of Virginia.
H. Con. Res. 398: Mr. FILNER, Mr. SISISKY, Mr. HOLT, and Mr. REYES.
H. Res. 51: Mr. PACKARD, Mrs. KELLY, Ms. LOFGREN, Ms. CARSON, Mrs. THURMAN, Mr. STUPAK, and Mr. MCHUGH.

H. Res. 309: Mrs. LOWEY.

H. Res. 398: Mr. TALENT, Mr. SUNUNU, Mr. UDALL of New Mexico, Ms. KAPTUR, and Mr. BASS.

H. Res. 458: Mr. HOSTETTLER, Mr. ARCHER, Mr. BALDACCI, Mr. HOLT, Mr. BROWN of Ohio, Mr. LAHOOD, and Mr. RAMSTAD.

H. Res. 576: Ms. DANNER, Mrs. BONO, Mr. BARTLETT of Maryland, Mrs. MALONEY of New York, Mr. FRANKS of New Jersey, Mr. MCNULTY, Mr. LOBIONDO, Ms. SLAUGHTER, Mr. MINGE, and Mrs. CAPPS.

TUESDAY, SEPTEMBER 19, 2000 (92)

¶92.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 9 o'clock a.m. by the SPEAKER pro tempore, Mr. RYAN of Wisconsin, who laid before the House the following communication:

WASHINGTON, DC,
September 19, 2000.

I hereby appoint the Honorable PAUL RYAN to act as Speaker pro tempore on this day.

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

¶92.2 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agreed to the following resolution.

S. RES. 358

Whereas Murray Zweben served the Senate with honor and distinction as its third Parliamentarian from 1974 to 1981;'

Whereas Murray Zweben was Assistant Senate Parliamentarian from 1963 to 1974;

Whereas Murray Zweben served the Senate for more than 20 years;

Whereas Murray Zweben performed his Senate duties in an impartial and professional manner;

Whereas Murray Zweben was honored by the Senate with the title Parliamentarian Emeritus; and

Whereas Murray Zweben served his country as an officer in the United States Navy from 1953 to 1956: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Murray Zweben, Parliamentarian Emeritus of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Murray Zweben.

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

H.R. 940. An act to designate the Lackawanna Valley National Heritage Area, and for other purposes.

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

S. 2247. An act to establish the Wheeling National Heritage Area in the State of West Virginia, and for other purposes.

The message also announced that pursuant to Public Law 106–181, the Chair, on behalf of the Majority Leader, appoints the following individuals to serve as members of the National Commission to Ensure Consumer Information and Choice in the Airline Industry:

Ann B. Mitchell, of Mississippi.
Joyce Rogge, of New York.

¶92.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to the order of the House of Tuesday, January 19, 1999, recognized Members for ''morning-hour debate''.

¶92.4 RECESS—9:50 A.M.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock 50 minutes a.m. until 10 o'clock a.m.

¶92.5 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. LINDER, called the House to order.

¶92.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LINDER, announced he had examined and approved the Journal of the proceedings of Monday, September 18, 2000.

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

¶92.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10108. A letter from the Chief, Programs and Legislation Division Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of Wright-Patterson Air Force Base (AFB) has conducted a cost comparison to reduce the cost of the Air Force Research Laboratory Support Service functions, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

10109. A letter from the Secretary of Defense, transmitting the Secretary's certification that the system level Live Fire Test and Evaluation (LFT&E) of the UH–60 Modernization Program aircraft would be unreasonably expensive and impractical, pursuant to 10 U.S.C. 2366(c)(1); to the Committee on Armed Services.

10110. A letter from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Compressesd Natural Gas Fuel Containers [Docket No. NHTSA–98–4807] (RIN: 2127–AH72) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10111. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Arcadia, Gibsland, and Hodge, Louisiana and Wake Village, Texas) [MM Docket No. 99–144; RM–9538; RM–9747; RM–9748] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10112. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202.(b), Table of Allotments, FM Broadcast Stations. (Canton and Saranac Lake, New York) [MM Docket No. 99–293; RM–9720; RM–9721] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10113. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Kaycee and Basin, Wyoming) [MM Docket No. 98–87; RM–9278; RM–9608] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10114. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Canton and Morristown, New York) [MM Docket No. 99–362; RM–9730] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10115. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Stamps and Fouke, Arkansas) [MM Docket No. 99–241; RM–9480] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10116. A letter from the Associate Bureau Chief, Wireless Telecommunications Commission, Federal Communications Commission, transmitting the Commission's final rule—Amendment to Parts 1, 2, 87 and 101 of the Commission's Rules To License Fixed Services at 24 GHz [WT Docket No. 99–327] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10117. A letter from the Assistant Secretary, Bureau of Export Administration, Department of Commerce, transmitting the Department's final rule—Crime Control Items: Revisions to the Commerce Control List [Docket No.000822242–0242–01] (RIN: 0694–AC31) received September 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

10118. A letter from the Executive Director, Committee For Purchase From People Who are Blind or Severely Disabled, transmitting the Committee's final rule—Procurement List: Additions—received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10119. A letter from the Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development, transmitting the Department's final rule—Releasing Information; Electronic Freedom of Information Amendment (RIN: 2550–AA09) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10120. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Activities under the Freedom of Information Act Annual Report on Religious Freedom, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform.

10121. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fisheries by Vessels Using Hook-and-Line Gear in the Gulf of Alaska [Docket No. 000211039–0039–01; I.D. 08300H] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10122. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and

Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka MACKerel in the Eastern Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands [Docket No. 000211040–0040–01; I.D. 090100A] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10123. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels using Trawl Gear in the Bering Sea and Aleutian Islands [Docket No. 000211040–0040–01; I.D. 082900D] received September 11,2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10124. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Closure and Inseason Adjustments from Cape Falcon to Humbug Mountain, OR [Docket No. 000501119–01119–01; I.D. 080400C] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10125. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery, Implementation of Conditional Closures [Docket No. 000407096–0096–01; I.D. 082300A] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10126. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—International Fisheries; Pacific Tuna Fisheries; Closure of the Purse Seine Fishery for Bigeye Tuna [Docket No. 991207319–9319–01; I.D. 072700A] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10127. A letter from the Program Analyst, FAA, Deaprtment of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, -200, and -200C Series Airplanes [Docket No. 2000–NM–288–AD; Amendment 39–11878; AD 2000–17–04] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10128. A letter from the Program Analyst, FAA, Deaprtment of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–20 0 and -300 Series Airplanes Equipped with a Main Deck Cargo Door Installed in Accordance with Supplemental Type Certificate (STC) SA2969SO [Docket No. 2000–NM–277–AD; Amendment 39–11877;AD 2000–17–51] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10129. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directivez; Rolls-Royce plc. RB211 Trent 768–60, Trent 772–60,and Trent 772B–60 Turbofan Engines; Correction [Docket No. 2000–NE–05–AD; Amendment 39–11804; AD 2000–13–05] (RIN: 2120–AA64) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10130. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200, -300, and -300F Series Airplanes [Docket No. 2000–NM–289–AD; Amendment 39–11879; AD 2000–17–05] (RIN 2120–AA64) received September 11,2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10131. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Disaster Assistance: Cerro Grande Fire Assistance (RIN: 3067–AD12) received September 11,2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10132. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule— Cash Values for National Service Life Insurance (NSLI) and Veterans Special Life Insurance Term-Capped Policies (RIN: 2900–AJ35) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

10133. A letter from the Secretary of Labor, transmitting the Department's annual report to Congress on the FY 1999 operations of the Office of Workers' Compensation Programs (OWCP), the administration of the Black Lung Benefits Act (BLBA), the Longshore and Harbor Workers' Compensation Act (LHWCA), and the Federal Employees' Compensation Act for the period October 1, 1998, through September 30, 1999, pursuant to 30 U.S.C. 936(b); jointly to the Committees on Education and the Workforce and Ways and Means.

¶92.8 DEFENSE AND SECURITY ASSISTANCE

On motion of Mr. GILMAN, by unanimous consent, the bill (H.R. 4919) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. GILMAN, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

Thereupon, the SPEAKER pro tempore, Mr. LINDER, by unanimous consent, appointed Messrs. GILMAN, GOODLING, and GEJDENSON, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶92.9 FHA DOWN PAYMENT SIMPLIFICATION EXTENSION

Mr. LEACH moved to suspend the rules and pass the bill (H.R. 5193) to amend the National Housing Act to temporarily extend the applicability of the downpayment simplification provisions for the FHA single family housing mortgage insurance program; as amended.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. LEACH and Mr. LAFALCE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.10 HOMEOWNERS FINANCING PROTECTION

Mr. LEACH moved to suspend the rules and pass the bill (H.R. 3834) to amend the rural housing loan guarantee program under section 502(h) of the Housing Act of 1949 to provide loan guarantees for loans made to refinance existing mortgage loans guaranteed under such section; as amended.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. LEACH and Mr. LAFALCE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.11 CHANDLER PUMPING PLANT

Mr. SIMPSON moved to suspend the rules and pass the bill (H.R. 3986) to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington; as amended.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. SIMPSON and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

Mr. George MILLER of California demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LINDER, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶92.12 PUBLIC MEMORIALS COMMEMORATING MILITARY CONFLICTS

Mr. HANSEN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 345):

Whereas there are many thousands of public memorials scattered throughout the United States and abroad that commemorate military conflicts of the United States and the service of individuals in the Armed Forces;

Whereas these memorials have never been comprehensively cataloged;

Whereas many of these memorials suffer from neglect and disrepair, and many have been relocated or stored in facilities where they are unavailable to the public and subject to further neglect and damage;

Whereas there exists a need to collect and centralize information regarding the location, status, and description of these memorials;

Whereas the Federal Government maintains information on memorials only if they are Federally funded; and

Whereas Remembering Veterans Who Earned Their Stripes (a nonprofit corporation established as RVETS, Inc. under the laws of the State of Nevada) has undertaken a self-funded program to catalogue the memorials located in the United States that commemorate military conflicts of the United States and the service of individuals in the Armed Forces, and has already obtained information on more than 7,000 memorials in 50 States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the people of the United States owe a debt of gratitude to veterans for their sacrifices in defending the Nation during times of war and peace;

(2) public memorials that commemorate military conflicts of the United States and the service of individuals in the Armed Forces should be maintained in good condition, so that future generations may know of the burdens borne by these individuals;

(3) Federal, State, and local agencies responsible for the construction and maintenance of these memorials should cooperate in cataloging these memorials and providing the resulting information to the Department of the Interior; and

(4) the Secretary of the Interior, acting through the Director of the National Park Service, should—

(A) collect and maintain information on public memorials that commemorate military conflicts of the United States and the service of individuals in the Armed Forces;

(B) coordinate efforts at collecting and maintaining this information with similar efforts by other entities, such as Remembering Veterans Who Earned Their Stripes (a nonprofit corporation established as RVETS, Inc. under the laws of the State of Nevada); and

(C) make this information available to the public.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶92.13 EMANCIPATION OF IRANIAN BAHA'I COMMUNITY

Mr. GILMAN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 257):

Whereas in 1982, 1984, 1988, 1990, 1992, 1994, and 1996, Congress, by concurrent resolution, declared that it holds the Government of Iran responsible for upholding the rights of all its nationals, including members of the Baha'i Faith, Iran's largest religious minority;

Whereas Congress has deplored the Government of Iran's religious persecution of the Baha'i community in such resolutions and in numerous other appeals, and has condemned Iran's execution of more than 200 Baha'is and the imprisonment of thousands of others solely on account of their religious beliefs;

Whereas in July 1998 a Baha'i, Mr. Ruhollah Rowhani, was executed by hanging in Mashhad after being held in solitary confinement for 9 months on the charge of converting a Muslim woman to the Baha'i Faith, a charge the woman herself refuted;

Whereas 2 Baha'is remain on death row in Iran, 2 on charges on apostasy, and 10 others are serving prison terms on charges arising solely from their religious beliefs or activities;

Whereas the Government of Iran continues to deny individual Baha'is access to higher education and government employment and denies recognition and religious rights to the Baha'i community, according to the policy set forth in a confidential Iranian Government document which was revealed by the United Nations Commission on Human Rights in 1993;

Whereas Baha'is have been banned from teaching and studying at Iranian universities since the Islamic Revolution and therefore created the Baha'i Institute of Higher Education, or Baha'i Open University, to provide educational opportunities to Baha'i youth using volunteer faculty and a network of classrooms, libraries, and laboratories in private homes and buildings throughout Iran;

Whereas in September and October 1998, Iranian authorities arrested 36 faculty members of the Open University, 4 of whom have been given prison sentences ranging between 3 to 10 years, even though the law makes no mention of religious instruction within one's own religious community as being an illegal activity;

Whereas Iranian intelligence officers looted classroom equipment, textbooks, computers, and other personal property from 532 Baha'i homes in an attempt to close down the Open University;

Whereas all Baha'i community properties in Iran have been confiscated by the government, and Iranian Baha'is are not permitted to elect their leaders, organize as a community, operate religious schools, or conduct other religious community activities guaranteed by the Universal Declaration of Human Rights;

Whereas on February 22, 1993, the United Nations Commission on Human Rights published a formerly confidential Iranian government document that constitutes a blueprint for the destruction of the Baha'i community and reveals that these repressive actions are the result of a deliberate policy designed and approved by the highest officials of the Government of Iran; and

Whereas in 1998 the United Nations Special Representative for Human Rights, Maurice Copithorne, was denied entry into Iran: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) continues to hold the Government of Iran responsible for upholding the rights of all its nationals, including members of the Baha'i community, in a manner consistent with Iran's obligations under the Universal Declaration of Human Rights and other international agreements guaranteeing the civil and political rights of its citizens;

(2) condemns the repressive anti-Baha'i policies and actions of the Government of Iran, including the denial of legal recognition to the Baha'i community and the basic rights to organize, elect its leaders, educate its youth, and conduct the normal activities of a law-abiding religious community;

(3) expresses concern that individual Baha'is continue to suffer from severely repressive and discriminatory government actions, including executions and death sentences, solely on account of their religion;

(4) urges the Government of Iran to permit Baha'i students to attend Iranian universities and Baha'i faculty to teach at Iranian universities, to return the property confiscated from the Baha'i Open University, to free the imprisoned faculty members of the Open University, and to permit the Open University to continue to function;

(5) urges the Government of Iran to implement fully the conclusions and recommendations on the emancipation of the Iranian Baha'i community made by the United Nations Special Rapporteur on Religious Intolerance, Professor Abdelfattah Amor, in his report of March 1996 to the United Nations Commission of Human Rights;

(6) urges the Government of Iran to extend to the Baha'i community the rights guaranteed by the Universal Declaration of Human Rights and the international covenants of human rights, including the freedom of thought, conscience, and religion, and equal protection of the law; and

(7) calls upon the President to continue—

(A) to assert the United States Government's concern regarding Iran's violations of the rights of its citizens, including members of the Baha'i community, along with expressions of its concern regarding the Iranian Government's support for international terrorism and its efforts to acquire weapons of mass destruction;

(B) to emphasize that the United States regards the human rights practices of the Government of Iran, particularly its treatment of the Baha'i community and other religious minorities, as a significant factor in the development of the United States Government's relations with the Government of Iran;

(C) to emphasize the need for the United Nations Special Representative for Human Rights to be granted permission to enter Iran;

(D) to urge the Government of Iran to emancipate the Baha'i community by granting those rights guaranteed by the Universal Declaration of Human Rights and the international covenants on human rights; and

(E) to encourage other governments to continue to appeal to the Government of Iran, and to cooperate with other govern-

ments and international organizations, including the United Nations and its agencies, in efforts to protect the religious rights of the Baha'is and other minorities through joint appeals to the Government of Iran and through other appropriate actions.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. GILMAN and Mr. HILLIARD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶92.14 INTERNATIONAL HUMANITARIAN LAW IN RWANDA

Mr. GILMAN moved to suspend the rules and pass the bill of the Senate (S. 2460) to authorize the payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda, and for other purposes.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. GILMAN and Mr. HILLIARD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶92.15 OVERSEAS COOPERATIVE DEVELOPMENT

Mr. BEREUTER moved to suspend the rules and pass the bill (H.R. 4673) to assist in the enhancement of the development and expansion of international economic assistance programs that utilize cooperatives and credit unions, and for other purposes.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. BEREUTER and Mr. HILLIARD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.16 FRANK R. LAUTENBERG POST OFFICE AND COURTHOUSE

Mr. BARR moved to suspend the rules and pass the bill (H.R. 4975) to designate the post office and courthouse located at 2 Federal Square, Newark, New Jersey, as the ''Frank R. Lautenberg Post Office and Courthouse''.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. BARR and Mr. FATTAH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.17 GERTRUDE A. BARBER POST OFFICE BUILDING

Mr. BARR moved to suspend the rules and pass the bill (H.R. 4625) to designate the facility of the United States Postal Service located at 2108 East 38th Street in Erie, Pennsylvania, as the ''Gertrude A. Barber Post Office Building''.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. BARR and Mr. FATTAH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.18 SAMUEL P. ROBERTS POST OFFICE BUILDING

Mr. BARR moved to suspend the rules and pass the bill (H.R. 4786) to designate the facility of the United States Postal Service located at 110 Postal Way in Carrollton, Georgia, as the ''Samuel P. Roberts Post Office Building''.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. BARR and Mr. FATTAH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.19 JUDGE HARRY AUGUSTUS COLE POST OFFICE BUILDING

Mr. BARR moved to suspend the rules and pass the bill (H.R. 4450) to designate the facility of the United States Postal Service located at 900 East Fayette Street in Baltimore, Maryland, as the ''Judge Harry Augustus Cole Post Office Building'.

The SPEAKER pro tempore, Mr. LINDER, recognized Mr. BARR and Mr. FATTAH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LINDER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.20 RECESS—12:14 P.M.

The SPEAKER pro tempore, Mr. LINDER, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 14 minutes p.m., until approximately 12:24 p.m.

¶92.21 AFTER RECESS—12:30 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, called the House to order.

¶92.22 FEDERAL EMPLOYEES HEALTH BENEFITS FOR CHILDREN

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 2842) to amend chapter 89 of title 5, United States Code, concerning the Federal Employees Health Benefits (FEHB Program, to enable the Federal Government to enroll an employee and his or her family in the FEHB Program when

a State court orders the employee to provide health insurance coverage for a child of the employee but the employee fails to provide the coverage; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mrs. MORELLA and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend chapter 89 of title 5, United States Code, concerning the Federal Employees Health Benefits (FEHB) Program, to enable the Federal Government to enroll an employee and his or her family in the FEHB Program when a State court orders the employee to provide health insurance coverage for a child of the employee but the employee fails to provide the coverage, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.23 TECHNICAL CORRECTIONS IN PATENT, COPYRIGHT, AND TRADEMARK LAWS

Mr. COBLE moved to suspend the rules and pass the bill (H.R. 4870) to make technical corrections in patent, copyright, and trademark laws; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. COBLE and Mr. BERMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.24 ELIGIBILITY OF ALIENS FOR PERMANENT RESIDENCE

Mr. HYDE moved to suspend the rules and pass the bill (H.R. 5062) to establish the eligibility of certain aliens lawfully admitted for permanent residence for cancellation of removal under section 240A of the Immigration and Nationality Act.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. HYDE and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.25 TECHNICAL CORRECTIONS IN COPYRIGHT LAW

Mr. COBLE moved to suspend the rules and pass the bill (H.R. 5106) to make technical corrections in copyright law; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. COBLE and Mr. BERMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.26 CORRECTIONS IN COPYRIGHT LAW

Mr. COBLE moved to suspend the rules and pass the bill (H.R. 5107) to make certain corrections in copyright law; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. COBLE and Mr. CONYERS each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.27 ADOPTED ORPHANS CITIZENSHIP

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 2883) to amend the Immigration and Nationality Act to confer United States citizenship automatically and retroactively on certain foreign-born children adopted by citizens of the United States; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. SMITH of Texas and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Immigration and Nationality Act to modify the provisions governing acquisition of citizenship by children born outside of the United States, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.28 IMMIGRANT RELIGIOUS WORKER PROGRAM

Mr. PEASE moved to suspend the rules and pass the bill (H.R. 4068) to amend the Immigration and Nationality Act to extend for an additional 3 years the special immigrant religious worker program.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. PEASE and Ms. JACKSON-LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SCARBOROUGH, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.29 DECREASE STATUTORY LIMIT ON PUBLIC DEBT FOR RETIREMENT SECURITY

Mr. SHAW moved to suspend the rules and pass the bill (H.R. 5203) to

provide for reconciliation pursuant to sections 103(a)(2), 103(b)(2), and 213(b)(2)(C) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt, and to amend the Internal Revenue Code of 1986 to provide for retirement security.

The SPEAKER pro tempore, Mr. SCARBOROUGH, recognized Mr. SHAW and Mr. RANGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SCARBOROUGH, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SHAW objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 401 / Nays ..... 20 }

¶92.30 [Roll No. 479]

YEAS—401

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—20

Clay
Conyers
Davis (IL)
Filner
Frank (MA)
Jackson (IL)
Kennedy
LaFalce
Lee
Matsui
McDermott
Mollohan
Nadler
Olver
Payne
Rangel
Roybal-Allard
Sabo
Sanders
Stark

NOT VOTING—13

Campbell
Dooley
Franks (NJ)
Johnson (CT)
Klink
Lazio
McCollum
McIntosh
McNulty
Nethercutt
Vento
Watkins
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.31 H.R. 3986—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SCARBOROUGH, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3986) to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 218 / Nays ..... 201 }

¶92.32 [Roll No. 480]

YEAS—218

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

Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—201

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

NOT VOTING—14

Abercrombie
Buyer
Campbell
Dooley
Franks (NJ)
Houghton
Klink
Lazio
McCollum
McIntosh
McNulty
Nethercutt
Vento
Wise

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill, as amended, was not passed.

¶92.33 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶92.34 PERSONNEL FLEXIBILITIES WITH GENERAL ACCOUNTING OFFICE

Mr. BURTON moved to suspend the rules and pass the bill (H.R. 4642) to make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. BURTON and Mr. WAXMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.35 COMMEMORATIVE COINS FOR 2002 SALT LAKE OLYMPIC WINTER GAMES

Mr. BACHUS moved to suspend the rules and pass the bill (H.R. 3679) to provide for the minting of commemorative coins to support the 2002 Salt Lake Olympic Winter Games and the programs of the United States Olympic committee; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. BACHUS and Ms. WATERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.36 PRISON HEALTH CARE SERVICES

Mr. PEASE moved to suspend the rules and pass the bill (H.R. 1349) to amend title 18, United States Code, to combat the over-utilization of prison health care services and control rising prisoner health care costs; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. PEASE and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

On motion of Mr. PEASE, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of Senate (S. 704) to amend title 18, United States Code, to combat the overutilization of prison health care services and control rising prisoner health care costs.

When said bill was considered and read twice.

Mr. PEASE submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 1349, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

By unanimous consent, H.R. 1349, a similar House bill, was laid on the table.

¶92.37 OMNIBUS CRIME CONTROL AND SAFE STREETS

Mr. HUTCHINSON moved to suspend the rules and pass the bill of the Senate (S. 1638) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. HUTCHINSON and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶92.38 LAW ENFORCEMENT BLOCK GRANTS

Mr. HUTCHINSON moved to suspend the rules and pass the bill (H.R. 4999) to control crime by providing law enforcement block grants; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. HUTCHINSON and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.39 MESSAGE FROM THE PRESIDENT—MESSAGE FROM THE PRESIDENT—TELECOMMUNICATION PAYMENTS TO CUBA

The SPEAKER pro tempore, Mr. PEASE, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 1705(e)(6) of the Cuban Democracy Act of 1992, 22 U.S.C. 6004(e)(6), as amended by section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, Public Law 104–114, 110 Stat. 785, I transmit herewith a semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 19, 2000*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations.

¶92.40 MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. COBURN submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to recede to section 517 of the Senate amendment to the House bill, prohibiting the use of funds to distribute postcoital emergency contraception (the morning-after pill) to minors on the premises or in the facilities of any elementary or secondary school.

After debate,

Pending further consideration of said motion,

¶92.41 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. OBEY, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on the highest funding level possible for the Department of Education; and to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class sizes in the early grades and for the local school construction and, instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

After further debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mrs. WILSON, announced that the yeas had it.

Mr. COBURN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

It was decided in the affirmative ..... { Yeas ..... 250; Nays ..... 170; Answered present 1 }

¶92.42 [Roll No. 481]

YEAS—250

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bereuter
Berry
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kildee
King (NY)
Kingston
Kleczka
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Martinez
Mascara
McCrery
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moakley
Mollohan
Moran (KS)
Myrick
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—170

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bilbray
Blagojevich
Blumenauer
Boehlert
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frelinghuysen
Frost
Ganske
Gejdenson
Gibbons
Gilman
Gonzalez
Greenwood
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kelly
Kennedy
Kilpatrick
Kind (WI)
Kolbe
Kuykendall
Lantos
Larson
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Porter
Price (NC)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Stabenow
Stark
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—1

Obey

NOT VOTING—12

Campbell	Lazio	Murtha
Dooley	McCollum	Nethercutt
Franks (NJ)	McIntosh	Vento
Klink	McNulty	Wise

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶92.43 PROVIDING FOR THE CONSIDERATION OF H.R. 3986

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 106–866) the resolution (H. Res. 581) providing for the consideration of the bill (H.R. 3986) to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington.

When said resolution and report were referred to the House Calendar and ordered printed.

¶92.44 PROVIDING FOR THE CONSIDERATION OF H.R. 4945

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 106–867) the resolution (H. Res. 582) providing for consideration of the bill (H.R. 4945) to amend the Small Business Act to strengthen existing protections for small business participation in the Federal procurement contracting process, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶92.45 SUBMISSION OF CONFERENCE REPORT—H.R. 4919

Mr. GOODLING submitted a conference report (Rept. No. 106–868) on the bill (H.R. 4919) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries; together with a statement thereon, for printing in the Record under the rule.

¶92.46 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. GOODLING, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to increase Title VI Education Block Grant funding with instructions that these increased funds may also be used for the purposes of addressing the shortage of highly qualified teachers to reduce class size, particularly in early grades, using highly qualified teachers to improve educational achievement for regular and special needs children; to support efforts to recruit, train, and retrain highly qualified teachers or for school construction and renovation of facilities, at the sole discretion of the local educational agency.

¶92.47 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2247. An act to establish the Wheeling National Heritage Area in the State of West Virginia, and for other purposes; to the Committee on Resources.

¶92.48 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. McNULTY, for today.

And then,

¶92.49 ADJOURNMENT

On motion of Mr. MICA, at 11 o'clock and 36 minutes p.m., the House adjourned.

¶92.50 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3986. A bill to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington; with an amendment (Rept. 106–864). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 4441. A bill to amend title 49, United States Code, to provide a mandatory fuel surcharge for transportation provided by certain motor carriers, and for other purposes; with an amendment (Rept. 106–865). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 581. Resolution providing for consideration of the bill (H.R. 3986) to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington (Rept. 106–866). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 582. Resolution providing for consideration of the bill (H.R. 4945) to amend the Small Business Act to strengthen existing protections for small business participation in the Federal procurement contracting process, and for other purposes (Rept. 106–867). Referred to the House Calendar.

Mr. GOODLING: Committee of Conference. Conference report on H.R. 4919. A bill to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes (Rept. 106–868). Ordered to be printed.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 4519. A bill to amend the Public Buildings Act of 1959 concerning the safety and security of children enrolled in childcare facilities located in public buildings under the control of the General Services Administration (Rept. 106–869 Pt. 1).

¶92.51 TIME LIMITATION OF REFERRED BILL

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

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than September 25, 2000.

H.R. 4519. Referral to the Committee on Government Reform extended for a period ending not later than September 19, 2000.

¶92.52 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Government Reform discharged. H.R. 4519 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶92.53 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHAW (for himself, Mr. PORTMAN, Mr. CARDIN, Mr. HERGER, Mr. NUSSLE, Mr. FLETCHER, and Mr. GALLEGLY):

H.R. 5203. A bill to provide for reconciliation pursuant to sections 103(a)(2), 103(b)(2), and 213(b)(2)(C) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt, and to amend the Internal Revenue Code of 1986 to provide for retirement security; to the Committee on Ways and Means, and in addition to the Committees on the Budget, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE (for herself, Mr. CAPUANO, and Mr. SANDERS):

H.R. 5204. A bill to amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries; to the Committee on Commerce.

By Mr. BEREUTER (for himself and Mr. MINGE):

H.R. 5205. A bill to amend the Agricultural Market Transition Act to establish a flexible fallow program under which a producer may idle a portion of the total planted acreage of the loan commodities of the producer in exchange for higher loan rates for marketing assistance loans on the remaining acreage of the producer; to the Committee on Agriculture.

By Mrs. CAPPS (for herself, Mr. WAXMAN, and Ms. ESHOO):

H.R. 5206. A bill to provide funding for MTBE contamination; to the Committee on Commerce.

By Mr. COBURN:

H.R. 5207. A bill to clarify the Federal relationship to the Shawnee Tribe as a distinct Indian tribe, to clarify the status of the members of the Shawnee Tribe, and for other purposes; to the Committee on Resources.

By Ms. DEGETTE (for herself, Mrs. MORELLA, Mrs. TAUSCHER, Mr. MEEHAN, Mr. WAXMAN, Mr. WEYGAND, Mr. STARK, Mr. LAFALCE, Mr. SANDERS, Mr. DOGGETT, Mr. LEVIN, Mrs. LOWEY, and Mr. FILNER):

H.R. 5208. A bill to amend titles V, XVIII, and XIX of the Social Security Act to promote smoking cessation under the Medicare

Program, the Medicaid Program, and the maternal and child health program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself and Mr. TANNER):

H.R. 5209. A bill to amend title XVIII of the Social Security Act to revise the payments for certain physician pathology services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLING (for himself, Mr. GREENWOOD, Mr. MURTHA, Mr. BORSKI, Mr. WOLF, Mr. MARTINEZ, Mr. GEKAS, Mr. SHERWOOD, Mr. FRANK of Massachusetts, Mr. OXLEY, Mr. SHUSTER, Mr. BARRETT of Nebraska, Mr. BRADY of Pennsylvania, Mr. TOOMEY, Mr. MCNULTY, Mr. FATTAH, Mr. HOEFFEL, Mr. PETERSON of Pennsylvania, Mr. HOLDEN, Mr. WELDON of Pennsylvania, Mr. KANJORSKI, Mr. MASCARA, Mr. DOYLE, Mr. COYNE, Mr. PITTS, Mr. ENGLISH, AND MR. KLECZKA):

H.R. 5210. A bill to designate the facility of the United States Postal Service located at 200 South George Street in York, Pennsylvania, as the ''George Atlee Goodling Post Office Building''; to the Committee on Government Reform.

By Mr. GOODLING:

H.R. 5211. A bill to allow taxpayers to include compensation payments received pursuant to the Declaration on Extraordinary Emergency Because of Plum Pox Virus by the Secretary of Agriculture as income or gain over a 10-year period; to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. HOUGHTON, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BACA, Mr. BAIRD, Mr. BALDACCI, Ms. BALDWIN, Mr. BARCIA, Mr. BARRETT of Wisconsin, Mr. BARRETT of Nebraska, Mr. BASS, Mr. BECERRA, Mr. BENTSEN, Ms. BERKLEY, Mr. BERRY, Mrs. BIGGERT, Mr. BILIRAKIS, Mr. BISHOP, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BOEHNER, Mr. BONIOR, Mrs. BONO, Mr. BORSKI, Mr. BOSWELL, Mr. BOYD, Mr. BRADY of Texas, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Mr. CASTLE, Mr. CHAMBLISS, Mr. CLEMENT, Mr. CLYBURN, Mr. CONDIT, Mr. COOKSEY, Mr. COYNE, Mr. CRAMER, Mr. CROWLEY, Mrs. CUBIN, Ms. DANNER, Mr. DAVIS of Illinois, Mr. DAVIS of Florida, Mr. DEFAZIO, Ms. DELAURO, Mr. DELAY, Mr. DEUTSCH, Mr. DICKEY, Mr. DICKS, Mr. DINGELL, Mr. DIXON, Mr. DOOLEY of California, Mr. DOYLE, Mr. DREIER, Mr. EDWARDS, Mr. EHLERS, Mr. ENGLISH, Mr. ETHERIDGE, Mr. EVANS, Mr. EWING, Mr. FARR of California, Mr. FILNER, Mr. FOLEY, Mr. FORD, Mr. FOSSELLA, Mr. FRANK of Massachusetts, Mr. FRANKS of New Jersey, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GILCHREST, Mr. GILMAN, Mr. GOODE, Mr. GORDON, Mr. GRAHAM, Mr. GREEN of Wisconsin, Mr. GREEN of Texas, Mr. GREENWOOD, Mr. GUTKNECHT, Mr. HALL of Texas, Mr. HASTINGS of Florida, Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. HILL of Indiana, Mr. HILL of Montana, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOBSON, Mr. HOEFFEL, Mr. HOEKSTRA, Mr. HOLDEN, Mr. HOLT, Ms. HOOLEY of Oregon, Mr. HOYER, Mr. HULSHOF, Mr. HUNTER, Mr. HUTCHINSON, Mr. HYDE, Mr. INSLEE, Mr. ISAKSON, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. JOHN, Mr. SAM JOHNSON of Texas, Mrs. JOHNSON of Connecticut, Mr. JONES of North Carolina, Mrs. JONES of Ohio, Mr. KANJORSKI, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KING, Mr. KINGSTON, Mr. KLECZKA, Mr. KUCINICH, Mr. LAHOOD, Mr. LANTOS, Mr. LARGENT, Mr. LARSON, Mr. LEWIS of Georgia, Ms. LOFGREN, Mr. LUTHER, Mr. MALONEY of Connecticut, Mr. MANZULLO, Mr. MARKEY, Mr. MASCARA, Mr. MATSUI, Ms. MCCARTHY of Missouri, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MCKEON, Mr. MCNULTY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Mr. METCALF, Mr. GEORGE MILLER of California, Mr. GARY MILLER of California, Mrs. MINK of Hawaii, Mr. MOLLOHAN, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. MURTHA, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. NETHERCUTT, Mr. NUSSLE, Mr. OBERSTAR, Mr. OBEY, Mr. OLVER, Mr. ORTIZ, Mr. OWENS, Mr. OXLEY, Mr. PALLONE, Mr. PASCRELL, Mr. PEASE, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. PETRI, Mr. PHELPS, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. QUINN, Mr. RAHALL, Mr. RAMSTAD, Mr. RANGEL, Mr. REYES, Ms. RIVERS, Mr. ROEMER, Mr. ROHRABACHER, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SABO, Mr. SALMON, Ms. SANCHEZ, Mr. SANDERS, Mr. SANDLIN, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SCOTT, Mr. SENSENBRENNER, Mr. SHAYS, Mr. SHERMAN, Mr. SHIMKUS, Mr. SHOWS, Mr. SKELTON, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SNYDER, Mr. SPRATT, Ms. STABENOW, Mr. STARK, Mr. STENHOLM, Mr. STRICKLAND, Mr. STUMP, Mr. STUPAK, Mr. SUNUNU, Mr. SWEENEY, Mr. TANNER, Mrs. TAUSCHER, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mrs. THURMAN, Mr. TIERNEY, Mr. TOWNS, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. UPTON, Mr. WALSH, Mr. WAMP, Ms. WATERS, Mr. WATKINS, Mr. WAXMAN, Mr. WEXLER, Mr. WEYGAND, Mr. WICKER, Mrs. WILSON, Ms. WOOLSEY, Mr. WU, Mr. WYNN, and Mr. WATT of North Carolina):

H.R. 5212. A bill to direct the American Folklife Center at the Library of Congress to establish a program to collect video and audio recordings of personal histories and testimonials of American war veterans, and for other purposes; to the Committee on House Administration.

By Mr. MATSUI:

H.R. 5213. A bill to amend the Internal Revenue Code of 1986 to repeal the extended recovery period applicable to the depreciation of tax-exempt use property leased to foreign persons or entities; to the Committee on Ways and Means.

By Mr. REGULA (for himself, Mr. SAM JOHNSON of Texas, and Mr. MATSUI):

H.R. 5214. A bill to rename the National Museum of American Art; to the Committee on House Administration.

By Mr. SANDERS:

H.R. 5215. A bill to amend the Internal Revenue Code of 1986 to exclude national service educational awards from the recipient's gross income; to the Committee on Ways and Means.

By Mr. PETERSON of Pennsylvania (for himself, Mr. BILIRAKIS, Mr. BILBRAY, Mr. BLUMENAUER, Mr. CUNNINGHAM, Mr. DELAHUNT, Mr. DEMINT, Ms. DUNN, Mr. FORBES, Mr. GEKAS, Mr. GIBBONS, Mr. GREENWOOD, Mr. HERGER, Mr. HILLEARY, Mr. KLINK, Mr. MCKEON, Mr. MURTHA, Mr. SCHAFFER, Mr. SHADEGG, Mr. SHERWOOD, Mr. SIMPSON, Mr. SWEENEY, Mr. TERRY, Mr. WATKINS, Mr. WELDON of Pennsylvania, Mr. WOLF, Mr. ROHRABACHER, Mr. SHAYS, Mr. ABERCROMBIE, Mr. ROGAN, Mr. FARR of California, Mr. SMITH of New Jersey, Mr. HOEKSTRA, Mr. DIAZ-BALART, Mr. BOEHLERT, Mr. THORNBERRY, Mrs. NORTHUP, Mr. BARRETT of Nebraska, Mr. BARTLETT of Maryland, Mrs. BIGGERT, Mr. BLUNT, Mr. BOEHNER, Mrs. BONO, Mr. BRADY of Texas, Mr. BRADY of Pennsylvania, Mr. BURTON of Indiana, Mr. CAMP, Mr. CANNON, Mr. CHAMBLISS, Mr. COOK, Mr. COOKSEY, Mr. COX, Mrs. CUBIN, Mr. DAVIS of Virginia, Mr. DEFAZIO, Mr. DELAY, Mr. DICKEY, Mr. DICKS, Mr. DOOLITTLE, Mr. DOYLE, Mr. DUNCAN, Mrs. EMERSON, Mr. ENGLISH, Mr. EWING, Mr. FATTAH, Mr. FOSSELLA, Mr. GOODE, Mr. GOODLATTE, Mr. GORDON, Mr. GRAHAM, Ms. GRANGER, Mr. GUTKNECHT, Mr. HANSEN, Mr. HAYWORTH, Mr. HOLDEN, Mr. HOSTETTLER, Mr. HOYER, Mr. HULSHOF, Mr. HUNTER, Mr. ISAKSON, Mr. JONES of North Carolina, Mr. KANJORSKI, Mr. KIND, Mr. KNOLLENBERG, Mr. LARGENT, Mr. LATHAM, Mr. LAZIO, Mr. LEWIS of Kentucky, Mr. LUCAS of Oklahoma, Mr. MASCARA, Mrs. MCCARTHY of New York, Mr. MCINTOSH, Mr. MICA, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Mr. MORAN of Kansas, Mr. NEY, Mr. NORWOOD, Mr. PAUL, Mr. PETERSON of Minnesota, Mr. POMBO, Mr. PRICE of North Carolina, Ms. PRYCE of Ohio, Mr. QUINN, Mr. RADANOVICH, Mr. REYNOLDS, Mr. RILEY, Ms. ROS-LEHTINEN, Mr. RYUN of Kansas, Mr. SANFORD, Mr. SAXTON, Mr. SCARBOROUGH, Mr. SCOTT, Mr. SESSIONS, Mr. SHUSTER, Mr. SKEEN, Mr. SMITH of Michigan, Mr. STENHOLM, Mr. SUNUNU, Mr. TAUZIN, Mr. TIAHRT, Mr. TRAFICANT, Mr. UDALL of New Mexico, Mr. WALDEN of Oregon, Mr. WELDON of Florida, Mr. WICKER, and Mrs. WILSON):

H. Con. Res. 404. Concurrent resolution calling for the immediate release of Mr. Edmond Pope from prison in the Russian Federation for Humanitarian reasons, and for other purposes; to the Committee on International Relations.

¶92.54 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. WELLER introduced a bill (H.R. 5216) to direct the Secretary of the Army to convey easement over certain lands in La Salle County, Illinois, to the Young Men's Christian Association of Ottawa, Illinois; which was referred to the Committee on Transportation and Infrastructure.

¶92.55 ADDITIONAL SPONSORS

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

H.R. 148: Mrs. BONO.

H.R. 207: Mr. KOLBE.

H.R. 218: Mr. VITTER.

H.R. 284: Mr. BALDACCI, Mr. MURTHA, Mr. BURTON of Indiana, Mr. CROWLEY, Mr. NEAL of Massachusetts, Mr. FILNER, Mr. WYNN, and Mr. SESSIONS.

H.R. 303: Mr. BECERRA and Mr. PAUL.
H.R. 625: Mr. BALDACCI.
H.R. 783: Mr. SOUDER.
H.R. 842: Mr. PHELPS, Mr. KENNEDY of Rhode Island, and Mr. LEVIN.
H.R. 900: Mr. STARK.
H.R. 914: Mr. LEVIN.
H.R. 935: Mr. SCHAFFER.
H.R. 979: Mr. ROEMER.
H.R. 1178: Mr. GOODLATTE.
H.R. 1413: Mr. INSLEE.
H.R. 1505: Mr. HUNTER.
H.R. 1622: Mr. LEACH.
H.R. 1644: Ms. MCCARTHY of Missouri.
H.R. 1824: Mr. MEEKS of New York.
H.R. 1926: Ms. HOOLEY of Oregon.
H.R. 2000: Mr. DAVIS of Illinois and Mr. HILLEARY.
H.R. 2351: Mr. STARK.
H.R. 2413: Mr. KUYKENDALL.
H.R. 2620: Mr. RANGEL and Mr. BALDACCI.
H.R. 2710: Mr. MEEHAN, Mr. SMITH of Texas, Mr. BARRETT of Nebraska, Mr. GILLMOR, Mr. SHERMAN, Mr. KASICH, Mr. PASCRELL, and Mr. LAHOOD.
H.R. 2790: Mr. MORAN of Virginia.
H.R. 2870: Mr. DAVIS of Illinois and Mr. SMITH of New Jersey.
H.R. 3003: Mr. BARR of Georgia, Mr. EHRLICH, and Mr. WALSH.
H.R. 3249: Ms. BERKLEY and Mr. OLVER.
H.R. 3308: Mr. HEFLEY.
H.R. 3446: Mr. ANDREWS.
H.R. 3463: Ms. JACKSON-LEE of Texas and Mr. BOEHLERT.
H.R. 3500: Mr. GONZALEZ.
H.R. 3633: Mr. PASCRELL and Mr. DEUTSCH.
H.R. 3700: Mr. SHAYS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP, and Mr. GOODLING.
H.R. 3809: Mr. BONIOR.
H.R. 3823: Mr. STARK.
H.R. 4025: Mr. WAMP, and Mr. SHIMKUS.
H.R. 4028: Mr. DAVIS of Illinois.
H.R. 4064: Mr. SANDLIN.
H.R. 4102: Mr. PAUL.
H.R. 4146: Mr. SANDERS.
H.R. 4206: Ms. MCCARTHY of Missouri.
H.R. 4213: Mr. BARR of Georgia.
H.R. 4215: Mrs. EMERSON and Mr. BURR of North Carolina.
H.R. 4250: Mr. STARK.
H.R. 4259: Mr. CUNNINGHAM, Mr. SUNUNU, Mr. PICKERING, Mr. MASCARA, Mrs. NORTHUP, Mr. CUMMINGS, Mr. CASTLE, Mr. CHABOT, Mr. ACKERMAN, Ms. WATERS, Mr. GILLMOR, Mr. GOODE, Ms. GRANGER, Mr. HANSEN, Mr. HEFLEY, Mr. HILL of Indiana, Mr. HOEFFEL, Mr. HINCHEY, Mr. HOLT, Mr. HOLDEN, Mr. JACKSON of Illinois, Mr. ISAKSON, Mr. JENKINS, Mr. SAM JOHNSON of Texas, Mrs. JONES of Ohio, Ms. KAPTUR, and Mr. HILLIARD.
H.R. 4274: Ms. BROWN of Florida.
H.R. 4289: Mr. BERMAN, Mr. REGULA, Mr. HOEFFEL, and Mr. MEEHAN.
H.R. 4330: Mr. BALDACCI.
H.R. 4356: Mr. BRADY of Pennsylvania, Mrs. MCCARTHY of New York, Mrs. THURMAN, Mr. BALDACCI, and Mr. KUCINICH.
H.R. 4357: Mr. BENTSEN.
H.R. 4431: Mr. STEARNS.
H.R. 4434: Mr. KING.
H.R. 4467: Mr. SHERWOOD and Mr. RILEY.
H.R. 4483: Mr. BENTSEN.
H.R. 4490: Mr. STARK.
H.R. 4503: Mr. CHAMBLISS, Mr. DEAL of Georgia, and Mr. THORNBERRY.
H.R. 4508: Ms. DANNER.
H.R. 4613: Mr. JONES of North Carolina.
H.R. 4645: Mr. MCDERMOTT, Mr. STUPAK, and Mr. BLUMENAUER.
H.R. 4649: Mr. DELAHUNT, Mr. FALEOMAVAEGA, Mr. OBERSTAR, Mrs. NAPOLITANO, Mr. BARR of Georgia, and Mr. MCDERMOTT.
H.R. 4653: Mr. GOODE.
H.R. 4664: Mrs. THOMAS and Mr. FATTAH.
H.R. 4677: Ms. BALDWIN.
H.R. 4728: Mrs. MEEK of Florida, Mr. LEWIS of Kentucky, Mr. COLLINS, Mr. KENNEDY of Rhode Island, Ms. BROWN of Florida, Mr. GIBBONS, and Mr. MORAN of Kansas.
H.R. 4745: Mr. BARTON of Texas and Mr. WEINER.
H.R. 4780: Mrs. THURMAN.
H.R. 4828: Ms. HOOLEY of Oregon.
H.R. 4894: Mr. FLETCHER, Mr. GILCHREST, Mr. KINGSTON, Mr. MCHUGH, Mr. LUCAS of Kentucky, and Mrs. NORTHUP.
H.R. 4895: Mr. FLETCHER, Mr. GILCHREST, Mr. KINGSTON, Mr. MCHUGH, and Mr. LUCAS of Kentucky.
H.R. 4902: Ms. DANNER.
H.R. 4904: Mr. KILDEE.
H.R. 4935: Mr. CAPUANO.
H.R. 4964: Mr. MCGOVERN and Mr. MCHUGH.
H.R. 5004: Mr. WOLF.
H.R. 5005: Mr. LEWIS of California and Mr. FRANKS of New Jersey.
H.R. 5026: Mr. ARMEY, Mr. HAYWORTH, Mr. SOUDER, Mr. BARTLETT of Maryland, Mr. CAMPBELL, Mr. COBURN, Mr. COMBEST, Mr. DOOLITTLE, Mr. GRAHAM, Mr. ISTOOK, Mr. KINGSTON, Mr. LARGENT, Mrs. MYRICK, Mr. OSE, Mr. PETERSON of Pennsylvania, Mr. PITTS, Mr. POMBO, Mr. ROHRABACHER, Mr. RYUN of Kansas, Mr. SPENCE, Mr. SWEENEY, Mr. TANCREDO, and Mr. TOOMEY.
H.R. 5028: Mr. ARMEY, Mr. CAMPBELL, Mr. COBURN, Mr. KOLBE, Mr. DOOLITTLE, Mr. ROGAN, Mr. CHAMBLISS, Mr. CANNON, Mr. BARTLETT of Maryland, Mr. SCHAFFER, Mr. HERGER, Mr. FOLEY, and Mr. SHADEGG.
H.R. 5052: Mr. MASCARA and Mr. MCHUGH.
H.R. 5054: Mr. PALLONE.
H.R. 5055: Mr. BARTON of Texas and Mr. GORDON.
H.R. 5091: Mr. FRANK of Massachusetts.
H.R. 5128: Mrs. JOHNSON of Connecticut.
H.R. 5151: Mr. KOLBE and Mr. MCCOLLUM.
H.R. 5161: Mr. BAKER, Mr. SMITH of Texas, Mr. BURTON of Indiana, Mr. LATOURETTE, Mr. NEY, Mr. MARTINEZ, Mr. SKEEN, and Mr. BARR of Georgia.
H.R. 5164: Mrs. CUBIN, Mr. GREENWOOD, Mr. EHRLICH, Ms. SLAUGHTER, Mr. CAMP, Mr. PHELPS, and Mr. REYNOLDS.
H.R. 5178: Mr. HOEKSTRA, Mr. CLAY, Mr. LEACH, Mr. CASTLE, Mr. BILBRAY, and Mr. HILLEARY.
H.R. 5180: Ms. DANNER, Mr. BARCIA, and Mr. GEJDENSON.
H.R. 5200: Mr. STEARNS.
H.J. Res. 7: Mr. SOUDER.
H.J. Res. 48: Mr. FRANK of Massachusetts.
H. Con. Res. 58: Mr. KLECZKA, Mr. CAPUANO, and Mr. BOEHLERT.
H. Con. Res. 390: Mr. MICA, Mrs. MYRICK, Mr. RAMSTAD, and Mr. CALLAHAN.
H. Res. 163: Mr. OLVER.

¶92.56 PETITIONS, ETC.

Under clause 3 of rule XII,

113. The SPEAKER presented a petition of American Bar Association, relative to a Resolution petitioning federal, state, and territorial governments to construe and if necessary amend laws regulating the health professions, controlled substances, insurance, and both public and private health benefit programs so that these laws do not impose barriers to quality pain and symptom management; which was referred to the Committee on Appropriations.

¶92.57 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsor was deleted from the public bill as follows:

H.R. 4213: Mr. DAVIS of Illinois.

WEDNESDAY, SEPTEMBER 20, 2000 (93)

¶93.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. COOKSEY, who laid before the House the following communication:

WASHINGTON, DC,
September 20, 2000.

I hereby appoint the Honorable JOHN COOKSEY to act as Speaker pro tempore on this day.

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

¶93.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. COOKSEY, announced he had examined and approved the Journal of the proceedings of Tuesday, September 19, 2000.

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

¶93.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10134. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Myclobutanil; Extension of Tolerance for Emergency Exemptions [OPP–301045; FRL–6742–6] (RIN: 2070–AB78) received September 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10135. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Difenoconazole; Pesticide Tolerance [OPP–301005; FRL–6589–3] (RIN: 2070–AB) received September 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10136. A letter from the Director, Office of Management and Budget, transmitting the OMB Sequestration Update Report to the President and Congress for fiscal year 2001; to the Committee on Appropriations.

10137. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Section 8 Homeownership Program [Docket No. FR–4427–F–02] (RIN: 2577–AB90) received September 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10138. A letter from the General Counsel, Federal Emergency Management, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–D–7501] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10139. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10140. A letter from the General Counsel, Corporation for National and Community Service, transmitting the Corporation's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10141. A letter from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Special Supplemental Nutrition Program for Women, Infants, and Children: Implementation of WIC Mandates of Public Law 104–193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (RIN: 0584–AC51) re-

ceived September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10142. A letter from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received August 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10143. A letter from the Chief, Coordination and Review Section, Department of Justice, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10144. A letter from the Director, Civil Rights Center, Department of Labor, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10145. A letter from the Director, Office of Regulations Management, Office of Resolution Management, Department of Veterans Affairs, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10146. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10147. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10148. A letter from the Assistant General Counsel, National Science Foundation, transmitting the Foundation's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10149. A letter from the Deputy General Counsel Office of EEO & Civil Rights Compliance, Small Business Administration, transmitting the Administration's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10150. A letter from the Manager, Supplier and Diverse Business Relations, Tennessee Valley Authority, transmitting the Authority's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10151. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Florida: Final Authorization of State Hazardous Waste Management Program Revision [FRL 6870–1] received September 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10152. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Stay of the Eight-Hour Portion of the Findings of Significant Contribution and Rulemaking for Purposes of Reducing Interstate Ozone Transport [FRL 6869–8] (RIN: 2060–AJ37) received September 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10153. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Revision to the Alabama Department of Environmental Management Administration Code for the Air Pollution Control [AL–051–200026(a); FRL–6872–4] received September 15,2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10154. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of the Implementation Plan for the Shelby County, Tennessee Lead Nonattainment Area [TN–233–1–20021a; FRL–6872–2] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10155. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Technical Assistance Grant Program [FRL–6872–1] (RIN: 2050–AE33) received September 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10156. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to France, Canada and Germany [Transmittal No. DTC 094–00]; to the Committee on International Relations.

10157. A letter from the Director, National Science Foundation, transmitting a report on the National Science Foundation 2000 Federal Activities Inventory Reform Act of Commercial Activites; to the Committee on Government Reform.

10158. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Amendments to the Freedom of Information Act, Privacy Act, and Confidential Treatment Rules—received September 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10159. A letter from the Acting Assistant Secretary, Land and Minerals Management, Department of Interior, transmitting the Department's final rule—Interest Rate Applicable to Late Payment or Underpayment of Monies Due on Solid Minerals and Geothermal Leases (RIN: 1010–AC76) received September 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10160. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Fixed Gear Sablefish Mop-Up [Docket No. 991223347–9347–01; I.D. 082800C] received 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10161. A letter from the General Counsel, The Presidio Trust, transmitting the Trust's final rule—Management of the Presidio: Environmental Quality (RIN: 3212–AA02) received September 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10162. A letter from the Inland Waterway Users Board, Department of the Army, transmitting the Board's fourteenth annual report of its activities; recommendations regarding construction, rehabilitation priorities and spending levels on the commercial navigational features and components of inland waterways and harbors, pursuant to Public Law 99–662, section 302(b) (100 Stat. 4111); to the Committee on Transportation and Infrastructure.

10163. A letter from the Deputy Chief Counsel, Department of Transportation, transmitting the Department's final rule—Pipeline Safety: Internal Corrosion in Gas Transmission Pipelines (RIN: 2137–AD52)—received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10164. A letter from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting the Administration's final rule—Interpetive Rule; Court of Competent Jurisdiction—received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10165. A letter from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Changed Product Rule Meeting; Public Meeting—received September 11,2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10166. A letter from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Advisory Notice; Transportation of Lithium Batteries [Docket No. RSPA–00–7283] received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10167. A letter from the Acting Director, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Regulated Navigational Area: Sanibel, Florida [CGD07–00–086] (RIN: 2115–AE86) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10168. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Michelob Championship at Kingsmill Fireworks Display, James River, Williamsburg, Virginia [CGD 05–00–041] (RIN: 2115–AE46) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10169. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Bayou Du Large, LA [CGD08–00–024] (RIN: 2115–AE47) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10170. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Hackensack River, NJ [CGD01–00–209] (RIN: 2115–AE47) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10171. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Hampton

Bay Days Festival, Hampton River, Hampton, Virginia [CGD 05–00–039] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10172. A letter from the Program Assistant, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 301188; Amdt. No. 2009] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10173. A letter from the Program Assistant, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Tulsa, OK [Airspace Docket No. 2000–ASW–15] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10174. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class D Airspace, Robert Gray Army Airfield, TX; and Revocation of Class D Airspace, Hood Army Airfield, TX; [Airspace Docket No. 2000–ASW–18] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10175. A letter from the Program Assistant, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries, Ltd., Model 1125 Westwind; Astra Series Airplanes [Docket No. 2000–NM–287–AD; Amendment 39–11896; AD 2000–18–11] (RIN: 2120–AA64) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10176. A letter from the Program Assistant, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; MD Helicopters, Inc. Model MD–900 Helicopters [Docket No. 2000–SW–03–AD; Amendment 39–11893; AD 2000–18–08] (RIN: 2120–AA64) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10177. A letter from the Program Assistant, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter Canada Ltd. Model BO 105 LS A–3 Helicopters [Docket No. 99–SW–68–AD; Amendment 39–11899; AD 2000–18–13] (RIN: 2120–AA64) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10178. A letter from the Program Assistant, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Aircraft-manufactured Model CH–54A Helicopters [Docket No. 99–SW–81–AD; Amendment 39–11901; AD 2000–18–14] (RIN: 2120–AA64) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10179. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS350B3 Helicopters [Docket No. 2000–SW–39–AD; Amendment 39–11900; AD 2000–16–52] (RIN: 2120–AA64) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10180. A letter from the Chief, Office of Regulations and Administrative Law, Department of Transportation, USCG, transmitting the Department's final rule—Drawbridge Operating Regulations; Honker Cut, San Joaquin County, California [CGD 11–00–006] (RIN: 2115–AE47) received 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10181. A letter from the Chief, Office of Regulations and Administrative Law, Department of Transportation, USCG, transmitting the Department's final rule—Safety Zone; Northstar dock, Seal Island, Prudhoe Bay, Alaska [COTP Western Alaska 00–011] (RIN: 2115–AA97) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10182. A letter from the Administrator, General Services Administration, transmitting informational copies of various lease prospectuses, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

10183. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—Endorsement of Checks Deposited by Customs Service (RIN: 1515–AC48) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10184. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Tresury, transmitting the Department's final rule—Vessel Equipment Temporarily Landed for Repair [TD 00–61] (RIN: 1515–AC35) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10185. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Patapsco River, Baltimore, Maryland [CGD05–00–038] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10186. A letter from the Chief, Office of Regulations and Administrative Law, Department of Transportation, USCG, transmitting the Department's final rule—Safety Zone; Middle Harbor-San Pedro Bay, CA [COTP Los Angeles-Long Beach, CA; 00–003] (RIN: 2115–AA97) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10187. A letter from the Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation entitled the ''Enhancement of Privacy and Public Safety in Cyberspace Act''; jointly to the Committees on the Judiciary and Commerce.

¶93.4 PROVIDING FOR THE CONSIDERATION OF H.R. 4945

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 582):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4945) to amend the Small Business Act to strengthen existing protections for small business participation in the Federal procurement contracting process, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. SESSIONS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶93.5 SMALL BUSINESS COMPETITION PRESERVATION

The SPEAKER pro tempore, Mr. SESSIONS, pursuant to House Resolution 582 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4945) to amend the Small Business Act to strengthen existing protections for small business participation in the Federal procurement contracting process, and for other purposes.

The SPEAKER pro tempore, Mr. SESSIONS, by unanimous consent, designated Mr. COOKSEY as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. LARGENT, assumed the Chair.

When Mr. COOKSEY, Chairman, pursuant to House Resolution 582, reported the bill back to the House.

The previous question having been ordered by said resolution.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. LARGENT, announced that the yeas had it.

Mr. TALENT objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 422 / Nays 0

¶93.6 [Roll No. 482]

YEAS—422

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Brady (TX)
Campbell
Diaz-Balart
Green (WI)
Klink
Lazio
McIntosh
Meek (FL)
Nethercutt
Vento
Wise

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶93.7 PROVIDING FOR THE CONSIDERATION OF H.R. 3986

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 581):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3986) to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Resources now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Resources and one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶93.8 CHANDLER PUMPING PLANT AT PROSSER DIVERSION DAM, WASHINGTON

Mr. SIMPSON, pursuant to House Resolution 581, called up the bill (H.R. 3986) to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington.

When said bill was considered and read twice.

Pursuant to House Resolution 581, the following amendment recommended by the Committee on Resources now printed in the bill was considered as agreed to:

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

SECTION 1. CHANDLER PUMPING PLANT AND POWERPLANT OPERATIONS AT PROSSER DIVERSION DAM, WASHINGTON.

Section 1208 of Public Law 103–434 (108 Stat. 4562) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting ''OR WATER EXCHANGE'' after ''ELECTRIFICATION'';

(B) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and indenting appropriately;

(C) by striking ''In order to'' and inserting the following:

''(1) ELECTRIFICATION.—In order to''; and

(D) by adding at the end the following:

''(2) WATER EXCHANGE ALTERNATIVE.—

''(A) IN GENERAL.—As an alternative to the measures authorized under paragraph (1) for electrification, the Secretary is authorized to use not more than $4,000,000 of sums appropriated under paragraph (1) to study the engineering feasibility of exchanging water from the Columbia River for water historically diverted from the Yakima River.

''(B) REQUIREMENTS.—In carrying out subparagraph (A), the Secretary, in coordination with the Kennewick Irrigation District and in consultation with the Bonneville Power Administration, shall—

''(i) prepare a report that describes project benefits and contains feasibility level designs and cost estimates;

''(ii) secure the critical right-of-way areas for the pipeline alignment;

''(iii) prepare an environmental assessment; and

''(iv) conduct such other studies or investigations as are necessary to develop a water exchange.'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''or water exchange'' after ''electrification''; and

(B) in the second sentence of paragraph (2)(A), by inserting ''or the equivalent of the rate'' before the period;

(3) in subsection (d), by striking ''electrification,'' each place it appears and inserting ''electrification or water exchange''; and

(4) in subsection (d), by striking ''of the two'' and inserting ''thereof''.

After debate,

Pursuant to House Resolution 581, the previous question was ordered on the bill, as amended.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The question was put, viva voce,

Will the House now pass said bill?

The SPEAKER pro tempore, Mr. GILLMOR, announced that the yeas had it.

Mr. DOOLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 418 / Nays ..... 1 }

¶93.9 [Roll No. 483]

YEAS—418

Abercrombie, Ackerman, Aderholt, Allen, Andrews, Archer, Armey, Baca, Bachus, Baird, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Becerra, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilbray, Bilirakis, Bishop, Blagojevich, Bliley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (FL), Brown (OH), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Capps, Capuano, Cardin, Carson, Castle, Chabot, Chambliss, Chenoweth-Hage, Clayton, Clement, Clyburn, Coble, Collins, Combest, Condit, Conyers, Cook, Cooksey, Costello, Cox, Coyne, Cramer, Crane, Crowley, Cubin, Cummings, Cunningham, Danner, Davis (FL), Davis (IL), Davis (VA), Deal, DeFazio, DeGette, Delahunt, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dixon, Doggett, Dooley, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, Engel, English, Eshoo, Etheridge, Evans, Everett, Ewing, Farr, Fattah, Filner, Fletcher, Foley, Forbes, Ford, Fossella, Fowler, Frank (MA), Franks (NJ), Frelinghuysen, Frost, Gallegly, Ganske, Gejdenson, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Gonzalez, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green (TX), Green (WI), Greenwood, Gutierrez, Gutknecht, Hall (OH), Hall (TX), Hansen, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill (IN), Hill (MT), Hilleary, Hilliard, Hinchey, Hinojosa, Hobson, Hoeffel, Hoekstra, Holden, Holt, Hooley, Horn, Hostettler, Houghton, Hoyer, Hulshof, Hunter, Hyde, Inslee, Isakson, Istook, Jackson (IL), Jackson-Lee (TX), Jefferson, Jenkins, John, Johnson (CT), Johnson, E. B., Johnson, Sam, Jones (NC), Jones (OH), Kanjorski, Kaptur, Kasich, Kelly, Kennedy, Kildee, Kilpatrick, Kind (WI), King (NY), Kingston, Kleczka, Knollenberg, Kolbe, Kucinich, Kuykendall, LaFalce, LaHood, Lampson, Lantos, Largent, Larson, Latham, LaTourette, Leach, Lee, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lipinski, LoBiondo, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Martinez, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McCrery, McDermott, McGovern, McHugh, McInnis, McIntyre, McKeon, McKinney, McNulty, Meehan, Meek (FL), Meeks (NY), Menendez, Metcalf, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Miller, George, Minge, Mink, Moakley, Mollohan, Moore, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Nadler, Napolitano, Neal, Ney, Northup, Nussle, Oberstar, Obey, Olver, Ortiz, Ose, Owens, Oxley, Packard, Pallone, Pascrell, Pastor, Payne, Pease, Pelosi, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pickett, Pitts, Pombo, Pomeroy, Porter, Portman, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Ramstad, Rangel, Regula, Reyes, Reynolds, Riley, Rivers, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Roybal-Allard, Royce, Rush, Ryan (WI), Ryun (KS), Sabo, Salmon, Sanchez, Sanders, Sandlin, Sanford, Sawyer, Saxton, Scarborough, Schaffer, Schakowsky, Scott, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Shays, Sherman, Sherwood, Shimkus, Shows, Shuster, Simpson, Sisisky, Skeen, Skelton, Slaughter, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Snyder, Souder, Spence, Stabenow, Stark, Stearns, Stenholm, Strickland, Stump, Stupak, Sununu, Sweeney, Talent, Tancredo, Tanner, Tauscher, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thompson (CA), Thompson (MS), Thornberry, Thune, Thurman, Tiahrt, Tierney, Toomey, Towns, Traficant, Turner, Udall (CO), Udall (NM), Upton, Velazquez, Visclosky, Vitter, Walden, Walsh, Wamp, Waters, Watkins, Watt (NC), Watts (OK), Waxman, Weiner, Weldon (FL), Weldon (PA), Weller, Wexler, Weygand, Whitfield, Wicker, Wolf, Woolsey, Wu, Wynn, Young (AK), Young (FL)

NAYS—1

Paul

NOT VOTING—14

Campbell, Clay, Coburn, Gephardt, Hutchinson, Klink, Lazio, McIntosh, Nethercutt, Norwood, Spratt, Vento, Wilson, Wise

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶93.10 MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. OBEY submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on the highest funding level possible for the Department of Education; and to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class sizes in the early grades and for the local school construction and, instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

After debate,

Pending further consideration of said motion,

Mr. PORTER demanded that the question be divided between the first portion of the motion, ''to insist on the highest funding level possible for the Department of Education''; and the second portion of the motion, ''to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class sizes in the early grades and for the local school construction and, instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds''.

The SPEAKER pro tempore, Mr. GILLMOR, announced the question was divisible and would be so divided for voting.

After further debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question was divided.

The question being put, viva voce,

Will the House now agree to the first portion of the divided question?

The SPEAKER pro tempore, Mr. GILLMOR, announced that the yeas had it.

So the first portion of the divided question was agreed to.

Will the House now agree to the second portion of the divided question?

The SPEAKER pro tempore, Mr. GILLMOR, announced that the nays had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 222 / Nays ..... 201 }

¶93.11 [Roll No. 484]

YEAS—222

Abercrombie, Ackerman, Aderholt, Allen, Andrews, Baca, Baird, Baldacci, Baldwin, Barcia, Barrett (WI), Becerra, Bentsen, Berkley, Berman, Berry, Bishop, Blagojevich, Blumenauer, Bonior, Borski, Boswell, Boucher, Boyd, Brady (PA), Brown (FL), Brown (OH), Capps, Capuano, Cardin, Carson, Clay, Clayton, Clement, Clyburn, Condit, Conyers, Costello, Coyne, Cramer, Crowley, Cummings, Danner, Davis (FL), Davis (IL), DeFazio, DeGette, Delahunt, DeLauro, Deutsch, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Edwards, Engel, Eshoo, Etheridge, Evans, Farr, Fattah, Filner, Fletcher, Foley

Forbes
Ford
Frank (MA)
Frost
Gallegly
Gejdenson
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shaw
Sherman
Sherwood
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NAYS—201

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

NOT VOTING—10

Burton
Campbell
Hilliard
Jones (OH)
Klink
Lazio
McIntosh
Nethercutt
Sabo
Vento

So the second portion of the divided question was agreed to.

Motions to reconsider the votes by which the two portions of said motion were agreed to were, by unanimous consent, laid on the table.

¶93.12 PROVIDING FOR THE CONSIDERATION OF THE SENATE AMENDMENTS TO H.R. 940

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 106–873) the resolution (H. Res. 583) providing for the consideration of the Senate amendments to the bill (H.R. 940) to designate the Lackawanna Valley National Area, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶93.13 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4919

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 106–874) the resolution (H. Res. 584) waiving points of order against the conference to accompany the bill (H.R. 4919) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶93.14 PROVIDING FOR THE CONSIDERATION OF H.R. 5109

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 106–875) the resolution (H. Res. 585) providing for the consideration of the bill (H.R. 5109) to amend title 38, United States Code, to improve the personnel system of the Veterans Health Administration, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶93.15 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1638. An Act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty.

S. 2460. An Act to authorize the payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda, and for other purposes.

And then,

¶93.16 ADJOURNMENT

On motion of Mr. BLUMENAUER, at 6 o'clock and 56 minutes p.m., the House adjourned.

¶93.17 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3067. A bill to authorize the Secretary of the Interior to convey certain facilities to Nampa and Meridian Irrigation District; with an amendment (Rept. No. 106–870). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 1778. An act to provide for equal exchanges of land around the Cascade Reservoir (Rept. No. 106–871). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 3100. A bill to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes; with an amendment (Rept. No. 106–872). Referred to the Committee of the Whole House on the State of the Union. Referred to the Corrections Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 583. Resolution providing for consideration of the Senate amendments to the bill (H.R. 940) to designate the Lackawanna Valley National Heritage Area, and for other purposes (Rept. No. 106–873). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 584. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4919) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes (Rept. No. 106–874). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 585. Resolution providing for consideration of the bill (H.R. 5109) to amend title 38, United States Code, to improve the personnel system of the Veterans Health Administration, and for other purposes (Rept. No. 106–875). Referred to the House Calendar.

¶93.18 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MEEHAN:

H.R. 5217. A bill to provide adequate sanctions for unfair labor practices resulting in the discharge of employees; to the Committee on Education and the Workforce.

By Mr. GILMAN:

H.R. 5218. A bill to provide grant funds to units of local government that comply with certain requirements and to amend certain Federal firearms laws; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PELOSI (for herself and Ms. DUNN):

H.R. 5219. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for research related to developing vaccines against widespread diseases and ensure that such vaccines are affordable and widely distributed; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. EDWARDS, and Mr. SMITH of Texas):

H.R. 5220. A bill to amend title XVIII of the Social Security Act to preserve essential rural hospitals; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan:

H.R. 5221. A bill to require the United States Postal Service to convey certain real property containing a post-office building in Jackson, Michigan, to the City of Jackson, Michigan; to the Committee on Government Reform.

By Mr. SALMON (for himself, Mr. MCCOLLUM, Mr. MCINTYRE, Mr. MCHUGH, and Mr. HANSEN):

H.R. 5222. A bill to amend title XVIII of the Social Security Act to provide attending physicians greater authority in determining whether a Medicare beneficiary is eligible for hospice care under the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SANFORD:

H.R. 5223. A bill to require the Secretary of Agriculture to carry out a pilot program to evaluate the feasibility and merits of State administration of units of the National Forest System; to the Committee on Agriculture.

By Mr. GILMAN (for himself, Mr. COMBEST, Mr. STENHOLM, and Mr. BEREUTER):

H.R. 5224. A bill to amend the Agriculture Trade Development and Assistance Act of 1954 to authorize assistance for the stockpiling and rapid transportation, delivery, and distribution of shelf stable prepackaged foods to needy individuals in foreign countries; to the Committee on International Relations, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLILEY (for himself and Mr. SCOTT):

H.R. 5225. A bill to revise the boundaries of the Richmond National Battlefield Park based on the findings of the Civil War Sites Advisory Committee and the National Park Service and to encourage cooperative management, protection, and interpretation of the resources associated with the Civil War and the Civil War battles in and around the city of Richmond, Virginia; to the Committee on Resources.

By Mrs. CHRISTENSEN (for herself, Mr. RANGEL, and Mr. JEFFERSON):

H.R. 5226. A bill to amend the Internal Revenue Code of 1986 to provide a credit for electricity produced by certain waste management facilities in United States possessions, and for other purposes; to the Committee on Ways and Means.

By Mr. FRANKS of New Jersey (for himself and Mr. GARY MILLER of California):

H.R. 5227. A bill to amend the 21st Century Community Learning Centers Act to expand after-school activities and services; to the Committee on Education and the Workforce.

By Mr. KANJORSKI (for himself and Mr. NEY):

H.R. 5228. A bill to amend title XVIII of the Social Security Act to provide for immediate relief for essential hospitals in a region, to assist in the long-range economic recovery of such hospitals, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KINGSTON (for himself, Mr. BISHOP, Mr. COLLINS, Mr. LEWIS of Georgia, Mr. ISAKSON, Mr. BARR of Georgia, Mr. CHAMBLISS, Mr. DEAL of Georgia, Mr. NORWOOD, and Mr. LINDER):

H.R. 5229. A bill to designate the facility of the United States Postal Service located at 219 South Church Street in Odum, Georgia, as the ''Ruth Harris Coleman Post Office''; to the Committee on Government Reform.

By Mr. LEWIS of Kentucky:

H.R. 5230. A bill to amend the Appalachian Regional Development Act of 1965 to designate Edmonson, Hart, and Metcalfe Counties, Kentucky, as part of the Appalachian region; to the Committee on Transportation and Infrastructure.

By Mr. MOLLOHAN (for himself and Mr. CALVERT):

H.R. 5231. A bill to amend the Federal Food, Drug, and Cosmetic Act and title 35, United States Code, with respect to abbreviated applications for the approval of new drugs; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mrs. MORELLA, Mr. MCDERMOTT, and Mr. KUCINICH):

H.R. 5232. A bill to amend the Immigration and Nationality Act to provide for cancellation of removal and adjustment of status for certain nonpermanent resident aliens whose removal would result in extreme medical hardship; to the Committee on the Judiciary.

By Mr. RADANOVICH:

H.R. 5233. A bill to establish the National Commission on Budget Concepts; to the Committee on the Budget.

By Mr. RADANOVICH (for himself, Mr. ROHRABACHER, Ms. LOFGREN, Mr. HUNTER, Mr. HERGER, Mr. VENTO, Mr. KENNEDY of Rhode Island, and Mr. DOOLEY of California):

H.R. 5234. A bill to amend the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of that Act to certain former spouses of deceased Hmong veterans; to the Committee on the Judiciary.

By Mr. WAXMAN (for himself, Mr. STARK, Mr. BROWN of Ohio, Mr. BERRY, Mr. COBURN, and Mr. DEUTSCH):

H.R. 5235. A bill to ensure the timely availability of generic drugs through enhancement of drug approval and antitrust laws enforced by the Food and Drug Administration and the Federal Trade Commission regarding brand name drugs and generic drugs; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶93.19 ADDITIONAL SPONSORS

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

H.R. 123: Mr. SCARBOROUGH.
H.R. 207: Mr. NEY and Mr. HUTCHINSON.
H.R. 284: Mr. SAM JOHNSON of Texas, Mr. RANGEL, Mrs. KELLY, and Mr. RUSH.
H.R. 303: Mr. WAXMAN.
H.R. 534: Mr. KINGSTON, Mr. PACKARD, Mr. COBURN, and Mr. COSTELLO.
H.R. 1020: Mr. DINGELL.
H.R. 1071: Mr. LATOURETTE and Mr. PAYNE.
H.R. 1168: Mr. DAVIS of Florida.
H.R. 1172: Mr. CALVERT.
H.R. 1187: Mr. SHERMAN.
H.R. 1194: Mr. SMITH of New Jersey.
H.R. 1303: Mrs. THURMAN, Ms. BALDWIN, and Mr. BILBRAY.
H.R. 1824: Mr. THOMPSON of California.
H.R. 2121: Mr. HALL of Texas, Mr. STARK, and Mr. NEAL of Massachusetts.
H.R. 2586: Mr. BALDACCI.
H.R. 2640: Mr. CRANE.
H.R. 2660: Mr. MORAN of Kansas.
H.R. 2720: Mrs. NORTHUP.
H.R. 2741: Mr. MARKEY.
H.R. 2814: Ms. KILPATRICK.
H.R. 3578: Mr. HOSTETTLER.
H.R. 3677: Mr. RAMSTAD.
H.R. 3816: Mr. STENHOLM.
H.R. 3872: Mr. WAMP, Mr. SANDLIN, Mr. BARR of Georgia, Mr. MASCARA, Mr. SKELTON, and Mr. BALDACCI.
H.R. 3896: Mrs. NORTHUP
H.R. 4049: Mr. CUNNINGHAM.
H.R. 4102: Mr. MCHUGH.
H.R. 4271: Mr. GREENWOOD and Mr. DEFAZIO.
H.R. 4272: Mr. GREENWOOD and Mr. DEFAZIO.
H.R. 4273: Mr. GREENWOOD and Mr. DEFAZIO.
H.R. 4352: Mr. STUMP and Mr. HALL of Texas.
H.R. 4357: Mr. UDALL of Colorado.
H.R. 4393: Mr. LEWIS of California and Mrs. THURMAN.
H.R. 4395: Mr. TUNNER and Mr. KUYKENDALL.
H.R. 4481: Mr. HALL of Ohio, Mr. WALSH, and Mr. MENENDEZ.
H.R. 4508: Mr. RAHALL.
H.R. 4543: Mr. KANJORSKI, Mr. SPENCE, Mr. LATOURETTE, Mr. PHELPS, and Mr. HALL of Ohio.
H.R. 4571: Mr. MCNULTY, Mr. FLETCHER, Mr. BRADY of Pennsylvania, Mr. SOUDER, Mrs. MINK of Hawaii, Mr. MOORE, Ms. ESHOO, Mr. FROST, and Mr. FRANKS of New Jersey.
H.R. 4706: Ms. KAPTUR.
H.R. 4707: Mr. DOOLEY of California, Mr. NADLER, Mr. ABERCROMBIE, Mrs. LOWEY, Ms. PELOSI, Mr. LANTOS, and Ms. WOOLSEY.
H.R. 4715: Mr. COLLINS and Mr. HULSHOF.
H.R. 4716: Mr. STENHOLM.
H.R. 4723: Mr. KOLBE.
H.R. 4746: Mr. HAYES and Mr. EHLERS.
H.R. 4760: Mr. STENHOLM.
H.R. 4792: Mr. PHELPS.
H.R. 4817: Mr. WALSH.
H.R. 4827: Mr. DREIER.
H.R. 4841: Mr. TOWNS, Mr. PETERSON of Pennsylvania, and Mr. GOODE.
H.R. 4857: Mr. HILL of Indiana, Mr. KANJORSKI, and Mr. GONZALEZ.

H.R. 4902: Mr. HILLEARY.

H.R. 4926: Mr. FATTAH, Mr. BLAGOJEVICH, Mr. ENGEL, Mrs. CAPPS, Mr. FILNER, Mr. PACKARD, Mr. RODRIGUEZ, Mr. WEINER, and Mr. FALEOMAEVAEGA.

H.R. 4944: Mr. WISE.

H.R. 4966: Mr. BONIOR.

H.R. 4971: Mr. MCHUGH, Mr. DEUTSCH, Mr. BONILLA, and Mr. CARDIN.

H.R. 4976: Mr. BAKER, Mr. MATSUI, Mr. GANSKE, Mr. CONDIT, Mr. FORD, Mr. OSE, Mr. PHELPS, Mrs. NORTHUP, Mr. WU, Mr. HAYWORTH, Mr. COSTELLO, Mr. PETERSON of Pennsylvania, Mr. FOSSELLA, Mr. HOLT, Mr. TURNER, Mr. SHIMKUS, and Mr. TANNER.

H.R. 4977: Mr. EVANS.

H.R. 5005: Mr. HERGER.

H.R. 5117: Mr. SHAW, Mr. MCCRERY, Mr. CAMP, Mr. NUSSLE, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. WELLER, Mr. HULSHOF, Mr. COLLINS, and Mrs. JOHNSON of Connecticut.

H.R. 5136: Mr. HYDE.

H.R. 5152: Mr. GREEN of Texas, Mr. HALL of Texas, Mr. WALSH, and Mrs. JOHNSON of Connecticut.

H.R. 5153: Mr. WALSH.

H.R. 5163: Mr. MOORE, Mr. COYNE, and Mr. ABERCROMBIE.

H.R. 5164: Mr. FROST.

H.R. 5172: Mr. CANADY of Florida, Ms. MCCARTHY of Missouri, Mr. BENTSEN, Ms. DUNN, Mr. TANNER, and Mrs. TAUSCHER.

H.R. 5180: Mr. TALENT and Mr. KOLBE.

H.J. Res. 48: Mr. WOLF.

H.J. Res. 56: Mr. BILBRAY and Mrs. THURMAN.

H.J. Res. 60: Mr. CHAMBLISS.

H.J. Res. 100: Mr. MALONEY of Connecticut.

H. Con. Res. 273: Mr. OLVER and Mr. WEINER.

H. Con. Res. 357: Mr. BOEHLERT, Mr. KLINK, Ms. DANNER, Mr. MCCOLLUM, Mr. BENTSEN, Mr. COOK, Ms. RIVERS, and Mr. DIAZ-BALART.

H. Con. Res. 382: Mr. EVANS.

H. Con. Res. 395: Mr. FALEOMAVAEGA.

H. Con. Res. 396: Mr. GOODE, Mr. WOLF, and Mr. SISISKY.

H. Con. Res. 401: Mr. TANCREDO, Mr. FALEOMAVAEGA, Mr. GIBBONS, Mr. RAHALL, and Mr. ENGEL.

H. Res. 347: Mrs. MALONEY of New York.

H. Res. 461: Mr. EVANS, Mr. WELDON of Pennsylvania, Mr. BROWN of Ohio, Mr. ACKERMAN, Mr. FRANK of Massachusetts, Mrs. MYRICK, Mr. STRICKLAND, Ms. KILPATRICK, and Mr. FARR of California.

H. Res. 578: Mr. ADERHOLT, Mr. WAMP, Mr. HOEKSTRA, Mr. MANZULLO, Mr. PITTS, Mr. HOSTETTLER, Mr. JONES of North Carolina, Mr. KINGSTON, Mrs. MYRICK, Mr. ISTOOK, Mr. GOODE, Mr. DICKEY, Mr. SHADEGG, Mr. RYAN of Wisconsin, Mr. SANFORD, Mr. SAM JOHNSON of Texas, and Mr. COBURN.

THURSDAY, SEPTEMBER 21, 2000 (94)

The House was called to order by the SPEAKER.

¶94.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, September 20, 2000.

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

¶94.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10188. A letter from the Associate Administrator, Department of Agriculture, Agricultral Marketing Service, Fruit and Vegetable Programs, transmitting the Department's final rule—Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Limiting the Volume of Small Red Seedless Grapefruit [Docket No. FV00–905–4 IFR] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10189. A letter from the Associate Administrator, Department of Agriculture, Agricultural Marketing Service, Fruit and Vegetable Programs, transmitting the Department's final rule—Cranberries Grown in the States of Massachuetts, et al., Temporary Suspensions of Provisions in the Rules and Regulations [Docket No. FV00–929–6 IFR] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10190. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Importation of Animal Semen [Docket No. 99–023–2] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10191. A letter from the Congressional Review Coordinator, Department of Agriculture Animal and Plant Health Inspection Service, transmitting the Department's final rule—Change in Disease Status of East Anglia Because of Hog Cholera [Docket No. 00–080–1] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10192. A letter from the Attorney Advisor, Department of Transportation, NHTSA, transmitting the Department's final rule—Insurer Reporting Requirements; List of Insures [Docket No. 2000–001; Notice 02] (RIN: 2127–AH77) received August 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10193. A letter from the Attorney Advisor, Department of Transportation, NHTSA, transmitting the Department's final rule—Insurer Reporting Requirements; List of Insurers Required to File Reports [Docket No. 99–001; Notice 02] (RIN: 2127–AH62) received August 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10194. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (Monroe, Louisiana) [MM Docket No. 99–295; RM–9660] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10195. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Hudson and Ten Sleep, Wyoming) [MM Docket No. 98–97; RM–9287; RM–9609] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10196. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Tables of Allotments, FM Broadcast Stations. (Hanna and Baggs, Wyoming) [MM Docket No. 98–89; RM–9279; RM–9670] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10197. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Wright and Clearmont, Wyoming) [MM Docket No. 98–88; RM–9285; RM–9654] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10198. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Red Lodge and Joilet, Montana) [MM Docket No. 00–24; RM–9781] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10199. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Mertzon, Texas) [MM Docket No. 99–356; RM–9779] (Big Pine Key, Florida) [MM Docket No. 00–29; RM–9821] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10200. A letter from the Special Assistant to the Bueau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commissions's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Buckhannon and Burnsville, West Virginia) [MM Docket No. 98–34] September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10201. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Blackduck and Kelliher, Minnesota) [MM Docket No. 99–78, RM–9487, RM–9646] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10202. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commissions, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Casper, Guernsey, Lusk, and Sinclair, Wyoming) [MM Docket No. 98–59] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10203. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting Proposed lease of defense articles to the United Arab Emirates, pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

10204. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Abolishment of the St. Louis, MO, Special Wage Schedule for Printing Positions (RIN: 3206–AJ24) received September 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10205. A letter from the Director, The Peace Corps, transmitting a report on the Peace Corps' Annual Performance Report; to the Committee on Government Reform.

10206. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule—Explanation and Justification for revised Forms 1, 1M, 2, 3, 3X, 3P, 4, 5, 6 and 8, Regarding Electronic Filing, State Filing Waivers and Election Cycle Reporting by Authorized Committees—received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

10207. A letter from the Director, U.S. Geological Survey, Department of the Interior, transmitting a copy of draft legislation entitled, ''United States Geological Survey Products and Services Act''; to the Committee on Resources.

10208. A letter from the Assistant Secretary for Legislative Affairs, Department of the State, transmitting notification of the

designation of the Islamic Movement of Uzbekistan (IMU) as a ''foreign terrorist organization'' within the meaning of the amended Section 219 of the Immigration and Nationality Act; to the Committee on the Judiciary.

10209. A letter from the Under Secretary of Commerce, Intellectual Property, Department of Commerce, U.S Patent and Trademark Office, transmitting the Department's final rule—Simplification of Certain Requirements in Patent Interference Practice (RIN: 0651–AB15) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10210. A letter from the Assistant Attorney General, Department of Justice, transmitting a report outlining the experience and effects of grants administered by the Office of Community Oriented Policing Services (COPS) between the years 1994 and 2000; to the Committee on the Judiciary.

10211. A letter from the Secretary, Department of Transportation, transmitting a report on the National Bicycle Safety Education Curriculum; to the Committee on Transportation and Infrastructure.

10212. A letter from the Program Assistant, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 412, 412EP, and 412CF Helicopters [Docket No. 2000–SW–29–AD; Amendment 39–11894; AD 2000–18–09] (RIN: 2120–AA64) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10213. A letter from the Chief Counsel, Bureau of the Public Debt, Department of Treasury, transmitting the Department's final rule—Government Securities: Call for Large Position Reports—received September 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10214. A letter from the United States Trade Representative, Executive Office of the President, transmitting notification of the pending accession to the World Trade Organization of the Sultanate of Oman; to the Committee on Ways and Means.

10215. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Like-Kind Exchanges (''parking'' arrangements) [Rev. Proc. 2000–37] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10216. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Distributor Commissions [Revenue Procedure 2000–38] received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10217. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Toll-Free Numbers for Appeals Officer (Customer Service/Outreach) Program—received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10218. A letter from the Secretary of Agriculture, transmitting a draft bill entitled, ''Conversion of Non-Federal Farm Service Agency County Committee Employees to Federal Civil Service Status''; jointly to the Committees on Agriculture and Government Reform.

¶94.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 2909) ''An Act to provide for implementation by the United States of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes.''.

¶94.4 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4919

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 584):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4919) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. DIAZ-BALART, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶94.5 FOREIGN DEFENSE AND SECURITY ASSISTANCE

Mr. GILMAN, pursuant to House Resolution 584, called up the following conference report (Rept. No. 106– 868):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4919), to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Security Assistance Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition.

TITLE I—MILITARY AND RELATED ASSISTANCE

Subtitle A—Foreign Military Sales and Financing Authorities

Sec. 101. Authorization of appropriations.
Sec. 102. Requirements relating to country exemptions for licensing of defense items for export to foreign countries.

Subtitle B—Stockpiling of Defense Articles for Foreign Countries

Sec. 111. Additions to United States war reserve stockpiles for allies.
Sec. 112. Transfer of certain obsolete or surplus defense articles in the war reserve stockpiles for allies to Israel.

Subtitle C—Other Assistance

Sec. 121. Defense drawdown special authorities.
Sec. 122. Increased authority for the transport of excess defense articles.

TITLE II—INTERNATIONAL MILITARY EDUCATION AND TRAINING

Sec. 201. Authorization of appropriations.
Sec. 202. Additional requirements.

TITLE III—NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE

Sec. 301. Nonproliferation and export control assistance.
Sec. 302. Nonproliferation and export control training in the United States.
Sec. 303. Science and technology centers.
Sec. 304. Trial transit program.
Sec. 305. Exception to authority to conduct inspections under the Chemical Weapons Convention Implementation Act of 1998.

TITLE IV—ANTITERRORISM ASSISTANCE

Sec. 401. Authorization of appropriations.

TITLE V—INTEGRATED SECURITY ASSISTANCE PLANNING

Subtitle A—Establishment of a National Security Assistance Strategy

Sec. 501. National Security Assistance Strategy.

Subtitle B—Allocations for Certain Countries

Sec. 511. Security assistance for new NATO members.
Sec. 512. Increased training assistance for Greece and Turkey.
Sec. 513. Assistance for Israel.
Sec. 514. Assistance for Egypt.
Sec. 515. Security assistance for certain countries.
Sec. 516. Border security and territorial independence.

TITLE VI—TRANSFERS OF NAVAL VESSELS

Sec. 601. Authority to transfer naval vessels to certain foreign countries.
Sec. 602. Inapplicability of aggregate annual limitation on value of transferred excess defense articles.
Sec. 603. Costs of transfers.
Sec. 604. Conditions relating to combined lease-sale transfers.
Sec. 605. Funding of certain costs of transfers.
Sec. 606. Repair and refurbishment in United States shipyards.
Sec. 607. Sense of Congress regarding transfer of naval vessels on a grant basis.
Sec. 608. Expiration of authority.

TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 701. Utilization of defense articles and defense services.
Sec. 702. Annual military assistance report.
Sec. 703. Report on government-to-government arms sales end-use monitoring program.
Sec. 704. MTCR report transmittals.
Sec. 705. Stinger missiles in the Persian Gulf region.
Sec. 706. Sense of Congress regarding excess defense articles.
Sec. 707. Excess defense articles for Mongolia.
Sec. 708. Space cooperation with Russian persons.
Sec. 709. Sense of Congress relating to military equipment for the Philippines.
Sec. 710. Waiver of certain costs.

SEC. 2. DEFINITION.

In this Act, the term ''appropriate committees of Congress'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

TITLE I—MILITARY AND RELATED ASSISTANCE

Subtitle A—Foreign Military Sales and Financing Authorities

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for grant assistance under section 23 of the Arms

Export Control Act (22 U.S.C. 2763) and for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans under such section $3,550,000,000 for fiscal year 2001 and $3,627,000,000 for fiscal year 2002.

SEC. 102. REQUIREMENTS RELATING TO COUNTRY EXEMPTIONS FOR LICENSING OF DEFENSE ITEMS FOR EXPORT TO FOREIGN COUNTRIES.

(a) REQUIREMENTS OF EXEMPTION.—Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following:

''(j) REQUIREMENTS RELATING TO COUNTRY EXEMPTIONS FOR LICENSING OF DEFENSE ITEMS FOR EXPORT TO FOREIGN COUNTRIES.—

''(1) REQUIREMENT FOR BILATERAL AGREEMENT.—

''(A) IN GENERAL.—The President may utilize the regulatory or other authority pursuant to this Act to exempt a foreign country from the licensing requirements of this Act with respect to exports of defense items only if the United States Government has concluded a binding bilateral agreement with the foreign country. Such agreement shall—

''(i) meet the requirements set forth in paragraph (2); and

''(ii) be implemented by the United States and the foreign country in a manner that is legally-binding under their domestic laws.

''(B) EXCEPTION.—The requirement to conclude a bilateral agreement in accordance with subparagraph (A) shall not apply with respect to an exemption for Canada from the licensing requirements of this Act for the export of defense items.

''(2) REQUIREMENTS OF BILATERAL AGREEMENT.—A bilateral agreement referred to paragraph (1)—

''(A) shall, at a minimum, require the foreign country, as necessary, to revise its policies and practices, and promulgate or enact necessary modifications to its laws and regulations to establish an export control regime that is at least comparable to United States law, regulation, and policy requiring—

''(i) conditions on the handling of all United States-origin defense items exported to the foreign country, including prior written United States Government approval for any reexports to third countries;

''(ii) end-use and retransfer control commitments, including securing binding end-use and retransfer control commitments from all end-users, including such documentation as is needed in order to ensure compliance and enforcement, with respect to such United States-origin defense items;

''(iii) establishment of a procedure comparable to a 'watchlist' (if such a watchlist does not exist) and full cooperation with United States Government law enforcement agencies to allow for sharing of export and import documentation and background information on foreign businesses and individuals employed by or otherwise connected to those businesses; and

''(iv) establishment of a list of controlled defense items to ensure coverage of those items to be exported under the exemption; and

''(B) should, at a minimum, require the foreign country, as necessary, to revise its policies and practices, and promulgate or enact necessary modifications to its laws and regulations to establish an export control regime that is at least comparable to United States law, regulation, and policy regarding—

''(i) controls on the export of tangible or intangible technology, including via fax, phone, and electronic media;

''(ii) appropriate controls on unclassified information relating to defense items exported to foreign nationals;

''(iii) controls on international arms trafficking and brokering;

''(iv) cooperation with United States Government agencies, including intelligence agencies, to combat efforts by third countries to acquire defense items, the export of which to such countries would not be authorized pursuant to the export control regimes of the foreign country and the United States; and

''(v) violations of export control laws, and penalties for such violations.

''(3) ADVANCE CERTIFICATION.—Not less than 30 days before authorizing an exemption for a foreign country from the licensing requirements of this Act for the export of defense items, the President shall transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a certification that—

''(A) the United States has entered into a bilateral agreement with that foreign country satisfying all requirements set forth in paragraph (2);

''(B) the foreign country has promulgated or enacted all necessary modifications to its laws and regulations to comply with its obligations under the bilateral agreement with the United States; and

''(C) the appropriate congressional committees will continue to receive notifications pursuant to the authorities, procedures, and practices of section 36 of this Act for defense exports to a foreign country to which that section would apply and without regard to any form of defense export licensing exemption otherwise available for that country.

''(4) DEFINITIONS.—In this section:

''(A) DEFENSE ITEMS.—The term 'defense items' means defense articles, defense services, and related technical data.

''(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(i) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

''(ii) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.''.

(b) NOTIFICATION OF EXEMPTION.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) is amended—

(1) by inserting ''(1)'' after ''(f)''; and

(2) by adding at the end the following:

''(2) The President may not authorize an exemption for a foreign country from the licensing requirements of this Act for the export of defense items under subsection (j) or any other provision of this Act until 30 days after the date on which the President has transmitted to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a notification that includes—

''(A) a description of the scope of the exemption, including a detailed summary of the defense articles, defense services, and related technical data covered by the exemption; and

''(B) a determination by the Attorney General that the bilateral agreement concluded under subsection (j) requires the compilation and maintenance of sufficient documentation relating to the export of United States defense articles, defense services, and related technical data to facilitate law enforcement efforts to detect, prevent, and prosecute criminal violations of any provision of this Act, including the efforts on the part of countries and factions engaged in international terrorism to illicitly acquire sophisticated United States defense items.

''(3) Paragraph (2) shall not apply with respect to an exemption for Canada from the licensing requirements of this Act for the export of defense items.''.

(c) EXPORTS OF COMMERCIAL COMMUNICATIONS SATELLITES.—

(1) AMENDMENT OF THE ARMS EXPORT CONTROL ACT.—Section 36(c)(2) of the Arms Export Control Act (22 U.S.C. 2776(c)(2)) is amended—

(A) by striking ''and'' at the end of subparagraph (A);

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

''(B) in the case of a license for an export of a commercial communications satellite for launch from, and by nationals of, the Russian Federation, Ukraine, or Kazakhstan, shall not be issued until at least 15 calendar days after the Congress receives such certification, and shall not be issued then if the Congress, within that 15-day period, enacts a joint resolution prohibiting the proposed export; and''.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the appropriate committees of Congress and the appropriate agencies of the United States Government should review the commodity jurisdiction of United States commercial communications satellites.

(d) SENSE OF CONGRESS ON SUBMISSION TO THE SENATE OF CERTAIN AGREEMENTS AS TREATIES.—It is the sense of Congress that, prior to amending the International Traffic in Arms Regulations, the Secretary of State should consult with the appropriate committees of Congress for the purpose of determining whether certain agreements regarding defense trade with the United Kingdom and Australia should be submitted to the Senate as treaties.

Subtitle B—Stockpiling of Defense Articles for Foreign Countries

SEC. 111. ADDITIONS TO UNITED STATES WAR RESERVE STOCKPILES FOR ALLIES.

Section 514(b)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)) is amended to read as follows:

''(2)(A) The value of such additions to stockpiles of defense articles in foreign countries shall not exceed $50,000,000 for fiscal year 2001.

''(B) Of the amount specified in subparagraph (A), not more than $50,000,000 may be made available for stockpiles in the Republic of Korea.''.

SEC. 112. TRANSFER OF CERTAIN OBSOLETE OR SURPLUS DEFENSE ARTICLES IN THE WAR RESERVE STOCKPILES FOR ALLIES TO ISRAEL.

(a) TRANSFERS TO ISRAEL.—

(1) AUTHORITY.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to Israel, in return for concessions to be negotiated by the Secretary of Defense, with the concurrence of the Secretary of State, any or all of the items described in paragraph (2).

(2) ITEMS COVERED.—The items referred to in paragraph (1) are munitions, equipment, and material such as armor, artillery, automatic weapons ammunition, and missiles that—

(A) are obsolete or surplus items;

(B) are in the inventory of the Department of Defense;

(C) are intended for use as reserve stocks for Israel; and

(D) as of the date of the enactment of this Act, are located in a stockpile in Israel.

(b) CONCESSIONS.—The value of concessions negotiated pursuant to subsection (a) shall be at least equal to the fair market value of the items transferred. The concessions may include cash compensation, services, waiver of charges otherwise payable by the United States, and other items of value.

(c) ADVANCE NOTIFICATION OF TRANSFER.—Not less than 30 days before making a transfer under the authority of this section, the President shall transmit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a notification of the proposed transfer. The notification shall identify the items to be transferred and the concessions to be received.

(d) EXPIRATION OF AUTHORITY.—No transfer may be made under the authority of this section 3 years after the date of the enactment of this Act.

Subtitle C—Other Assistance

SEC. 121. DEFENSE DRAWDOWN SPECIAL AUTHORITIES.

(a) EMERGENCY DRAWDOWN.—Section 506(a)(2)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(2)(B)) is amended by striking ''$150,000,000'' and inserting ''$200,000,000''.

(b) ADDITIONAL DRAWDOWN.—Section 506(a)(2)(A)(i) of such Act (22 U.S.C. 2318(a)(2)(A)(i)) is amended—

(1) by striking ''or'' at the end of subclause (II); and

(2) by striking subclause (III) and inserting the following:

''(III) chapter 8 of part II (relating to antiterrorism assistance);

''(IV) chapter 9 of part II (relating to nonproliferation assistance); or

''(V) the Migration and Refugee Assistance Act of 1962; or''.

SEC. 122. INCREASED AUTHORITY FOR THE TRANSPORT OF EXCESS DEFENSE ARTICLES.

Section 516(e)(2)(C) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(2)(C)) is amended by striking ''25,000'' and inserting ''50,000''.

TITLE II—INTERNATIONAL MILITARY EDUCATION AND TRAINING

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the President $55,000,000 for fiscal year 2001 and $65,000,000 for fiscal year 2002 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.).

SEC. 202. ADDITIONAL REQUIREMENTS.

Chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.) is amended by adding at the end the following new sections:

''SEC. 547. CONSULTATION REQUIREMENT.

''The selection of foreign personnel for training under this chapter shall be made in consultation with the United States defense attache to the relevant country.

''SEC. 548. RECORDS REGARDING FOREIGN PARTICIPANTS.

''In order to contribute most effectively to the development of military professionalism in foreign countries, the Secretary of Defense shall develop and maintain a database containing records on each foreign military or defense ministry civilian participant in education and training activities conducted under this chapter after December 31, 2000. This record shall include the type of instruction received, the dates of such instruction, whether such instruction was completed successfully, and, to the extent practicable, a record of the person's subsequent military or defense ministry career and current position and location.''.

TITLE III—NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE

SEC. 301. NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE.

Part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2301 et seq.) is amended by adding at the end the following new chapter:

''CHAPTER 9—NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE

''SEC. 581. PURPOSES.

''The purposes of assistance under this chapter are to halt the proliferation of nuclear, chemical, and biological weapons, and conventional weaponry, through support of activities designed—

''(1) to enhance the nonproliferation and export control capabilities of friendly countries by providing training and equipment to detect, deter, monitor, interdict, and counter proliferation;

''(2) to strengthen the bilateral ties of the United States with friendly governments by offering concrete assistance in this area of vital national security interest;

''(3) to accomplish the activities and objectives set forth in sections 503 and 504 of the FREEDOM Support Act (22 U.S.C. 5853, 5854), without regard to the limitation of those sections to the independent states of the former Soviet Union; and

''(4) to promote multilateral activities, including cooperation with international organizations, relating to nonproliferation.

''SEC. 582. AUTHORIZATION OF ASSISTANCE.

''Notwithstanding any other provision of law (other than section 502B or section 620A of this Act), the President is authorized to furnish, on such terms and conditions as the President may determine, assistance in order to carry out the purposes of this chapter. Such assistance may include training services and the provision of funds, equipment, and other commodities related to the detection, deterrence, monitoring, interdiction, and prevention or countering of proliferation, the establishment of effective nonproliferation laws and regulations, and the apprehension of those individuals involved in acts of proliferation of such weapons.

''SEC. 583. TRANSIT INTERDICTION.

''(a) ALLOCATION OF FUNDS.—In providing assistance under this chapter, the President should ensure that not less than one-quarter of the total of such assistance is expended for the purpose of enhancing the capabilities of friendly countries to detect and interdict proliferation-related shipments of cargo that originate from, and are destined for, other countries.

''(b) PRIORITY TO CERTAIN COUNTRIES.—Priority shall be given in the apportionment of the assistance described under subsection (a) to any friendly country that has been determined by the Secretary of State to be a country frequently transited by proliferation-related shipments of cargo.

''SEC. 584. LIMITATIONS.

''The limitations contained in section 573 (a) and (d) of this Act shall apply to this chapter.

''SEC. 585. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out this chapter $129,000,000 for fiscal year 2001 and $142,000,000 for fiscal year 2002.

''(b) AVAILABILITY OF FUNDS.—Funds made available under subsection (a) may be used notwithstanding any other provision of law (other than section 502B or 620A) and shall remain available until expended.''.

''(c) TREATMENT OF FISCAL YEAR 2001 APPROPRIATIONS.—Amounts made available by the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, under 'Nonproliferation, Antiterrorism, Demining, and Related Programs' and 'Assistance for the Independent States of the Former Soviet Union' accounts for the activities described in subsection (d) shall be considered to be made available pursuant to this chapter.

''(d) COVERED ACTIVITIES.—The activities referred to in subsection (c) are—

''(1) assistance under the Nonproliferation and Disarmament Fund;

''(2) assistance for science and technology centers in the independent states of the former Soviet Union;

''(3) export control assistance; and

''(4) export control and border assistance under chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.) or the FREEDOM Support Act (22 U.S.C. 5801 et seq.).''.

SEC. 302. NONPROLIFERATION AND EXPORT CONTROL TRAINING IN THE UNITED STATES.

Of the amounts made available for fiscal years 2001 and 2002 under chapter 9 of part II of the Foreign Assistance Act of 1961, as added by section 301, $2,000,000 is authorized to be available each such fiscal year for the purpose of training and education of personnel from friendly countries in the United States.

SEC. 303. SCIENCE AND TECHNOLOGY CENTERS.

(a) AVAILABILITY OF FUNDS.—Of the amounts made available for the fiscal years 2001 and 2002 under chapter 9 of part II of the Foreign Assistance Act of 1961, as added by section 301, $59,000,000 for fiscal year 2001 and $65,000,000 for fiscal year 2002 are authorized to be available for science and technology centers in the independent states of the former Soviet Union.

(b) SENSE OF CONGRESS.—It is the sense of Congress, taking into account section 1132 of H. R. 3427 of the One Hundred and Sixth Congress (as enacted by section 1000(a)(7) of Public Law 106–113), that the practice of auditing entities receiving funds authorized under this section should be significantly expanded and that the burden of supplying auditors should be spread equitably within the United States Government.

SEC. 304. TRIAL TRANSIT PROGRAM.

(a) ALLOCATION OF FUNDS.—Of the amount made available for fiscal year 2001 under chapter 9 of the Foreign Assistance Act of 1961, as added by section 301, $5,000,000 is authorized to be available to establish a static cargo x-ray facility in Malta, if the Secretary of State first certifies to the appropriate committees of Congress that the Government of Malta has provided adequate assurances that such a facility will be utilized in connection with random cargo inspections by Maltese customs officials of container traffic transiting through the Malta Freeport.

(b) REQUIREMENT OF WRITTEN ASSESSMENT.—In the event that a facility is established in Malta pursuant to subsection (a), the Secretary of State shall submit a written assessment to the appropriate committees of Congress not later than 270 days after such a facility commences operation detailing—

(1) statistics on utilization of the facility by Malta;

(2) the contribution made by the facility to United States nonproliferation and export control objectives; and

(3) the feasibility of establishing comparable facilities in other countries identified by the Secretary of State pursuant to section 583 of the Foreign Assistance Act of 1961, as added by section 301.

(c) TREATMENT OF ASSISTANCE.—Assistance under this section shall be considered as assistance under section 583(a) of the Foreign Assistance Act of 1961 (relating to transit interdiction), as added by section 301.

SEC. 305. EXCEPTION TO AUTHORITY TO CONDUCT INSPECTIONS UNDER THE CHEMICAL WEAPONS CONVENTION IMPLEMENTATION ACT OF 1998.

Section 303 of the Chemical Weapons Convention Implementation Act of 1998 (22 U.S.C. 6723) is amended by adding at the end the following new subsection:

''(c) EXCEPTION.—The requirement under subsection (b)(2)(A) shall not apply to inspections of United States chemical weapons destruction facilities (as used within the meaning of part IV(C)(13) of the Verification Annex to the Convention).''.

TITLE IV—ANTITERRORISM ASSISTANCE

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

Section 574(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa–4(a)) is amended by striking ''$9,840,000'' and all that follows through the period and inserting the following: ''$72,000,000 for fiscal year 2001 and $73,000,000 for fiscal year 2002.''.

TITLE V—INTEGRATED SECURITY ASSISTANCE PLANNING

Subtitle A—Establishment of a National Security Assistance Strategy

SEC. 501. NATIONAL SECURITY ASSISTANCE STRATEGY.

(a) MULTIYEAR PLAN.—Not later than 180 days after the date of enactment of this Act, and annually thereafter at the time of submission of the congressional presentation materials of the foreign operations appropriations budget request, the Secretary of State should submit to the appropriate committees of Congress a plan setting forth a National Security Assistance Strategy for the United States.

(b) ELEMENTS OF THE STRATEGY.—The National Security Assistance Strategy should—

(1) set forth a multi-year plan for security assistance programs;

(2) be consistent with the National Security Strategy of the United States;

(3) be coordinated with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff;

(4) be prepared, in consultation with other agencies, as appropriate;

(5) identify overarching security assistance objectives, including identification of the role that specific security assistance programs will play in achieving such objectives;

(6) identify a primary security assistance objective, as well as specific secondary objectives, for individual countries;

(7) identify, on a country-by-country basis, how specific resources will be allocated to accomplish both primary and secondary objectives;

(8) discuss how specific types of assistance, such as foreign military financing and international military education and training, will be combined at the country level to achieve United States objectives; and

(9) detail, with respect to each of the paragraphs (1) through (8), how specific types of assistance provided pursuant to the Arms Export Control Act and the Foreign Assistance Act of 1961 are coordinated with United States assistance programs managed by the Department of Defense and other agencies.

(c) COVERED ASSISTANCE.—The National Security Assistance Strategy should cover assistance provided under—

(1) section 23 of the Arms Export Control Act (22 U.S.C. 2763);

(2) chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.); and

(3) section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321i).

Subtitle B—Allocations for Certain Countries

SEC. 511. SECURITY ASSISTANCE FOR NEW NATO MEMBERS.

(a) FOREIGN MILITARY FINANCING.—Of the amounts made available for the fiscal years 2001 and 2002 under section 23 of the Arms Export Control Act (22 U.S.C. 2763), $30,300,000 for fiscal year 2001 and $35,000,000 for fiscal year 2002 are authorized to be available on a grant basis for all of the following countries: the Czech Republic, Hungary, and Poland.

(b) MILITARY EDUCATION AND TRAINING.—Of the amounts made available for the fiscal years 2001 and 2002 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.), $5,100,000 for fiscal year 2001 and $7,000,000 for fiscal year 2002 are authorized to be available for all of the following countries: the Czech Republic, Hungary, and Poland.

(c) SELECT PRIORITIES.—In providing assistance under this section, the President shall give priority to supporting activities that are consistent with the objectives set forth in the following conditions of the Senate resolution of ratification for the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic:

(1) Condition (1)(A)(v), (vi), and (vii), relating to common threats, the core mission of NATO, and the capacity to respond to common threats.

(2) Condition (1)(B), relating to the fundamental importance of collective defense.

(3) Condition (1)(C), relating to defense planning, command structures, and force goals.

(4) Conditions (4)(B)(i) and (4)(B)(ii), relating to intelligence matters.

SEC. 512. INCREASED TRAINING ASSISTANCE FOR GREECE AND TURKEY.

(a) IN GENERAL.—Of the amounts made available for the fiscal years 2001 and 2002 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.)—

(1) $1,000,000 for fiscal year 2001 and $1,000,000 for fiscal year 2002 are authorized to be available for Greece; and

(2) $2,500,000 for fiscal year 2001 and $2,500,000 for fiscal year 2002 are authorized to be available for Turkey.

(b) USE FOR PROFESSIONAL MILITARY EDUCATION.—Of the amounts available under paragraphs (1) and (2) of subsection (a) for fiscal year 2002, $500,000 of each such amount should be available for purposes of professional military education.

(c) USE FOR JOINT TRAINING.—It is the sense of Congress that, to the maximum extent practicable, amounts available under subsection (a) that are used in accordance with subsection (b) should be used for joint training of Greek and Turkish officers.

SEC. 513. ASSISTANCE FOR ISRAEL.

(a) DEFINITIONS.—In this section:

(1) ESF ASSISTANCE.—The term ''ESF assistance'' means assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.), relating to the economic support fund.

(2) FOREIGN MILITARY FINANCING PROGRAM.—The term ''Foreign Military Financing Program'' means the program authorized by section 23 of the Arms Export Control Act (22 U.S.C. 2763).

(b) ESF ASSISTANCE.—

(1) IN GENERAL.—Of the amounts made available for each of the fiscal years 2001 and 2002 for ESF assistance, the amount specified in paragraph (2) for each such fiscal year is authorized to be made available for Israel.

(2) COMPUTATION OF AMOUNT.—Subject to subsection (d), the amount referred to in paragraph (1) is equal to—

(A) the amount made available for ESF assistance for Israel for the preceding fiscal year, minus

(B) $120,000,000.

(c) FMF PROGRAM.—

(1) IN GENERAL.—Of the amount made available for each of the fiscal years 2001 and 2002 for assistance under the Foreign Military Financing Program, the amount specified in paragraph (2) for each such fiscal year is authorized to be made available for Israel.

(2) COMPUTATION OF AMOUNT.—Subject to subsection (d), the amount referred to in paragraph (1) is equal to—

(A) the amount made available for assistance under the Foreign Military Financing Program for Israel for the preceding fiscal year, plus

(B) $60,000,000.

(3) DISBURSEMENT OF FUNDS.—Funds authorized to be available for Israel under paragraph (1) for fiscal year 2001 shall be disbursed not later than 30 days after the date of enactment of an Act making appropriations for foreign operations, export financing, and related programs for fiscal year 2001, or October 31, 2000, whichever date is later.

(4) AVAILABILITY OF FUNDS FOR ADVANCED WEAPONS SYSTEMS.—To the extent the Government of Israel requests that funds be used for such purposes, grants made available for Israel out of funds authorized to be available under paragraph (1) for Israel for fiscal year 2001 shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than $520,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development.

(d) EXCLUSION OF RESCISSIONS AND SUPPLEMENTAL APPROPRIATIONS.—For purposes of this section, the computation of amounts made available for a fiscal year shall not take into account any amount rescinded by an Act or any amount appropriated by an Act making supplemental appropriations for a fiscal year.

SEC. 514. ASSISTANCE FOR EGYPT.

(a) DEFINITIONS.—In this section:

(1) ESF ASSISTANCE.—The term ''ESF assistance'' means assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.), relating to the economic support fund.

(2) FOREIGN MILITARY FINANCING PROGRAM.—The term ''Foreign Military Financing Program'' means the program authorized by section 23 of the Arms Export Control Act (22 U.S.C. 2763).

(b) ESF ASSISTANCE.—

(1) IN GENERAL.—Of the amounts made available for each of the fiscal years 2001 and 2002 for ESF assistance, the amount specified in paragraph (2) for each such fiscal year is authorized to be made available for Egypt.

(2) COMPUTATION OF AMOUNT.—Subject to subsection (d), the amount referred to in paragraph (1) is equal to—

(A) the amount made available for ESF assistance for Egypt during the preceding fiscal year, minus

(B) $40,000,000.

(c) FMF PROGRAM.—Of the amount made available for each of the fiscal years 2001 and 2002 for assistance under the Foreign Military Financing Program, $1,300,000,000 is authorized to be made available for Egypt.

(d) EXCLUSION OF RESCISSIONS AND SUPPLEMENTAL APPROPRIATIONS.—For purposes of this section, the computation of amounts made available for a fiscal year shall not take into account any amount rescinded by an Act or any amount appropriated by an Act making supplemental appropriations for a fiscal year.

(e) DISBURSEMENT OF FUNDS.—Funds estimated to be outlayed for Egypt under subsection (c) during fiscal year 2001 shall be disbursed to an interest-bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of the date of enactment of this Act, or by October 31, 2000, whichever is later, provided that—

(1) withdrawal of funds from such account shall be made only on authenticated instructions from the Defense Finance and Accounting Service of the Department of Defense;

(2) in the event such account is closed, the balance of the account shall be transferred promptly to the appropriations account for the Foreign Military Financing Program; and

(3) none of the interest accrued by such account should be obligated unless the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives are notified.

SEC. 515. SECURITY ASSISTANCE FOR CERTAIN COUNTRIES.

(a) FOREIGN MILITARY FINANCING.—Of the amounts made available for the fiscal years 2001 and 2002 under section 23 of the Arms Export Control Act (22 U.S.C. 2763)—

(1) $18,200,000 for fiscal year 2001 and $20,500,000 for fiscal year 2002 are authorized to be available on a grant basis for all of the following countries: Estonia, Latvia, and Lithuania;

(2) $2,000,000 for fiscal year 2001 and $5,000,000 for fiscal year 2002 are authorized to be available on a grant basis for the Philippines;

(3) $4,500,000 for fiscal year 2001 and $5,000,000 for fiscal year 2002 are authorized to be available on a grant basis for Georgia;

(4) $3,000,000 for fiscal year 2001 and $3,500,000 for fiscal year 2002 are authorized to be available on a grant basis for Malta;

(5) $3,500,000 for fiscal year 2001 and $4,000,000 for fiscal year 2002 are authorized to be available on a grant basis for Slovenia;

(6) $8,400,000 for fiscal year 2001 and $8,500,000 for fiscal year 2002 are authorized to be available on a grant basis for Slovakia;

(7) $11,000,000 for fiscal year 2001 and $11,100,000 for fiscal year 2002 are authorized to be available on a grant basis for Romania;

(8) $8,500,000 for fiscal year 2001 and $8,600,000 for fiscal year 2002 are authorized to be available on a grant basis for Bulgaria; and

(9) $100,000,000 for fiscal year 2001 and $105,000,000 for fiscal year 2002 are authorized to be available on a grant basis for Jordan.

(b) IMET.—Of the amounts made available for the fiscal years 2001 and 2002 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.)—

(1) $2,300,000 for fiscal year 2001 and $4,000,000 for fiscal year 2002 are authorized to be available for all of the following countries: Estonia, Latvia, and Lithuania;

(2) $1,400,000 for fiscal year 2001 and $1,500,000 for fiscal year 2002 are authorized to be available for the Philippines;

(3) $475,000 for fiscal year 2001 and $1,000,000 for fiscal year 2002 are authorized to be available for Georgia;

(4) $200,000 for fiscal year 2001 and $1,000,000 for fiscal year 2002 are authorized to be available for Malta;

(5) $700,000 for fiscal year 2001 and $1,000,000 for fiscal year 2002 are authorized to be available for Slovenia;

(6) $700,000 for fiscal year 2001 and $1,000,000 for fiscal year 2002 are authorized to be available for Slovakia;

(7) $1,300,000 for fiscal year 2001 and $1,500,000 for fiscal year 2002 are authorized to be available for Romania; and

(8) $1,100,000 for fiscal year 2001 and $1,200,000 for fiscal year 2002 are authorized to be available for Bulgaria.

SEC. 516. BORDER SECURITY AND TERRITORIAL INDEPENDENCE.

(a) GUUAM COUNTRIES AND ARMENIA.—For the purpose of carrying out section 499C of the Foreign Assistance Act of 1961 and assisting GUUAM countries and Armenia to strengthen national control of their borders and to promote the independence and territorial sovereignty of such countries, the following amounts are authorized to be made available for fiscal years 2001 and 2002:

(1) $5,000,000 for fiscal year 2001 and $20,000,000 for fiscal year 2002 are of the amounts made available under section 23 of the Arms Export Control Act (22 U.S.C. 2763).

(2) $2,000,000 for fiscal year 2001 and $10,000,000 for fiscal year 2002 of the amounts made available under chapter 9 of part II of the Foreign Assistance Act of 1961, as added by section 301.

(3) $500,000 for fiscal year 2001 and $5,000,000 for fiscal year 2002 of the amounts made available to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.).

(4) $1,000,000 for fiscal year 2001 and $2,000,000 for fiscal year 2002 of the amounts made available to carry out chapter 8 of part II of the Foreign Assistance Act.

(b) GUUAM COUNTRIES DEFINED.—In this section, the term ''GUUAM countries'' means the group of countries that signed a protocol on quadrilateral cooperation on November 25, 1997, together with Uzbekistan.

TITLE VI—TRANSFERS OF NAVAL VESSELS

SEC. 601. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) BRAZIL.—The President is authorized to transfer to the Government of Brazil two ''THOMASTON'' class dock landing ships ALAMO (LSD 33) and HERMITAGE (LSD 34), and four ''GARCIA'' class frigates BRADLEY (FF 1041), DAVIDSON (FF 1045), SAMPLE (FF 1048) and ALBERT DAVID (FF 1050). Such transfers shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) CHILE.—The President is authorized to transfer to the Government of the Chile two ''OLIVER HAZARD PERRY'' class guided missile frigates WADSWORTH (FFG 9), and ESTOCIN (FFG 15). Such transfers shall be on a combined lease-sale basis under sections 61 and 21 of the Arms Export Control Act (22 U.S.C. 2796, 2761).

(c) GREECE.—The President is authorized to transfer to the Government of Greece two ''KNOX'' class frigates VREELAND (FF 1068), and TRIPPE (FF 1075). Such transfers shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(d) TURKEY.—The President is authorized to transfer to the Government of Turkey two ''OLIVER HAZARD PERRY'' class guided missile frigates JOHN A. MOORE (FFG 19), and FLATLEY (FFG 21). Such transfers shall be on a combined lease-sale basis under sections 61 and 21 of the Arms Export Control Act (22 U.S.C. 2796, 2761). The authority granted by this subsection is in addition to that granted under section 1018(a)(9) of Public Law 106–65.

SEC. 602. INAPPLICABILITY OF AGGREGATE ANNUAL LIMITATION ON VALUE OF TRANSFERRED EXCESS DEFENSE ARTICLES.

The value of naval vessels authorized under section 601 to be transferred on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) shall not be included in the aggregate annual value of transferred excess defense articles which is subject to the aggregate annual limitation set forth in section 516(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)).

SEC. 603. COSTS OF TRANSFERS.

Any expense of the United States in connection with a transfer authorized by this title shall be charged to the recipient.

SEC. 604. CONDITIONS RELATING TO COMBINED LEASE-SALE TRANSFERS.

A transfer of a vessel on a combined lease-sale basis authorized by section 601 shall be made in accordance with the following requirements:

(1) The President may initially transfer the vessel by lease, with lease payments suspended for the term of the lease, if the country entering into the lease for the vessel simultaneously enters into a foreign military sales agreement for the transfer of title to the vessel.

(2) The President may not deliver to the purchasing country title to the vessel until the purchase price of the vessel under such a foreign military sales agreement is paid in full.

(3) Upon payment of the purchase price in full under such a sales agreement and delivery of title to the recipient country, the President shall terminate the lease.

(4) If the purchasing country fails to make full payment of the purchase price in accordance with the sales agreement by the date required under the sales agreement—

(A) the sales agreement shall be immediately terminated;

(B) the suspension of lease payments under the lease shall be vacated; and

(C) the United States shall be entitled to retain all funds received on or before the date of the termination under the sales agreement, up to the amount of the lease payments due and payable under the lease and all other costs required by the lease to be paid to that date.

(5) If a sales agreement is terminated pursuant to paragraph (4), the United States shall not be required to pay any interest to the recipient country on any amount paid to the United States by the recipient country under the sales agreement and not retained by the United States under the lease.

SEC. 605. FUNDING OF CERTAIN COSTS OF TRANSFERS.

There are authorized to be appropriated to the Defense Vessels Transfer Program Account such funds as may be necessary to cover the costs (as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a)) of the lease-sale transfers authorized by section 601. Funds authorized to be appropriated under the preceding sentence for the purpose described in that sentence may not be available for any other purpose.

SEC. 606. REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.

To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under section 601, that the country to which the vessel is transferred will have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

SEC. 607. SENSE OF CONGRESS REGARDING TRANSFER OF NAVAL VESSELS ON A GRANT BASIS.

It is the sense of Congress that naval vessels authorized under section 601 to be transferred to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) should be so transferred only if the United States receives appropriate benefits from such countries for transferring the vessel on a grant basis.

SEC. 608. EXPIRATION OF AUTHORITY.

The authority granted by section 601 shall expire two years after the date of enactment of this Act.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. UTILIZATION OF DEFENSE ARTICLES AND DEFENSE SERVICES.

Section 502 of the Foreign Assistance Act of 1961 (22 U.S.C. 2302) is amended in the first sentence by inserting ''(including for antiterrorism and nonproliferation purposes)'' after ''internal security''.

SEC. 702. ANNUAL MILITARY ASSISTANCE REPORT.

Section 655(b)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)(3)) is amended by inserting before the period at the end the following: ''and, if so, a specification of those defense articles that were exported during the fiscal year covered by the report''.

SEC. 703. REPORT ON GOVERNMENT-TO-GOVERNMENT ARMS SALES END-USE MONITORING PROGRAM.

Not later than 180 days after the date of the enactment of this Act, the President shall prepare and transmit to the appropriate committees of Congress a report that contains a summary of the status of the efforts of the Defense Security Cooperation Agency to implement the End-Use Monitoring Enhancement Plan relating to government-to-government transfers of defense articles, defense services, and related technologies.

SEC. 704. MTCR REPORT TRANSMITTALS.

For purposes of section 71(d) of the Arms Export Control Act (22 U.S.C. 2797(d)), the requirement that reports under that section shall be transmitted to the Congress shall be considered to be a requirement that such reports shall be transmitted to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations and the Committee on Banking, Housing and Urban Affairs of the Senate.

SEC. 705. STINGER MISSILES IN THE PERSIAN GULF REGION.

(a) PROHIBITION.—Notwithstanding any other provision of law and except as provided in subsection (b), the United States may not sell or otherwise make available under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961 any Stinger ground-to-air missiles to any country bordering the Persian Gulf.

(b) ADDITIONAL TRANSFERS AUTHORIZED.—In addition to other defense articles authorized to be transferred by section 581 of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 1990, the United States may sell or make available, under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961, Stinger ground-to-air missiles to any country bordering the Persian Gulf in order to replace, on a one-for-one basis, Stinger missiles previously furnished to such country if the Stinger missiles to be replaced are nearing the scheduled expiration of their shelf-life.

SEC. 706. SENSE OF CONGRESS REGARDING EXCESS DEFENSE ARTICLES.

It is the sense of Congress that the President should make expanded use of the authority provided under section 21(a) of the Arms Export Control Act to sell excess defense articles by utilizing the flexibility afforded by section 47 of such Act to ascertain the ''market value'' of excess defense articles.

SEC. 707. EXCESS DEFENSE ARTICLES FOR MONGOLIA.

(a) USES FOR WHICH FUNDS ARE AVAILABLE.—Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during the fiscal years 2001 and 2002, funds avail-

able to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of that Act to Mongolia.

(b) CONTENT OF CONGRESSIONAL NOTIFICATION.—Each notification required to be submitted under section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)) with respect to a proposed transfer of a defense article described in subsection (a) shall include an estimate of the amount of funds to be expended under subsection (a) with respect to that transfer.

SEC. 708. SPACE COOPERATION WITH RUSSIAN PERSONS.

(a) ANNUAL CERTIFICATION.—

(1) REQUIREMENT.—The President shall submit each year to the appropriate committees of Congress, with respect to each Russian person described in paragraph (2), a certification that the reports required to be submitted to Congress during the preceding calendar year under section 2 of the Iran Nonproliferation Act of 2000 (Public Law 106–178) do not identify that person on account of a transfer to Iran of goods, services, or technology described in section 2(a)(1)(B) of such Act.

(2) APPLICABILITY.—The certification requirement under paragraph (1) applies with respect to each Russian person that, as of the date of the certification, is a party to an agreement relating to commercial cooperation on MTCR equipment or technology with a United States person pursuant to an arms export license that was issued at any time since January 1, 2000.

(3) EXEMPTION.—No activity or transfer which specifically has been the subject of a Presidential determination pursuant to section 5(a)(1), (2), or (3) of the Iran Nonproliferation Act of 2000 (Public Law 106–178) shall cause a Russian person to be considered as having been identified in the reports submitted during the preceding calendar year under section 2 of that act for the purposes of the certification required under paragraph (1).

(4) COMMENCEMENT AND TERMINATION OF REQUIREMENT.—

(A) TIMES FOR SUBMISSION.—The President shall submit—

(i) the first certification under paragraph (1) not later than 60 days after the date of the enactment of this Act; and

(ii) each annual certification thereafter on the anniversary of the first submission.

(B) TERMINATION OF REQUIREMENT.—No certification is required under paragraph (1) after termination of cooperation under the specific license, or five years after the date on which the first certification is submitted, whichever is the earlier date.

(b) TERMINATION OF EXISTING LICENSES.—If, at any time after the issuance of a license under section 36(c) of the Arms Export Control Act relating to the use, development, or co-production of commercial rocket engine technology with a foreign person, the President determines that the foreign person has engaged in any action described in section 73(a)(1) of the Arms Export Control Act (22 U.S.C. 2797b(a)(1)) since the date the license was issued, the President may terminate the license.

(c) REPORT ON EXPORT LICENSING OF MTCR ITEMS UNDER $50,000,000.—Section 71(d) of the Arms Export Control Act (22 U.S.C. 2797(d)) is amended by striking ''Within 15 days'' and all that follows through ''MTCR Annex,'' and inserting ''Within 15 days after the issuance of a license (including any brokering license) for the export of items valued at less than $50,000,000 that are controlled under this Act pursuant to United States obligations under the Missile Technology Control Regime and are goods or services that are intended to support the design, utilization, development, or production of a space launch vehicle system listed in Category I of the MTCR Annex,''.

(d) DEFINITIONS.—In this section:

(1) FOREIGN PERSON.—The term ''foreign person'' has the meaning given the term in section 74(7) of the Arms Export Control Act (22 U.S.C. 2797c(7)).

(2) MTCR EQUIPMENT OR TECHNOLOGY.—The term ''MTCR equipment or technology'' has the meaning given the term in section 74(5) of the Arms Export Control Act (22 U.S.C. 2797c(5)).

(3) PERSON.—The term ''person'' has the meaning given the term in section 74(8) of the Arms Export Control Act (22 U.S.C. 2797c(8)).

(4) UNITED STATES PERSON.—The term ''United States person'' has the meaning given the term in section 74(6) of the Arms Export Control Act (22 U.S.C. 2797c(6).

SEC. 709. SENSE OF CONGRESS RELATING TO MILITARY EQUIPMENT FOR THE PHILIPPINES.

(a) IN GENERAL.—It is the sense of Congress that the United States Government should work with the Government of the Philippines to enable that Government to procure military equipment that can be used to upgrade the capabilities and to improve the quality of life of the armed forces of the Philippines.

(b) MILITARY EQUIPMENT.—Military equipment described in subsection (a) should include—

(1) naval vessels, including amphibious landing crafts, for patrol, search-and-rescue, and transport;

(2) F–5 aircraft and other aircraft that can assist with reconnaissance, search-and-rescue, and resupply;

(3) attack, transport, and search-and-rescue helicopters; and

(4) vehicles and other personnel equipment.

SEC. 710. WAIVER OF CERTAIN COSTS.

Notwithstanding any other provision of law, the President may waive the requirement to impose an appropriate charge for a proportionate amount of any nonrecurring costs of research, development, and production under section 21(e)(1)(B) of the Arms Export Control Act (22 U.S.C. 2761(e)(1)(B)) for the November 1999 sale of 5 UH–60L helicopters to the Republic of Colombia in support of counternarcotics activities.

And the Senate agree to the same.

BENJAMIN A. GILMAN,
BILL GOODLING,
SAM GEJDENSON,
Managers on the Part of the House.

JESSE HELMS,
RICHARD G. LUGAR,
CHUCK HAGEL,
JOE BIDEN,
PAUL S. SARBANES,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. SUNUNU, announced that the yeas had it.

Mr. GILMAN objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 396 / Nays 17

¶94.6 [Roll No. 485]

YEAS—396

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Canady
Cannon
Capps
Capuano
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri

Phelps	Serrano	Thomas
Pickering	Sessions	Thompson (CA)
Pickett	Shadegg	Thompson (MS)
Pitts	Shaw	Thornberry
Pombo	Shays	Thune
Pomeroy	Sherman	Thurman
Porter	Sherwood	Tiahrt
Portman	Shimkus	Tierney
Price (NC)	Shows	Toomey
Pryce (OH)	Shuster	Towns
Quinn	Simpson	Traficant
Radanovich	Sisisky	Turner
Ramstad	Skeen	Udall (CO)
Rangel	Skelton	Udall (NM)
Regula	Slaughter	Upton
Reyes	Smith (MI)	Velazquez
Reynolds	Smith (NJ)	Visclosky
Riley	Smith (TX)	Vitter
Rivers	Smith (WA)	Walden
Rodriguez	Snyder	Walsh
Roemer	Souder	Wamp
Rogan	Spence	Watkins
Rogers	Spratt	Watt (NC)
Rohrabacher	Stabenow	Watts (OK)
Rothman	Stearns	Weiner
Roukema	Stenholm	Weldon (FL)
Roybal-Allard	Strickland	Weller
Rush	Stump	Wexler
Ryan (WI)	Stupak	Weygand
Ryun (KS)	Sununu	Whitfield
Sabo	Sweeney	Wicker
Salmon	Talent	Wilson
Sanchez	Tancredo	Wise
Sandlin	Tanner	Wolf
Sawyer	Tauscher	Woolsey
Saxton	Tauzin	Wu
Scarborough	Taylor (MS)	Wynn
Schakowsky	Taylor (NC)	Young (FL)
Scott	Terry	

NAYS—17

Conyers	Miller, George	Sanford
DeFazio	Mollohan	Schaffer
Duncan	Paul	Sensenbrenner
Ehlers	Rahall	Stark
Hostettler	Royce	Waters
McKinney	Sanders	

NOT VOTING—20

Callahan	Kasich	Napolitano
Campbell	Klink	Ros-Lehtinen
Cardin	Lazio	Vento
Clay	Martinez	Waxman
Cunningham	McCollum	Weldon (PA)
Dooley	McIntosh	Young (AK)
Hastings (FL)	Metcalf	

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶94.7 CORRECT ENROLLMENT OF H.R. 4919

Mr. GILMAN, by unanimous consent, submitted the following concurrent resolution (H. Con. Res. 405):

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 4919) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes, shall make the following corrections:

(1) On page 34, line 1, insert ''on a grant basis'' after ''available''.

(2) On page 34, line 11, strike ''paragraph (1)'' and insert ''subsection (b)(1) and paragraph (1) of this subsection''.

(3) On page 36, line 19, insert ''on a grant basis'' after ''available''.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶94.8 PROVIDING FOR AGREEING TO THE AMENDMENTS OF THE SENATE TO H.R. 940

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 583):

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 940) to designate the Lackawanna Valley National Heritage Area, and for other purposes, with Senate amendments thereto, and to consider in the House, without intervention of any point of order, a single motion offered by the chairman of the Committee on Resources or his designee that the House concur in the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

When said resolution was considered. After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶94.9 LACKAWANNA VALLEY NATIONAL HERITAGE AREA

On motion of Mr. SHERWOOD, pursuant to House Resolution 583, the bill (H.R. 940) to establish the Lackawanna Heritage Valley American Heritage Area; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

TITLE I—LACKAWANNA VALLEY NATIONAL HERITAGE AREA

SECTION 101. SHORT TITLE.

This title may be cited as the ''Lackawanna Valley National Heritage Area Act of 2000''.

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the industrial and cultural heritage of northeastern Pennsylvania, including Lackawanna County, Luzerne County, Wayne County, and Susquehanna County, related directly to anthracite and anthracite-related industries, is nationally significant;

(2) the industries referred to in paragraph (1) include anthracite mining, ironmaking, textiles, and rail transportation;

(3) the industrial and cultural heritage of the anthracite and anthracite-related industries in the region described in paragraph (1) includes the social history and living cultural traditions of the people of the region;

(4) the labor movement of the region played a significant role in the development of the Nation, including—

(A) the formation of many major unions such as the United Mine Workers of America; and

(B) crucial struggles to improve wages and working conditions, such as the 1900 and 1902 anthracite strikes;

(5)(A) the Secretary of the Interior is responsible for protecting the historical and cultural resources of the United States; and

(B) there are significant examples of those resources within the region described in paragraph (1) that merit the involvement of the Federal Government to develop, in cooperation with the Lackawanna Heritage Valley Authority, the Commonwealth of Pennsylvania, and local and governmental entities, programs and projects to conserve, protect, and interpret this heritage adequately for future generations, while providing opportunities for education and revitalization; and

(6) the Lackawanna Heritage Valley Authority would be an appropriate management entity for a Heritage Area established in the region described in paragraph (1).

(b) PURPOSES.—The purposes of the Lackawanna Valley National Heritage Area are—

(1) to foster a close working relationship among all levels of government, the private sector, and the local communities in the anthracite coal region of northeastern Pennsylvania and enable the communities to conserve their heritage while continuing to pursue economic opportunities; and

(2) to conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the 4-county region described in subsection (a)(1).

SEC. 103. DEFINITIONS.

In this title:

(1) HERITAGE AREA.—The term ''Heritage Area'' means the Lackawanna Valley National Heritage Area established by section 4.

(2) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity for the Heritage Area specified in section 4(c).

(3) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Heritage Area developed under section 6(b).

(4) PARTNER.—The term ''partner'' means—

(A) a Federal, State, or local governmental entity; and

(B) an organization, private industry, or individual involved in promoting the conservation and preservation of the cultural and natural resources of the Heritage Area.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 104. LACKAWANNA VALLEY NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Lackawanna Valley National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall be comprised of all or parts of Lackawanna County, Luzerne County, Wayne County, and Susquehanna County, Pennsylvania, determined in accordance with the compact under section 5.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Lackawanna Heritage Valley Authority.

SEC. 105. COMPACT.

(a) IN GENERAL.—To carry out this title, the Secretary shall enter into a compact with the management entity.

(b) CONTENTS OF COMPACT.—The compact shall include information relating to the objectives and management of the area, including—

(1) a delineation of the boundaries of the Heritage Area; and

(2) a discussion of the goals and objectives of the Heritage Area, including an explanation of the proposed approach to conservation and interpretation and a general outline of the protection measures committed to by the partners.

SEC. 106. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES OF MANAGEMENT ENTITY.—The management entity may, for the purposes of preparing and implementing the management plan, use funds made available under this title to hire and compensate staff.

(b) MANAGEMENT PLAN.—

(1) IN GENERAL.—The management entity shall develop a management plan for the Heritage

Area that presents comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area.

(2) CONSIDERATION OF OTHER PLANS AND ACTIONS.—The management plan shall—

(A) take into consideration State, county, and local plans;

(B) involve residents, public agencies, and private organizations working in the Heritage Area; and

(C) include actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area.

(3) SPECIFICATION OF FUNDING SOURCES.—The management plan shall specify the existing and potential sources of funding available to protect, manage, and develop the Heritage Area.

(4) OTHER REQUIRED ELEMENTS.—The management plan shall include the following:

(A) An inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the purposes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its historical, cultural, natural, recreational, or scenic significance.

(B) A recommendation of policies for resource management that considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, natural, and recreational resources of the Heritage Area in a manner that is consistent with the support of appropriate and compatible economic viability.

(C) A program for implementation of the management plan by the management entity, including—

(i) plans for restoration and construction; and

(ii) specific commitments of the partners for the first 5 years of operation.

(D) An analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this Act.

(E) An interpretation plan for the Heritage Area.

(5) SUBMISSION TO SECRETARY FOR APPROVAL.—

(A) IN GENERAL.—Not later than the last day of the 3-year period beginning on the date of enactment of this Act, the management entity shall submit the management plan to the Secretary for approval.

(B) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the day referred to in subparagraph (A), the Secretary shall not, after that day, provide any grant or other assistance under this title with respect to the Heritage Area until a management plan for the Heritage Area is submitted to the Secretary.

(c) DUTIES OF MANAGEMENT ENTITY.—The management entity shall—

(1) give priority to implementing actions specified in the compact and management plan, including steps to assist units of government and nonprofit organizations in preserving the Heritage Area;

(2) assist units of government and nonprofit organizations in—

(A) establishing and maintaining interpretive exhibits in the Heritage Area;

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the historical, natural, and architectural resources and sites in the Heritage Area; and

(D) restoring historic buildings that relate to the purposes of the Heritage Area;

(3) encourage economic viability in the Heritage Area consistent with the goals of the management plan;

(4) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(5) assist units of government and nonprofit organizations to ensure that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are placed throughout the Heritage Area;

(6) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

(7) conduct public meetings not less often than quarterly concerning the implementation of the management plan;

(8) submit substantial amendments (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the Secretary's approval; and

(9) for each year in which Federal funds have been received under this title—

(A) submit a report to the Secretary that specifies—

(i) the accomplishments of the management entity; and

(ii) the expenses and income of the management entity;

(B) make available to the Secretary for audit all records relating to the expenditure of such funds and any matching funds; and

(C) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of such funds.

(d) USE OF FEDERAL FUNDS.—

(1) FUNDS MADE AVAILABLE UNDER THIS TITLE.—The management entity shall not use Federal funds received under this title to acquire real property or any interest in real property.

(2) FUNDS FROM OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds obtained through law other than this title for any purpose for which the funds are authorized to be used.

SEC. 107. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) PROVISION OF ASSISTANCE.—The Secretary may, at the request of the management entity, provide technical and financial assistance to the management entity to develop and implement the management plan.

(2) PRIORITY IN ASSISTANCE.—In assisting the management entity, the Secretary shall give priority to actions that assist in—

(A) conserving the significant historical, cultural, and natural resources that support the purpose of the Heritage Area; and

(B) providing educational, interpretive, and recreational opportunities consistent with the resources and associated values of the Heritage Area.

(b) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLANS.—

(1) IN GENERAL.—The Secretary, in consultation with the Governor of the Commonwealth of Pennsylvania, shall approve or disapprove a management plan submitted under this title not later than 90 days after receipt of the management plan.

(2) ACTION FOLLOWING DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves a management plan, the Secretary shall advise the management entity in writing of the reasons for the disapproval and shall make recommendations for revisions to the management plan.

(B) DEADLINE FOR APPROVAL OF REVISION.—The Secretary shall approve or disapprove a proposed revision within 90 days after the date on which the revision is submitted to the Secretary.

(c) APPROVAL OF AMENDMENTS.—

(1) REVIEW.—The Secretary shall review substantial amendments (as determined under section 6(c)(8)) to the management plan for the Heritage Area.

(2) REQUIREMENT OF APPROVAL.—Funds made available under this title shall not be expended to implement the amendments described in paragraph (1) until the Secretary approves the amendments.

SEC. 108. SUNSET PROVISION.

The Secretary shall not provide any grant or other assistance under this title after September 30, 2012.

SEC. 109. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $10,000,000, except that not more than $1,000,000 may be appropriated to carry out this title for any fiscal year.

(b) 50-PERCENT MATCH.—The Federal share of the cost of activities carried out using any assistance or grant under this title shall not exceed 50 percent.

TITLE II—SCHUYLKILL RIVER VALLEY NATIONAL HERITAGE AREA

SEC. 201. SHORT TITLE.

This title may be cited as the ''Schuylkill River Valley National Heritage Area Act''.

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the Schuylkill River Valley made a unique contribution to the cultural, political, and industrial development of the United States;

(2) the Schuylkill River is distinctive as the first spine of modern industrial development in Pennsylvania and one of the first in the United States;

(3) the Schuylkill River Valley played a significant role in the struggle for nationhood;

(4) the Schuylkill River Valley developed a prosperous and productive agricultural economy that survives today;

(5) the Schuylkill River Valley developed a charcoal iron industry that made Pennsylvania the center of the iron industry within the North American colonies;

(6) the Schuylkill River Valley developed into a significant anthracite mining region that continues to thrive today;

(7) the Schuylkill River Valley developed early transportation systems, including the Schuylkill Canal and the Reading Railroad;

(8) the Schuylkill River Valley developed a significant industrial base, including textile mills and iron works;

(9) there is a longstanding commitment to—

(A) repairing the environmental damage to the river and its surroundings caused by the largely unregulated industrial activity; and

(B) completing the Schuylkill River Trail along the 128-mile corridor of the Schuylkill Valley;

(10) there is a need to provide assistance for the preservation and promotion of the significance of the Schuylkill River as a system for transportation, agriculture, industry, commerce, and immigration; and

(11)(A) the Department of the Interior is responsible for protecting the Nation's cultural and historical resources; and

(B) there are significant examples of such resources within the Schuylkill River Valley to merit the involvement of the Federal Government in the development of programs and projects, in cooperation with the Schuylkill River Greenway Association, the State of Pennsylvania, and other local and governmental bodies, to adequately conserve, protect, and interpret this heritage for future generations, while providing opportunities for education and revitalization.

(b) PURPOSES.—The purposes of this title are—

(1) to foster a close working relationship with all levels of government, the private sector, and the local communities in the Schuylkill River Valley of southeastern Pennsylvania and enable the communities to conserve their heritage while continuing to pursue economic opportunities; and

(2) to conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the Schuylkill River Valley of southeastern Pennsylvania.

SEC. 203. DEFINITIONS.

In this title:

(1) COOPERATIVE AGREEMENT.—The term ''cooperative agreement'' means the cooperative agreement entered into under section 204(d).

(2) HERITAGE AREA.—The term ''Heritage Area'' means the Schuylkill River Valley National Heritage Area established by section 204.

(3) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity of the Heritage Area appointed under section 204(c).

(4) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Heritage Area developed under section 205.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of Pennsylvania.

SEC. 204. ESTABLISHMENT.

(a) IN GENERAL.—For the purpose of preserving and interpreting for the educational and inspirational benefit of present and future generations certain land and structures with unique and significant historical and cultural value associated with the early development of the Schuylkill River Valley, there is established the Schuylkill River Valley National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall be comprised of the Schuylkill River watershed within the counties of Schuylkill, Berks, Montgomery, Chester, and Philadelphia, Pennsylvania, as delineated by the Secretary.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Schuylkill River Greenway Association.

(d) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—To carry out this title, the Secretary shall enter into a cooperative agreement with the management entity.

(2) CONTENTS.—The cooperative agreement shall include information relating to the objectives and management of the Heritage Area, including—

(A) a description of the goals and objectives of the Heritage Area, including a description of the approach to conservation and interpretation of the Heritage Area;

(B) an identification and description of the management entity that will administer the Heritage Area; and

(C) a description of the role of the State.

SEC. 205. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this title, the management entity shall submit to the Secretary for approval a management plan for the Heritage Area that presents comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area.

(b) REQUIREMENTS.—The management plan shall—

(1) take into consideration State, county, and local plans;

(2) involve residents, public agencies, and private organizations working in the Heritage Area;

(3) specify, as of the date of the plan, existing and potential sources of funding to protect, manage, and develop the Heritage Area; and

(4) include—

(A) actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area;

(B) an inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the themes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its natural, cultural, historical, recreational, or scenic significance;

(C) a recommendation of policies for resource management that considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, recreational, and natural resources of the Heritage Area in a manner consistent with supporting appropriate and compatible economic viability;

(D) a program for implementation of the management plan by the management entity;

(E) an analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this title; and

(F) an interpretation plan for the Heritage Area.

(c) DISQUALIFICATION FROM FUNDING.—If a management plan is not submitted to the Secretary on or before the date that is 3 years after the date of enactment of this title, the Heritage Area shall be ineligible to receive Federal funding under this title until the date on which the Secretary receives the management plan.

(d) UPDATE OF PLAN.—In lieu of developing an original management plan, the management entity may update and submit to the Secretary the Schuylkill Heritage Corridor Management Action Plan that was approved by the State in March, 1995, to meet the requirements of this section.

SEC. 206. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES OF THE MANAGEMENT ENTITY.—For purposes of preparing and implementing the management plan, the management entity may—

(1) make grants to, and enter into cooperative agreements with, the State and political subdivisions of the State, private organizations, or any person; and

(2) hire and compensate staff.

(b) DUTIES OF THE MANAGEMENT ENTITY.—The management entity shall—

(1) develop and submit the management plan under section 205;

(2) give priority to implementing actions set forth in the cooperative agreement and the management plan, including taking steps to—

(A) assist units of government, regional planning organizations, and nonprofit organizations in—

(i) preserving the Heritage Area;

(ii) establishing and maintaining interpretive exhibits in the Heritage Area;

(iii) developing recreational resources in the Heritage Area;

(iv) increasing public awareness of and, appreciation for, the natural, historical, and architectural resources and sites in the Heritage Area;

(v) restoring historic buildings relating to the themes of the Heritage Area; and

(vi) ensuring that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are installed throughout the Heritage Area;

(B) encourage economic viability in the Heritage Area consistent with the goals of the management plan; and

(C) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(3) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

(4) conduct public meetings at least quarterly regarding the implementation of the management plan;

(5) submit substantial changes (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the approval of the Secretary; and

(6) for any fiscal year in which Federal funds are received under this title—

(A) submit to the Secretary a report describing—

(i) the accomplishments of the management entity;

(ii) the expenses and income of the management entity; and

(iii) each entity to which the management entity made any grant during the fiscal year;

(B) make available for audit all records pertaining to the expenditure of Federal funds and any matching funds, and require, for all agreements authorizing expenditure of Federal funds by organizations other than the management entity, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds; and

(C) require, for all agreements authorizing expenditure of Federal funds by organizations other than the management entity, that the receiving organizations make available for audit all records pertaining to the expenditure of Federal funds.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The management entity shall not use Federal funds received under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds from other sources for their permitted purposes.

(d) SPENDING FOR NON-FEDERALLY OWNED PROPERTY.—The management entity may spend Federal funds directly on non-federally owned property to further the purposes of this title, especially in assisting units of government in appropriate treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places.

SEC. 207. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—At the request of the management entity, the Secretary may provide technical and financial assistance to the Heritage Area to develop and implement the management plan.

(2) PRIORITIES.—In assisting the management entity, the Secretary shall give priority to actions that assist in—

(A) conserving the significant natural, historical, and cultural resources that support the themes of the Heritage Area; and

(B) providing educational, interpretive, and recreational opportunities consistent with the resources and associated values of the Heritage Area.

(b) APPROVAL AND DISAPPROVAL OF COOPERATIVE AGREEMENTS AND MANAGEMENT PLANS.—

(1) IN GENERAL.—Not later than 90 days after receiving a cooperative agreement or management plan submitted under this title, the Secretary, in consultation with the Governor of the State, shall approve or disapprove the cooperative agreement or management plan.

(2) MANAGEMENT PLAN CONTENTS.—In reviewing the plan, the Secretary shall consider whether the composition of the management entity and the plan adequately reflect diverse interest of the region, including those of—

(A) local elected officials,

(B) the State,

(C) business and industry groups,

(D) organizations interested in the protection of natural and cultural resources, and

(E) other community organizations and individual stakeholders.

(3) ACTION FOLLOWING DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves a cooperative agreement or management plan, the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval; and

(ii) make recommendations for revisions in the cooperative agreement or plan.

(B) TIME PERIOD FOR DISAPPROVAL.—Not later than 90 days after the date on which a revision described under subparagraph (A)(ii) is submitted, the Secretary shall approve or disapprove the proposed revision.

(c) APPROVAL OF AMENDMENTS.—

(1) IN GENERAL.—The Secretary shall review and approve substantial amendments to the management plan.

(2) FUNDING EXPENDITURE LIMITATION.—Funds appropriated under this title may not be

expended to implement any substantial amendment until the Secretary approves the amendment.

SEC. 208. CULTURE AND HERITAGE OF ANTHRACITE COAL REGION.

(a) IN GENERAL.—The management entities of heritage areas (other than the Heritage Area) in the anthracite coal region in the State shall cooperate in the management of the Heritage Area.

(b) FUNDING.—Management entities described in subsection (a) may use funds appropriated for management of the Heritage Area to carry out this section.

SEC. 209. SUNSET.

The Secretary may not make any grant or provide any assistance under this title after the date that is 15 years after the date of enactment of this title.

SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title not more than $10,000,000, of which not more than $1,000,000 is authorized to be appropriated for any one fiscal year.

(b) FEDERAL SHARE.—Federal funding provided under this title may not exceed 50 percent of the total cost of any project or activity funded under this title.

Amend the title so as to read: ''An Act to designate the Lackawanna Valley and the Schuylkill River National Heritage Areas, and for other purposes.''.

Mr. SHERWOOD moved that the House concur in each of the amendments of the Senate.

After debate,

Pursuant to House Resolution 583, the previous question was ordered.

The question being put, viva voce,

Will the House now agree to said motion?

The SPEAKER pro tempore, Mr. SUNUNU, announced that the ayes had it.

So the motion was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶94.10 PROVIDING FOR THE CONSIDERATION OF H.R. 5109

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 585):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 5109) to amend title 38, United States Code, to improve the personnel system of the Veterans Health Administration, and for other purposes. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Veterans' Affairs now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Veterans' Affairs; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Stump of Arizona, Representative Evans of Illinois, or a designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶94.11 PERSONNEL SYSTEM OF VETERANS HEALTH ADMINISTRATION

Mr. STUMP, pursuant to House Resolution 585, called up the bill (H.R. 5109) to amend title 38, United States Code, to improve the personnel system of the Veterans Health Administration, and for other purposes.

When said bill was considered and read twice.

Pursuant to House Resolution 585, the following amendment in the nature of a substitute recommended by the Committee on Veterans Affairs as printed in the bill, was considered as agreed to:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Department of Veterans Affairs Health Care Personnel Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

TITLE I—PERSONNEL MATTERS

Sec. 101. Annual national pay comparability adjustment for nurses employed by Department of Veterans Affairs.
Sec. 102. Special pay for dentists.
Sec. 103. Exemption for pharmacists from ceiling on special salary rates.
Sec. 104. Physician assistant adviser to Under Secretary for Health.
Sec. 105. Temporary full-time appointments of certain medical personnel.
Sec. 106. Qualifications of social workers.
Sec. 107. Extension of voluntary separation incentive payments.

TITLE II—CONSTRUCTION AUTHORIZATION

Sec. 201. Authorization of major medical facility projects.
Sec. 202. Authorization of appropriations.

TITLE III—MILITARY SERVICE ISSUES

Sec. 301. Military service history.
Sec. 302. Study of post-traumatic stress disorder in Vietnam veterans.

TITLE IV—MEDICAL ADMINISTRATION

Sec. 401. Pilot program for coordination of hospital benefits.
Sec. 402. Benefits for persons disabled by participation in compensated work therapy program.
Sec. 403. Extension of authority to establish research and education corporations.
Sec. 404. Department of Veterans Affairs Fisher Houses.
Sec. 405. Extension of annual report of Committee on Mentally Ill Veterans.
Sec. 406. Exception to recapture rule.
Sec. 407. Change to enhanced use lease congressional notification period.
Sec. 408. Technical and conforming changes.
Sec. 409. Release of reversionary interest of the United States in certain real property previously conveyed to the State of Tennessee.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—PERSONNEL MATTERS

SEC. 101. ANNUAL NATIONAL PAY COMPARABILITY ADJUSTMENT FOR NURSES EMPLOYED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) REVISED PAY ADJUSTMENT PROCEDURES.—Section 7451 is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''The rates'' and inserting ''Subject to subsection (e), the rates''; and

(ii) in subparagraph (A), by inserting ''and to be by the same percentage'' after ''to have the same effective date'';

(B) in paragraph (2), by striking ''Such'' in the second sentence and inserting ''Except as provided in paragraph (1)(A), such'';

(C) in paragraph (3)(B)—

(i) by inserting after the first sentence the following new sentence: ''To the extent practicable, the director shall use third-party industry wage surveys to meet the requirements of the preceding sentence.'';

(ii) by inserting before the penultimate sentence the following new sentence: ''To the extent practicable, all surveys conducted pursuant to this subparagraph or subparagraph (A) shall include the collection of salary midpoints, actual salaries, lowest and highest salaries, average salaries, bonuses, incentive pays, differential pays, actual beginning rates of pay and such other information needed to meet the purpose of this section.''; and

(iii) in the penultimate sentence, by inserting ''or published'' after ''completed'';

(D) by striking clause (iii) of paragraph (3)(C);

(2) by striking subsection (e) and inserting the following:

''(e)(1) An adjustment in a rate of basic pay under subsection (d) may not reduce the rate of basic pay applicable to any grade of a covered position.

''(2) The director of a Department health-care facility, in determining whether to carry out a wage survey under subsection (d)(3) with respect to rates of basic pay for a grade of a covered position, may not consider as a factor in such determination the absence of a current recruitment or retention problem for personnel in that grade of that position. The director shall make such a determination based upon whether, in accordance with criteria established by the Secretary, there is a significant pay-related staffing problem at that facility in any grade for a position. If the director determines that there is such a problem, or that such a problem is likely to exist in the near future, the Director shall provide for a wage survey in accordance with paragraph (3) of subsection (d).

''(3) The Under Secretary for Health may, to the extent necessary to carry out the purposes of subsection (d), modify any determination made by the director of a Department health-care facility with respect to adjusting the rates of basic pay applicable to covered positions. Upon such action by the Under Secretary, any adjustment shall take effect on the first day of the first pay period beginning after such action. The Secretary shall ensure that the Under Secretary establishes a mechanism for the exercise of the authority in the preceding sentence.

''(4) Each director of a Department healthcare facility shall provide to the Secretary, not later than July 31 each year, a report on staffing for covered positions at that facility. The report shall include the following:

''(A) Information on turnover rates and vacancy rates for each grade in a covered position, including a comparison of those rates with the rates for the preceding three years.

''(B) The director's findings concerning the review and evaluation of the facility's staffing situation, including whether there is, or is likely to be, in accordance with criteria established by the Secretary, a significant pay-related staffing problem at that facility for any grade of a covered position and, if so, whether a wage survey was conducted, or will be conducted with respect to that grade.

''(C) In any case in which the director conducts such a wage survey during the period covered by the report, information describing the survey and any actions taken or not taken based on the survey, and the reasons for taking (or not taking) such actions.

''(D) In any case in which the director, after finding that there is, or is likely to be, in accordance with criteria established by the Secretary, a significant pay-related staffing problem at that facility for any grade of a covered position, determines not to conduct a wage survey with respect to that position, a statement of the reasons why the director did not conduct such a survey.

''(5) Not later than September 30 of each year, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on staffing for covered positions at Department healthcare facilities. Each such report shall include the following:

''(A) A summary and analysis of the information contained in the most recent reports submitted by facility directors under paragraph (4).

''(B) The information for each such facility specified in paragraph (4).'';

(3) in subsection (f)—

(A) by striking ''February 1 of 1991, 1992, and 1993'' and inserting ''March 1 of each year''; and

(B) by striking ''subsection (d)(1)(A)'' and inserting ''subsection (d)''; and

(4) by striking subsection (g) and redesignating subsection (h) as subsection (g).

(b) REQUIRED CONSULTATIONS WITH NURSES.—(1) Subchapter II of chapter 73 is amended by adding at the end the following new section:

''§ 7323. Required consultations with nurses

''The Under Secretary for Health shall ensure that—

''(1) the director of a geographic service area, in formulating policy relating to the provision of patient care, shall consult regularly with a senior nurse executive or senior nurse executives; and

''(2) the director of a medical center shall, to the extent feasible, include a registered nurse as a member of any committee used at that medical center to provide recommendations or decisions on medical center operations or policy affecting clinical services, clinical outcomes, budget, or resources.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7322 the following new item:

''7323. Required consultations with nurses.''.

SEC. 102. SPECIAL PAY FOR DENTISTS.

(a) FULL-TIME STATUS PAY.—Paragraph (1) of section 7435(b) is amended by striking ''$3,500'' and inserting ''$9,000''.

(b) SPECIAL PAY FOR POST-GRADUATE TRAINING.—Such section is amended by adding at the end the following new paragraph:

''(8) For a dentist who has successfully completed a post-graduate year of hospital-based training in a program accredited by the American Dental Association, an annual rate of $2,000 for each of the first two years of service after successful completion of that training.''.

(c) TENURE PAY.—The table in paragraph (2)(A) of that section is amended to read as follows:

''Length of Service	Rate	
	Minimum	Maximum
1 year but less than 2 years	$1,000	$2,000
2 years but less than 4 years	4,000	5,000
4 years but less than 8 years	5,000	8,000
8 years but less than 12 years	8,000	12,000
12 years but less than 20 years	12,000	15,000
20 years or more	15,000	18,000.''.

(d) SCARCE SPECIALTY PAY.—Paragraph (3)(A) of that section is amended by striking ''$20,000'' and inserting ''$30,000''.

(e) GEOGRAPHIC PAY.—Paragraph (6) of that section is amended by striking ''$5,000'' and inserting ''$12,000''.

(f) RESPONSIBILITY PAY.—(1) The table in paragraph (4)(A) of that section is amended to read as follows:

''Position	Rate	
	Minimum	Maximum
Chief of Staff or in an Executive Grade	$14,500	$25,000
Director Grade	0	25,000
Service Chief (or in a comparable position as determined by the Secretary)	4,500	15,000.''.

(2) The table in paragraph (4)(B) of that section is amended to read as follows:

''Position	Rate
Deputy Service Director	$20,000
Service Director	25,000
Deputy Assistant Under Secretary for Health	27,500
Assistant Under Secretary for Health (or in a comparable position as determined by the Secretary)	30,000.''.

(g) CREDITING OF INCREASED TENURE PAY FOR CIVIL SERVICE RETIREMENT.—Section 7438(b) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph:

''(5) Notwithstanding paragraphs (1) and (2), a dentist employed as a dentist in the Veterans Health Administration on the effective date of section 102 of the Department of Veterans Affairs Health Care Personnel Act of 2000 shall be entitled to have special pay paid to the dentist under section 7435(b)(2)(A) of this title (referred to as 'tenure pay') considered basic pay for the purposes of chapter 83 or 84, as appropriate, of title 5 only as follows:

''(A) In an amount equal to the amount that would have been so considered under such section on the day before such effective date based on the rates of special pay the dentist was entitled to receive under that section on the day before such effective date.

''(B) With respect to any amount of special pay received under that section in excess of the amount such dentist was entitled to receive under such section on the day before such effective date, in an amount equal to 25 percent of such excess amount for each two years that the physician or dentist has completed as a physician or dentist in the Veterans Health Administration after such effective date.''.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to agreements entered into by dentists under subchapter III of chapter 74 of title 38, United States Code, on or after the later of—

(1) the date of the enactment of this Act; and

(2) October 1, 2000.

(i) TRANSITION.—(1) In the case of an agreement entered into by a dentist under subchapter III of chapter 74 of title 38, United States Code, before the date of the enactment of this Act that expires after the effective date specified in subsection (h), the Secretary of Veterans Affairs and the dentist concerned may agree to terminate that agreement as of that effective date in order to permit a new agreement in accordance with section 7435 of such title, as amended by this section, to take effect as of that effective date.

(2) In the case of an agreement entered into under such subchapter before the date of the enactment of this Act that expires during the period beginning on the date of the enactment of this Act and ending on the effective date specified in subsection (h)(2), an extension or renewal of that agreement may not extend beyond that effective date.

(3) In the case of a dentist who begins employment with the Department of Veterans Affairs during the period beginning on the date of the enactment of this Act and ending on the effective date specified in subsection (h)(2) who is eligible for an agreement under subchapter III of chapter 74 of title 38, United States Code, any such agreement may not extend beyond that effective date.

SEC. 103. EXEMPTION FOR PHARMACISTS FROM CEILING ON SPECIAL SALARY RATES.

Section 7455(c)(1) is amended by inserting '', pharmacists,'' after ''anesthetists''.

SEC. 104. PHYSICIAN ASSISTANT ADVISER TO UNDER SECRETARY FOR HEALTH.

Section 7306(f) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; and''; and

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

''(3) a physician assistant with appropriate experience (who may have a permanent duty station at a Department medical care facility in reasonable proximity to Washington, DC) advises the Under Secretary on all matters relating to the utilization and employment of physician assistants in the Administration.''.

SEC. 105. TEMPORARY FULL-TIME APPOINTMENTS OF CERTAIN MEDICAL PERSONNEL.

(a) PHYSICIAN ASSISTANTS AWAITING CERTIFICATION OR LICENSURE.—Paragraph (2) of section 7405(c) is amended to read as follows:

''(2) A temporary full-time appointment may not be made for a period in excess of two years in the case of a person who—

''(A) has successfully completed—

''(i) a full course of nursing in a recognized school of nursing, approved by the Secretary; or

''(ii) a full course of training for any category of personnel described in paragraph (3) of section 7401 of this title, or as a physician assistant, in a recognized education or training institution approved by the Secretary; and

''(B) is pending registration or licensure in a State or certification by a national board recognized by the Secretary.''.

(b) MEDICAL SUPPORT PERSONNEL.—That section is further amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3)(A) Temporary full-time appointments of persons in positions referred to in subsection (a)(1)(D) shall not exceed three years.

''(B) Temporary full-time appointments under this paragraph may be renewed for one or more additional periods not in excess of three years each.''.

SEC. 106. QUALIFICATIONS OF SOCIAL WORKERS.

Section 7402(b)(9) is amended by striking ''a person must'' and all that follows and inserting ''a person must—

''(A) hold a master's degree in social work from a college or university approved by the Secretary; and

''(B) be licensed or certified to independently practice social work in a State, except that the Secretary may waive the requirement of licensure or certification for an individual social worker for a reasonable period of time recommended by the Under Secretary for Health.''.

SEC. 107. EXTENSION OF VOLUNTARY SEPARATION INCENTIVE PAYMENTS.

The Department of Veterans Affairs Employment Reduction Assistance Act of 1999 (title XI of Public Law 106–117; 5 U.S.C. 5597 note) is amended as follows:

(1) Section 1102(c) is amended to read as follows:

''(c) LIMITATION.—The plan under subsection (a) shall be limited to 8,110 positions within the Department.''.

(2) Section 1105(a) is amended by striking ''26 percent'' and inserting ''15 percent''.

(3) Section 1109(a) is amended by striking ''December 31, 2000'' and inserting ''December 31, 2002''.

TITLE II—CONSTRUCTION AUTHORIZATION

SEC. 201. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS.

(a) FISCAL YEAR 2001 PROJECTS.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in the amount specified for that project:

(1) Construction of a psychogeriatric care building at the Department of Veterans Affairs Medical Center, Palo Alto, California, in an amount not to exceed $26,600,000.

(2) Construction of a utility plant and electrical vault at the Department of Veterans Affairs Medical Center, Miami, Florida, in an amount not to exceed $23,600,000.

(3) Seismic corrections, clinical consolidation, and other improvements at the Department of Veterans Affairs Medical Center, Long Beach, California, in an amount not to exceed $51,700,000.

(b) ADDITIONAL FISCAL YEAR 2000 PROJECT.—The Secretary is authorized to carry out a project for the renovation of psychiatric nursing units at the Department of Veterans Affairs Medical Center, Murfreesboro, Tennessee, in an amount not to exceed $14,000,000.

SEC. 202. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Veterans Affairs for fiscal years 2001 and 2002 for the Construction, Major Projects, account, $101,900,000 for the projects authorized in section 101(a).

(b) LIMITATION.—The projects authorized in section 101(a) may only be carried out using—

(1) funds appropriated for fiscal year 2001 or 2002 pursuant to the authorization of appropriations in subsection (a);

(2) funds appropriated for Construction, Major Projects for a fiscal year before fiscal year 2001 that remain available for obligation; and

(3) funds appropriated for Construction, Major Projects for fiscal year 2001 or 2002 for a category of activity not specific to a project.

TITLE III—MILITARY SERVICE ISSUES

SEC. 301. MILITARY SERVICE HISTORY.

(a) MILITARY HISTORIES.—The Secretary of Veterans Affairs, in carrying out the responsibilities of the Secretary under chapter 17 of title 38, United States Code, shall ensure that—

(1) during at least one clinical evaluation of a patient in a facility of the Department, a protocol is used to identify pertinent military experiences and exposures of the patient that may contribute to the health status of the patient; and

(2) pertinent information relating to the military history of the patient is included in the Department's medical records of the patient.

(b) REPORT.—Not later than nine months after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the feasibility and desirability of using a computer-based system in conducting clinical evaluations referred to in subsection (a)(1).

SEC. 302. STUDY OF POST-TRAUMATIC STRESS DISORDER IN VIETNAM VETERANS.

(a) STUDY ON POST-TRAUMATIC STRESS DISORDER.—Not later than 10 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into a contract with an appropriate entity to carry out a study on post-traumatic stress disorder.

(b) FOLLOW-UP STUDY.—The contract under subsection (a) shall provide for a follow-up study to the study conducted in accordance with section 102 of the Veterans Health Care Amendments of 1983 (Public Law 98–160). Such follow-up study shall use the data base and sample of the previous study.

(c) INFORMATION TO BE INCLUDED.—The study conducted pursuant to this section shall be designed to yield information on—

(1) the long-term course of post-traumatic stress disorder;

(2) any long-term medical consequences of post-traumatic stress disorder;

(3) whether particular subgroups of veterans are at greater risk of chronic or more severe problems with such disorder; and

(4) the services used by veterans who have post-traumatic stress disorder and the effect of those services on the course of the disorder.

(d) REPORT.—The Secretary shall submit to the Committees of Veterans' Affairs of the Senate and House of Representatives a report on the results of the study under this section. The report shall be submitted no later than October 1, 2004.

TITLE IV—MEDICAL ADMINISTRATION

SEC. 401. PILOT PROGRAM FOR COORDINATION OF HOSPITAL BENEFITS.

(a) IN GENERAL.—Chapter 17 is amended by inserting after section 1725 the following new section:

''§ 1725A. Coordination of hospital benefits: pilot program

''(a) The Secretary may carry out a pilot program in not more than four geographic areas of the United States to improve access to, and coordination of, inpatient care of eligible veterans. Under the pilot program, the Secretary, subject to subsection (b), may pay certain costs described in subsection (b) for which an eligible veteran would otherwise be personally liable. The authority to carry out the pilot program shall expire on September 30, 2005.

''(b) In carrying out the program described in subsection (a), the Secretary may pay the costs authorized under this section for hospital care and medical services furnished on an inpatient basis in a non-Department hospital to an eligible veteran participating in the program. Such payment may cover the costs for applicable plan deductibles and coinsurance and the reasonable costs of such inpatient care and medical services not covered by any applicable health-care plan of the veteran, but only to the extent such care and services are of the kind authorized under this chapter. The Secretary shall limit the care and services for which payment may be made under the program to general medical and surgical services and shall require that such services may be provided only upon preauthorization by the Secretary.

''(c)(1) A veteran described in paragraph (1) or (2) of section 1710(a) of this title is eligible to participate in the pilot program if the veteran—

''(A) is enrolled to receive medical services from an outpatient clinic operated by the Secretary which is (i) within reasonable proximity to the principal residence of the veteran, and (ii) located within the geographic area in which the Secretary is carrying out the program described in subsection (a);

''(B) has received care under this chapter within the 24-month period preceding the veteran's application for enrollment in the pilot program;

''(C) as determined by the Secretary before the hospitalization of the veteran (i) requires such hospital care and services for a non-service-connected condition, and (ii) could not receive such services from a clinic operated by the Secretary; and

''(D) elects to receive such care under a health-care plan (other than under this title) under which the veteran is entitled to receive such care.

''(2) Nothing in this section shall be construed to reduce the authority of the Secretary to contract with non-Department facilities for care of a service-connected disability of a veteran.

''(3) Notwithstanding subparagraph (D) of paragraph (1), the Secretary shall ensure that not less than 15 percent of the veterans participating in the program are veterans who do not have a health-care plan.

''(d) As part of the program under this section, the Secretary shall, through provision of case-management, coordinate the care being furnished directly by the Secretary and care furnished under the program in non-Department hospitals to veterans participating in the program.

''(e)(1) In designating geographic areas in which to establish the program under subsection (a), the Secretary shall ensure that—

''(A) the areas designated are geographically dispersed;

''(B) at least 70 percent of the veterans who reside in a designated area reside at least two hours driving distance from the closest medical center operated by the Secretary which provides medical and surgical hospital care; and

''(C) the establishment of the program in any such area would not result in jeopardizing the critical mass of patients needed to maintain a Department medical center that serves that area.

''(2) Notwithstanding paragraph (1)(B), the Secretary may designate for participation in the program at least one area which is in proximity to a Department medical center which, as a result of a change in mission of that center, does not provide hospital care.

''(f)(1) Not later than September 30, 2002, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the experience in implementing the pilot program under subsection (a).

''(2) Not later than September 30, 2004, the Secretary shall submit to those committees a report on the experience in operating the pilot program during the first two full fiscal years during which the pilot program is conducted. That report shall include—

''(A) a comparison of the costs incurred by the Secretary under the program and the cost experience for the calendar year preceding establishment of the program at each site at which the program is operated;

''(B) an assessment of the satisfaction of the participants in the program; and

''(C) an analysis of the effect of the program on access and quality of care for veterans.

''(g) The total amount expended for the pilot program in any fiscal year (including amounts for administrative costs) may not exceed $50,000,000.

''(h) For purposes of this section, the term 'health-care plan' has the meaning given that term in section 1725(f)(3) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1725 the following new item:

''1725A. Coordination of hospital benefits: pilot program.''.

SEC. 402. BENEFITS FOR PERSONS DISABLED BY PARTICIPATION IN COMPENSATED WORK THERAPY PROGRAM.

Section 1151(a)(2) is amended—

(1) by inserting ''(A)'' after ''proximately caused''; and

(2) by inserting before the period at the end the following: '', or (B) by participation in a program (known as a 'compensated work therapy program') under section 1718 of this title''.

SEC. 403. EXTENSION OF AUTHORITY TO ESTABLISH RESEARCH AND EDUCATION CORPORATIONS.

Section 7368 is amended by striking ''December 31, 2000'' and inserting ''December 31, 2005''.

SEC. 404. DEPARTMENT OF VETERANS AFFAIRS FISHER HOUSES.

(a) AUTHORITY.—Subchapter I of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 1708. Temporary lodging

''(a) The Secretary may furnish persons described in subsection (b) with temporary lodging in a Fisher house or other appropriate facility in connection with the examination, treatment, or care of a veteran under this chapter or, as provided for under subsection (e)(5), in connection with benefits administered under this title.

''(b) Persons to whom the Secretary may provide lodging under subsection (a) are the following:

''(1) A veteran who must travel a significant distance to receive care or services under this title.

''(2) A member of the family of a veteran and others who accompany a veteran and provide the equivalent of familial support for such veteran.

''(c) In this section, the term 'Fisher house' means a housing facility that—

''(1) is located at, or in proximity to, a Department medical facility;

''(2) is available for residential use on a temporary basis by patients of that facility and others described in subsection (b)(2); and

''(3) is constructed by, and donated to the Secretary by, the Zachary and Elizabeth M. Fisher Armed Services Foundation.

''(d) The Secretary may establish charges for providing lodging under this section. The proceeds from such charges shall be credited to the medical care account and shall be available until expended for the purposes of providing such lodging.

''(e) The Secretary shall prescribe regulations to carry out this section. Such regulations shall include provisions—

''(1) limiting the duration of such lodging;

''(2) establishing standards and criteria under which medical facilities may set charges for such lodging;

''(3) establishing criteria for persons considered to be accompanying a veteran;

''(4) establishing criteria for the use of such premises; and

''(5) any other limitations, conditions, and priorities that the Secretary considers appropriate with respect to temporary lodging under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1707 the following new item:

''1708. Temporary lodging.''.

SEC. 405. EXTENSION OF ANNUAL REPORT OF COMMITTEE ON MENTALLY ILL VETERANS.

Section 7321(d)(2) is amended by striking ''three'' and inserting ''six''.

SEC. 406. EXCEPTION TO RECAPTURE RULE.

Section 8136 is amended—

(1) by inserting ''(a)'' at the beginning of the text of the section; and

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

''(b) The establishment and operation by the Secretary of an outpatient clinic in facilities described in subsection (a) shall not constitute grounds entitling the United States to any recovery under that subsection.''.

SEC. 407. CHANGE TO ENHANCED USE LEASE CONGRESSIONAL NOTIFICATION PERIOD.

Paragraph (2) of section 8163(c) is amended to read as follows:

''(2) The Secretary may not enter into an enhanced use lease until the end of the 90-day period beginning on the date of the submission of notice under paragraph (1).''.

SEC. 408. TECHNICAL AND CONFORMING CHANGES.

(a) REQUIREMENT TO PROVIDE CARE.—Section 1710A(a) is amended by inserting ''(subject to section 1710(a)(4) of this title)'' after ''Secretary'' the first place it appears.

(b) CONFORMING AMENDMENT.—Section 1710(a)(4) is amended by striking ''requirement in'' and inserting ''requirements in section 1710A(a) and''.

SEC. 409. RELEASE OF REVERSIONARY INTEREST OF THE UNITED STATES IN CERTAIN REAL PROPERTY PREVIOUSLY CONVEYED TO THE STATE OF TENNESSEE.

(a) RELEASE OF INTEREST.—The Secretary of Veterans Affairs shall execute such legal instruments as necessary to release the reversionary interest of the United States described in subsection (b) in a certain parcel of real property conveyed to the State of Tennessee pursuant to the Act entitled ''An Act authorizing the transfer of certain property of the Veterans' Administration (in Johnson City, Tennessee) to the State of Tennessee'', approved June 6, 1953 (67 Stat. 54).

(b) SPECIFIED REVERSIONARY INTEREST.—Subsection (a) applies to the reversionary interest of the United States required under section 2 of the Act referred to in subsection (a), requiring use of the property conveyed pursuant to that Act to be primarily for training of the National Guard and for other military purposes.

(c) CONFORMING AMENDMENT.—Section 2 of such Act is repealed.

After debate,

Pursuant to House Resolution 585, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House now pass said bill?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that the ayes had it.

Mr. STUMP objected to the vote on the grounds that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 411
Nays 0

¶94.12 [Roll No. 486]

YEAS—411

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller

Weygand	Wise	Wynn
Whitfield	Wolf	Young (AK)
Wicker	Woolsey	Young (FL)
Wilson	Wu	

NOT VOTING—22

Burton	Graham	Metcalf
Campbell	Hastings (FL)	Reyes
Clay	Hutchinson	Ros-Lehtinen
Danner	Klink	Vento
Deutsch	Lazio	Waxman
Diaz-Balart	McCollum	Wexler
Dooley	McInnis	
Frost	McIntosh	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶94.13 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4205

Mr. SCARBOROUGH, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes; to recede to the Senate language contained in section 701 of the Senate amendment to H.R. 4205.

¶94.14 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–882) the resolution (H. Res. 586) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶94.15 HOUR OF MEETING

On motion of Mr. GANSKE, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 12 noon on Friday, September 22, 2000.

¶94.16 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GANSKE, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, September 27, 2000, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶94.17 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HASTINGS of Florida, for today and the balance of the week.

And then,

¶94.18 ADJOURNMENT

On motion of Mr. GANSKE, at 5 o'clock and 16 minutes p.m., the House adjourned.

¶94.19 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. SENSENBRENNER: Committee on Science. H.R. 2413. A bill to amend the National Institute of Standards and Technology Act to enhance the ability of the National Institute of Standards and Technology to improve computer security, and for other purposes; with an amendment (Rept. No. 106–876). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on Science. H.R. 4429. A bill to require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such businesses to successfully integrate and utilize electronic commerce technologies and business practices; with amendments (Rept. No. 106–877). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCOLLUM: Committee on the Judiciary. H.R. 2987. A bill to provide for the punishment of methamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States, and for other purposes; with an amendment (Rept. No. 106–878 Pt. 1).

Mr. TALENT: Committee on Small Business. H.R. 4897. A bill to amend the Small Business Act to establish a program to provide Federal contracting assistance to small business concerns owned and controlled by women (Rept. No. 106–879). Referred to the Committee of the Whole House on the State of the Union.

Mr. TALENT: Committee on Small Business. H.R. 4944. A bill to amend the Small Business Act to permit the sale of guaranteed loans make for export purposes before the loans have been fully disbursed to borrowers (Rept. No. 106–880). Referred to the Committee of the Whole House on the State of the Union.

Mr. TALENT: Committee on Small Business. H.R. 4946. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes; with an amendment (Rept. No. 106–881). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 586. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 106–882). Referred to the House Calendar.

¶94.20 TIME LIMITATION OF REFERRED BILL

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

H.R. 2580. Referred to the Committee on Transportation and Infrastructure extended for a period ending not later than October 6, 2000.

H.R. 2987. Referral to the Committee on Commerce extended for a period ending not later than September 21, 2000.

H.R. 3673. Referral to the Committee on Ways and Means extended for a period ending not later than October 6, 2000.

H.R. 4419. Referral to the Committee on the Judiciary extended for a period ending not later than September 29, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 6, 2000.

¶94.21 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on Commerce discharged. H.R. 2087, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 5 of rule X, the Committee on Education and the Workforce discharged. H.R. 4271, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶94.22 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. JACKSON of Illinois:

H.R. 5236. A bill to institute a moratorium on the imposition of the death penalty at the Federal level until a Commission on the Federal Death Penalty studies its use and policies ensuring justice, fairness, and due process are implemented; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.R. 5237. A bill to institute a moratorium on the imposition of the death penalty at the Federal and State level until a National Commission on the Death Penalty studies its use and policies ensuring justice, fairness, and due process are implemented; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY:

H.R. 5238. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that fragrances containing known toxic substances or allergens be labeled accordingly; to the Committee on Commerce.

By Mr. GILMAN (for himself and Mr. GEJDENSON):

H.R. 5239. A bill to provide for increased penalties for violations of the Export Administration Act of 1979, and for other purposes; to the Committee on International Relations.

By Mr. WU (for himself, Mrs. MEEK of Florida, Mr. HASTINGS of Florida, Ms. ROS-LEHTINEN, and Mr. DIAZ-BALART):

H.R. 5240. A bill to amend the Immigration and Nationality Act to provide temporary protected status to certain unaccompanied alien children, to provide for the adjustment of status of aliens unlawfully present in the United States who are under 18 years of age, and for other purposes; to the Committee on the Judiciary.

By Mr. CHABOT:

H.R. 5241. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

By Mr. GILMAN (for himself, Mr. NADLER, and Mrs. MALONEY of New York):

H.R. 5242. A bill to convey certain Federal properties on Governors Island, New York, and for other purposes; to the Committee on Resources, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT (for himself, Mr. GEPHARDT, Mr. WAXMAN, and Mr. STARK):

H.R. 5243. A bill to establish a program to provide grants to States to test innovative ways to increase nursing home staff levels, reduce turnover, and improve quality of care for residents in nursing homes, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON of Pennsylvania (for himself, Mr. TANCREDO, Mr. SIMPSON, and Mr. DUNCAN):

H.R. 5244. A bill to provide for the payment of State taxes on the sale of cigarettes and motor fuel by tribal retail enterprises to persons that are not members of the tribe, and for other purposes; to the Committee on Resources.

By Mr. ANDREWS:

H.R. 5245. A bill to amend the Railroad Retirement Act of 1974 to eliminate a limitation on benefits; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 5246. A bill to amend title XVIII of the Social Security Act to require home health agencies participating in the Medicare Program to conduct criminal background checks for all applicants for employment as patient care providers; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BALDACCI (for himself and Mr. COBURN):

H.R. 5247. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals; to the Committee on Commerce.

By Mr. BONIOR:

H.R. 5248. A bill to require the Secretary of Health and Human Services to promulgate regulations regarding allowable costs under the Medicaid Program for school based services provided to children with disabilities; to the Committee on Commerce.

By Mr. BRADY of Pennsylvania (for himself and Ms. VELAZQUEZ):

H.R. 5249. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development demonstration program; to the Committee on Small Business.

By Mr. GEORGE MILLER of California (for himself, Mrs. ROUKEMA, Mr. FROST, and Mr. GILMAN):

H.R. 5250. A bill to provide assistance to mobilize and support United States communities in carrying out youth development programs that assure that all youth have access to programs and services that build the competencies and character development needed to fully prepare the youth to become adults and effective citizens; to the Committee on Education and the Workforce.

By Mr. BURR of North Carolina:

H.R. 5251. A bill to provide for Medicare payment for medically unsurpervised certified registered nurse anesthetists at the same level as nurse anesthetists who are medically supervised if the Medicare regulations permit certified registered nurse anesthetists to provide anesthesia services in hospitals and ambulatory surgical centers without medical supervision; to the Committee on Ways and Means.

By Mr. FRANKS of New Jersey (for himself and Mr. FRELINGHUYSEN):

H.R. 5252. A bill to require the release of petroleum from the Strategic Petroleum Reserve to address the burdens on the citizens of the United States of the anticipated high home heating costs of the winter of 2000–2001; to the Committee on Commerce.

By Mr. GEJDENSON (for himself, Mr. LANTOS, Mrs. LOWEY, Ms. PELOSI, Mr. ACKERMAN, Mr. MCGOVERN, Mr. EVANS, Mr. WEXLER, Mr. KUCINICH, Mr. BERMAN, Mr. CAPUANO, Mr. BLUMENAUER, Mr. HALL of Ohio, Mr. SMITH of New Jersey, Mr. WEYGAND, Mr. FALEOMAVAEGA, Mr. KENNEDY of Rhode Island, Mr. FRANK of Massachusetts, and Mr. HOEFFEL):

H.R. 5253. A bill to provide assistance to East Timor to facilitate the transition of East Timor to an independent nation, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Banking and Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISTOOK:

H.R. 5254. A bill to authorize funds for the planning, design, and construction of the Oklahoma Land Run Memorial in Oklahoma City, Oklahoma; to the Committee on Resources.

By Mr. LAFALCE:

H.R. 5255. A bill to amend the National Housing Act to authorize the Secretary of Housing and Urban Development to make grants to hospitals with mortgages insured under such Act for conversion and re-utilization of excess capacity; to the Committee on Banking and Financial Services.

By Mr. LAFALCE:

H.R. 5256. A bill to prevent the premature shutdown of certain FHA mortgage insurance programs; to the Committee on Banking and Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida:

H.R. 5257. A bill to establish a term limit of ten years for the Director of the Census, and to provide that an individual may not serve more than one term as the Director; to the Committee on Government Reform.

By Mrs. MYRICK (for herself and Mr. DOGGETT):

H.R. 5258. A bill to authorize the President to present a gold medal on behalf of the Congress to Lance Armstrong in recognition of his outstanding performance as two-time winner of the Tour de France and his courageous spirit in overcoming cancer; to the Committee on Banking and Financial Services.

By Mr. NORWOOD (for himself and Mr. COLLINS):

H.R. 5259. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment under the tax-exempt bond rules of pre-payments for certain commodities and of mineral production payments; to the Committee on Ways and Means.

By Mr. PALLONE (for himself, Mr. FROST, Mr. BROWN of Ohio, Ms. CARSON, Mr. MURTHA, and Mr. WAXMAN):

H.R. 5260. A bill to amend the Public Health Service Act to provide for a national system of screening newborn infants for hereditary disorders, and for other purposes; to the Committee on Commerce.

By Ms. ROYBAL-ALLARD (for herself, Mr. HINCHEY, and Ms. CARSON):

H.R. 5261. A bill to authorize the Secretary of Housing and Urban Development to make grants to evaluate and reduce lead-based paint hazards at public elementary schools and licensed child day-care facilities; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROYBAL-ALLARD (for herself, Mrs. MALONEY of New York, Mr. HINCHEY, and Ms. WOOLSEY):

H.R. 5262. A bill to amend the Family and Medical Leave Act of 1993 to allow leave to address domestic violence and its effects, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOUDER (for himself, Ms. MCKINNEY, Mr. ABERCROMBIE, and Mrs. JONES of Ohio):

H.R. 5263. A bill to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes; to the Committee on Resources.

By Mr. UDALL of Colorado (for himself, Ms. DEGETTE, Mr. TANCREDO, Mr. SCHAFFER, Mr. HEFLEY, and Mr. MCINNIS):

H.R. 5264. A bill to establish the Rocky Flats National Wildlife Refuge in Colorado, and for other purposes; to the Committee on Resources, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VITTER:

H.R. 5265. A bill to amend the Internal Revenue Code of 1986 to exempt State and local political committees from the notification and reporting requirements made applicable to political organizations by Public Law 106–230; to the Committee on Ways and Means.

By Mr. GRAHAM:

H.J. Res. 108. A joint resolution proposing an amendment to the Constitution of the United States relating to voluntary school prayer; to the Committee on the Judiciary.

By Mr. GILMAN:

H. Con. Res. 405. Concurrent resolution to correct the enrollment of H.R. 4919; considered and agreed to.

By Mrs. MINK of Hawaii:

H. Res. 587. A resolution expressing appreciation to the people of Okinawa for hosting United States defense facilities, commending the Government of Japan for choosing Okinawa as the site for hosting the summit meeting of the G–8 countries, and for other purposes; to the Committee on International Relations.

By Mr. SALMON (for himself, Mr. PAYNE, and Mr. GILMAN):

H. Res. 588. A resolution expressing the sense of the House of Representatives with respect to violations in Western Europe of provisions of the Helsinki Final Act and other international agreements relating to the freedom of individuals to profess and practice religion or belief; to the Committee on International Relations.

¶94.23 MEMORIALS

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

472. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to Resolution memorializing the Congress of the United States to fully fund the Ricky Ray Hemophillia Relief Fund Act of 1998; to the Committee on the Judiciary.

473. Also, a memorial of House of Representatives of the State of Texas, relative to a resolution memorializing the U.S. House of Representatives to support S. 2668, the ''Family, Work and Immigrant Integration Amendments of 2000''; jointly to the Committees on the Judiciary and Commerce.

¶94.24 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. CANNON introduced a bill (H.R. 5266) for the relief of Saeed Rezai; which was referred to the Committee on the Judiciary.

¶94.25 ADDITIONAL SPONSORS

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

H.R. 284: Mr. KENNEDY of Rhode Island, Mrs. JONES of Ohio, Mr. SPENCE, Ms. CARSON, Mr. DIAZ-BALART, and Mr. GILCHREST.

H.R. 460: Mr. WALSH, Mr. LEACH, Mr. CUMMINGS, and Mr. CAMP.

H.R. 534: Mr. MCGOVERN.

H.R. 773: Mr. HOYER.

H.R. 842: Mrs. MYRICK.

H.R. 920: Mr. ROTHMAN.

H.R. 941: Mr. ENGEL.

H.R. 1071: Mr. MORAN of Virginia, Mr. BLAGOJEVICH, and Ms. BALDWIN.

H.R. 1202: Mr. ANDREWS and Mr. DOOLEY of California.

H.R. 1228: Mr. GILCHREST.

H.R. 1690: Mr. LARSON.

H.R. 1795: Ms. DEGETTE.

H.R. 1853: Mr. SHADEGG.

H.R. 2120: Mr. FORD, Mr. TURNER, Mr. LANTOS, and Mr. UDALL of Colorado.

H.R. 2129: Mr. GEKAS, Mr. WATKINS, and Mr. ARCHER.

H.R. 2166: Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. HOEFFEL, and Mr. CARDIN.

H.R. 2242: Mr. TOOMEY.

H.R. 2283: Mr. FILNER.

H.R. 2341: Mr. EVERETT, Mr. ADERHOLT, Mr. CLEMENT, Mr. KING, Mr. HULSHOF, Mr. GRAHAM, and Mr. LATHAM.

H.R. 2446: Mr. KLINK.

H.R. 2451: Mr. MALONEY of Connecticut.

H.R. 2739: Mr. FATTAH.

H.R. 2867: Mr. MILLER of Florida.

H.R. 2893: Mr. SHAW.

H.R. 3249: Mr. DEFAZIO.

H.R. 3749: Mr. SHADEGG.

H.R. 3850: Mr. HUTCHINSON.

H.R. 3896: Mr. FILNER.

H.R. 4001: Mr. HINOJOSA, Mrs. MORELLA, and Mr. ANDREWS.

H.R. 4012: Mr. PALLONE.

H.R. 4013: Mr. PETERSON of Minnesota.

H.R. 4025: Mr. OSE.

H.R. 4046: Mr. BENTSEN and Mr. EHLERS.

H.R. 4149: Mr. TANCREDO.

H.R. 4259: Mr. KINGSTON, Mr. KLECZKA, Mr. LINDER, Mrs. MCCARTHY of New York, Mr. MCHUGH, Mrs. MALONEY of New York, Mr. KNOLLENBERG, Mr. LEVIN, Mr. WEXLER, Mr. GILMAN, Mr. WALSH, Mr. WOLF, Mr. LATHAM, Mr. OXLEY, Mr. PORTMAN, Mr. RAHALL, Mrs. MORELLA, Mr. GOODLING, Ms. PRYCE of Ohio, Mr. SHAW, Mr. SHERMAN, Mrs. CLAYTON, Mr. PITTS, Mrs. TAUSCHER, Mr. PHELPS, Mr. TAUZIN, Mr. SNYDER, Mr. THOMPSON OF Mississippi, Mr. SCOTT, Mr. MINGE, Mr. UNDERWOOD, Mr. VITTER, Mr. TANCREDO, Mr. SCARBOROUGH, Mr. OLVER, Mr. KLINK, Ms. BROWN of Florida, Mr. ROGAN, Mr. STUMP, Mr. SHOWS, Mr. BACHUS, Mr. WEINER, and Mr. BLUNT.

H.R. 4328: Mr. MCNULTY.

H.R. 4493: Mr. SOUDER and Mr. OSE.

H.R. 4503: Mr. CRAMER.

H.R. 4543: Mr. PORTER and Mr. PORTMAN.

H.R. 4590: Ms. SCHAKOWSKY.

H.R. 4715: Mr. NUSSLE.

H.R. 4728: Mr. GOODE, Mr. HASTINGS of Washington, and Mr. CLEMENT.

H.R. 4825: Mr. SNYDER, Mr. WALSH, Mr. PAYNE, Ms. BERKLEY, and Ms. GRANGER.

H.R. 4827: Mr. BILBRAY.

H.R. 4848: Mr. INSLEE and Mr. RUSH.

H.R. 4874: Ms. HOOLEY of Oregon and Mr. ENGLISH.

H.R. 4922: Mr. TAYLOR of North Carolina, Mr. WICKER, Mr. SMITH of Michigan, and Mr. BEREUTER.

H.R. 4969: Mr. FALEOMAVAEGA.

H.R. 4995: Mr. TANNER, Mr. HILLEARY, Mr. MORAN of Kansas, and Mr. GOODE.

H.R. 4996: Mr. TANNER, Mr. BISHOP, Mr. MORAN of Kansas, and Mr. GOODE.

H.R. 4997: Mr. TANNER, Mr. HILLEARY, Mr. MORAN of Kansas, and Mr. GOODE.

H.R. 5005: Mr. GARY MILLER of California, Mr. FILNER, and Ms. ESHOO.

H.R. 5018: Mr. PAUL.

H.R. 5026: Mr. DICKEY and Mr. SANFORD.

H.R. 5028: Mr. SAM JOHNSON of Texas, Mr. SANFORD, Mr. LARGENT, Mr. SOUDER, Mr. JONES of North Carolina, and Mr. RYUN of Kansas.

H.R. 5057: Mr. ABERCROMBIE, Ms. ESHOO, Mr. DEFAZIO, and Mr. KLECZKA.

H.R. 5065: Mr. STARK, Mr. KUCINICH, Mr. MCNULTY, and Mr. MCGOVERN.

H.R. 5098: Ms. DEGETTE.

H.R. 5117: Mr. KUCINICH.

H.R. 5121: Mr. DEUTSCH, Mr. FOLEY, and Mr. MCCOLLUM.

H.R. 5132: Mr. WYNN, Mr. RANGEL, and Mr. MCGOVERN.

H.R. 5137: Mr. FARR of California, Mr. MCGOVERN, Mr. LATOURETTE, Mr. SCARBOROUGH, Mr. FRANK of Massachusetts, and Ms. DANNER.

H.R. 5164: Mr. BARRETT of Wisconsin, Ms. RIVERS, Ms. BERKLEY, and Mr. BLUNT.

H.R. 5165: Mr. ABERCROMBIE.

H.R. 5178: Mr. LATOURETTE, Mr. MCHUGH, Mrs. MORELLA, Mr. MCINTOSH, Mr. HORN, Mr. ENGLISH, Mr. MCCRERY, Mr. BAKER, Mr. DEMINT, and Mr. QUINN.

H.R. 5200: Mr. STENHOLM, Mr. MILLER of Florida, and Mr. GOODE.

H.R. 5222: Mr. TOWNS.

H.J. Res. 107: Mr. BALDACCI, Mr. FROST, and Mr. MCGOVERN.

H. Con. Res. 252: Mr. TOOMEY.

H. Con. Res. 340: Mr. BECERRA.

H. Con. Res. 350: Ms. WOOLSEY, Mr. SABO, Mr. PASCRELL, and Mr. VISCLOSKY.

H. Con. Res. 370: Mr. BECERRA.

H. Con. Res. 392: Mr. WYNN and Mr. DEUTSCH.

H. Con. Res. 395: Mr. GILLMOR.

H. Con. Res. 396: Mr. SCOTT and Mr. BOUCHER.

H. Con. Res. 398: Mr. NEAL of Massachusetts and Mr. BARR of Georgia.

H. Con. Res. 404: Ms. KAPTUR, Mr. ETHERIDGE, Mr. TOOMEY, Mr. SISISKY, Mrs. MYRICK, and Mr. GOODLING.

H. Res. 146: Mr. DOGGETT.

FRIDAY, SEPTEMBER 22, 2000 (95)

¶95.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication:

WASHINGTON, DC,
September 22, 2000.

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

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

¶95.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Thursday, September 21, 2000.

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

¶95.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10219. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Diflubenzuron; Pesticide Tolerance Technical Correction [OPP–301041; FRL–6741–3] (RIN: 2070–AB78) received September 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10220. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Glyphosate; Pesticide Tolerance [OPP–301053; FRL–6746–6] (RIN: 2070–AB78) received September 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10221. A letter from the Deputy Associate Administrator, Environmental Protective Agency, transmitting the Agency's final rule—Clopyralid; Pesticide Tolerances for Emergency Exemptions [OPP–301043; FRL–6741–9] (RIN: 2070–AB78) received September 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10222. A letter from the the Director, the Office of Management and Budget, transmitting Cumulative report on rescissions and deferrals of budget authority, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 106–293); to the Committee on Appropriations and ordered to be printed.

10223. A letter from the Chief, Programs and Legislation Divison Office of Legislative Liaison, Department of the Air Force, transmitting a report on a cost comparison to reduce the cost of the Base Operating Support functions, conducted by the Commander of Grissom Air Reserve Base (ARB) Indiana; to the Committee on Armed Services.

10224. A letter from the Director, Administration and Management, Department of Defense, transmitting a report on the printing and duplicating services procured in-house or from external sources during FY 1999 in the Office of the Secretary of Defense; to the Committee on Armed Services.

10225. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Treatment by the Federal Deposit Insurance Corporation as Conservator or Receiver of Financial Assets Transferred by an Insured Depository Institution in Connection with a Securitization or Participation (RIN: 3064–AC28) received September 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10226. A letter from the Acting Inspector General, Department of Defense, transmitting a report on the Department of Defense Superfund Financial Transactions FY 1999; to the Committee on Commerce.

10227. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's ''Major'' rule—Food Labeling: Health Claims; Plant Sterol/Stanol Esters and Coronary Heart Disease [Docket Nos. 00P–1275 and 00P–1276] received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10228. A letter from the Special Assistant, Mass Media Bureau, Federal Communication Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Lynn Haven, Florida)[MM Docket No. 00–93; RM–9881] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10229. A letter from the Associate Bureau Chief, WTB, Federal Communications Commission, transmitting the Commission's final rule—1998 Biennial Regulatory Review—47 C.F.R. Part 90—Private Land Mobile Radio Services [WT Docket No. 98–182; RM–9222] Replacement of Part 90 by Part 88 to Revise the Private Land Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency

Assignment Policies of the Private Land Mobile Services [PR Docket No. 92–235] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10230. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Shoshoni and Dubois, Wyoming) [MM Docket No. No 98–99; RM–9283; RM–9695] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10231. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Osceola, Sedalia, and Wheatland, Missouri) [MM Docket No. 99–299; RM–9687; RM–9813] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10232. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Live Oak, Florida) [MM Docket No. 00–95; RM–9887] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10233. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. Meeteetse and Cody, Wyoming [MM Docket No. 98–85; RM–9286; RM–9359] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10234. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Baton Rouge, Louisiana) [MM Docket No. 99–317; RM–8743] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10235. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Johannesburg and Edwards, California) [Docket No. 99–239; RM–9658] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10236. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Norfolk, Virginia) [Docket No. 00–68; RM–9792] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10237. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Klamath Falls, Oregon) [MM Docket No. 99–296; RM 9661] received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10238. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—In the Matter of Implementation of 911 Act [WT Docket No. 00–110] The Use of N11 Codes and Other Abbreviated Dialing Arrangements [CC Docket No. 92–105] received September 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10239. A letter from the Acting Director, Defense Security Cooperation, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Isreal for defense articles and services (Transmittal No. 00–74), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10240. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Isreal for defense articles and services (Transmittal No. 00–73), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10241. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 19–00 which constitutes a Request for Final Approval for the Agreement concerning Amendment One to the Technical Cooperation Program Memorandum of Understanding, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

10242. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 98–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10243. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance Agreement with Mexico [Transmittal No. DTC 107–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10244. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Czech Republic [Transmittal No. DTC 67–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10245. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with United Kingdom [Transmittal No. DTC 128–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10246. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing and Technical Assistance Agreement for the export of defense services under a contract with the Republic of Korea [Transmittal No. DTC 016–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10247. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Spain [Transmittal No. DTC 042–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10248. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles sold under a contract to United Kingdom [Transmittal No. DTC 097–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10249. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of an unauthorized transfer of U.S.-origin defense articles pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on International Relations.

10250. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of an unauthorized transfer of U.S.-origin defense articles pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on International Relations.

10251. A letter from the Auditor, District of Columbia, transmitting A copy of a report entitled ''Audit of the Accounts and Operations of the Washington Convention Center Authority for Fiscal Years 1997 through 1999,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

10252. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled ''District's Privatization Initiatives Flawed by Noncompliance and Poor Management,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

10253. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled ''Management and Accounting Deficiencies in the District's Excess and Surplus Property Program,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

10254. A letter from the Acting, Assistant Administrator for Fisheries Service, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Prohibition of Trap Gear in the Royal Red Shrimp Fishery in the Gulf of Mexico [Docket No. 000913257–0257–01; I.D. 081800D] (RIN: 0648–AO52) received September 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10255. A letter from the Chairman, Federal Maritime Commission, Bureau of Enforcement, Federal Maritime Commission, transmitting the Commission's final rule—Inflation Adjustment of Civil Monetary Penalties [Docket No. 00–09] received September 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10256. A letter from the The Chief Justice, Supreme Court of the United States, transmitting a notification that the Supreme Court will open the October 2000 Term on October 2, 2000 and will continue until all matters before the Court, ready for argument, have neen diposed of or declined; to the Committee on the Judiciary.

10257. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulation for San Juan Harbor, Puerto Rico [COTP San Juan 00–065] (RIN 2115–AA07) received September 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10258. A letter from the Deputy Adminstrator, General Services Administration, transmitting a report on the Building Project Survey for the National Institutes of Health Bayview Research Center in Baltimore, MD; to the Committee on Transportation and Infrastructure.

10259. A letter from the Administrator, General Services Administration, transmitting Prospectus for the Federal Trade Commission in Washington, D.C., pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

10260. A letter from the Executive Secretary, Administration for Children and Families, Department of Health and Human Services, transmitting the Services's ''Major'' rule—Bonus to Reward States for High Performance (RIN: 0970–AB66) received September 22, 2000, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Ways and Means.

10261. A letter from the Chief Counsel, Foreign Claims Settlement Commission of the United States, transmitting the annual report of its activities for calendar year 1999, pursuant to 50 U.S.C. app. 2008 and 22 U.S.C. 1622a; jointly to the Committees on International Relations and the Judiciary.

10262. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Bilateral or multilateral agreements with other nations for the protection and conservation of certain species of sea turtles, pursuant to Public Law 101–162, section 609(a)(5)(C) (103 Stat. 1038); jointly to the Committees on Resources and Appropriations.

¶95.4 MESSAGE FROM THE SENATE

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

H.R. 999. An Act to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 522. An Act to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water, and for other purposes.

S. 1810. An Act to amend title 38, United States Code, to expand and improve compensation and pension, education, housing loan, insurance, and other benefits for veterans, and for other purposes.

S. 2046. An Act to reauthorize the Next Generation Internet Act, and for other purposes.

¶95.5 ADJOURNMENT OVER

On motion of Mr. DUNCAN, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, September 25, 2000, at 12:30 p.m. for ''morning-hour debate''.

¶95.6 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2046. An Act to reauthorize the Next Generation Internet Act, and for other purposes; to the Committees on Science, Commerce, Resources, and Agriculture.

And then,

¶95.7 ADJOURNMENT

On motion of Mr. FILNER, pursuant to the special order heretofore agreed to, at 12 o'clock and 14 minutes p.m., the House adjourned until 12:30 p.m. on Monday, September 25, 2000.

¶95.8 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BLILEY: Committee on Commerce. H.R. 2346. A bill to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment (Rept. No. 106–883). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4800. A bill to require the Secretary of the Interior to identify appropriate lands within the area designated as Section 1 of the Mall in Washington, D.C., as the location of a future memorial to former President Ronald Reagan, to identify a suitable location, to select a suitable design, to raise private-sector donations for such a memorial, to create a Commission to assist in these activities, and for other purposes; with amendments (Rept. No. 106–884). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4656. A bill to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site (Rept. No. 106–885). Referred to the Committee of the Whole House on the State of the Union.

¶95.9 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LAZIO (for himself, Mr. KING, Mr. FOSSELLA, Mr. BOEHLERT, Mr. GILMAN, Mr. REYNOLDS, Mr. TOWNS, Mr. HINCHEY, Mrs. MCCARTHY of New York, Mr. WALSH, Mr. OWENS, Mr. HOUGHTON, Mr. MCNULTY, Mrs. KELLY, and Mrs. MALONEY of New York):

H.R. 5267. A bill to designate the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the ''Theodore Roosevelt United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. MURTHA (for himself, Mr. BOYD, Mr. BOSWELL, Mr. CUNNINGHAM, Mr. EVANS, Mr. GILCHREST, Mr. CRAMER, Mr. BONIOR, Mr. MCCOLLUM, Mr. SANDERS, Ms. MILLENDER-MCDONALD, Mr. FALEOMAVAEGA, Mr. DIXON, Mr. BARCIA, and Mr. KOLBE):

H.R. 5268. A bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial; to the Committee on Resources.

By Mr. MURTHA (for himself and Mr. REGULA):

H.R. 5269. A bill to require that a semipostal be issued for the benefit of the National Park Service; to the Committee on Government Reform, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO (for himself, Mr. SCHAFFER, and Mr. UDALL of Colorado):

H.R. 5270. A bill to amend title 49, United States Code, to clarify that State attorney generals may enforce State consumer protection laws with respect to air transportation and the advertisement and sale of air transportation services, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RADANOVICH (for himself, Mr. CANNON, Mrs. CHENOWETH-HAGE, Mr. CONDIT, Mrs. CUBIN, Mr. DELAY, Mr. DOOLITTLE, Ms. DUNN, Mr. GIBBONS, Mr. GOODE, Mr. GOODLATTE, Mr. GREEN of Wisconsin, Mr. HANSEN, Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. HERGER, Mr. HILL of Montana, Mr. KNOLLENBERG, Mr. MCINNIS, Mr. NETHERCUTT, Mr. OSE, Mr. PETERSON of Pennsylvania, Mr. POMBO, Mr. SCHAFFER, Mr. SIMPSON, Mr. SKEEN, Mr. STUMP, Mr. STUPAK, Mr. TAYLOR of North Carolina, Mr. THOMAS, Mr. THUNE, Mr. TURNER, Mr. WALDEN of Oregon, Mrs. WILSON, and Mr. YOUNG of Alaska):

H. Con. Res. 406. Concurrent resolution expressing the sense of the Congress that Federal land management agencies should immediately enact a cohesive strategy to reduce the overabundance of forest fuels which places national resources at high risk of catastrophic wildfire; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT:

H. Res. 589. A resolution congratulating Nancy Johnson on winning the first gold medal of the 2000 Olympic games in Sydney, Australia; to the Committee on Government Reform.

¶95.10 MEMORIALS

Under clause 3 of rule XII,

474. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of The Mariana Islands, relative to Resolution 12–78 memorializing the President of the United States and the U.S. Congress to fully fund the Individuals with Disabilities Education Act; to the Committee on Education and the Workforce.

¶95.11 ADDITIONAL SPONSORS

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

H.R. 1168: Mr. INSLEE.

H.R. 3825: Mr. METCALF.

H.R. 4301: Mr. SOUDER, Mr. DOYLE, Mr. STENHOLM, Mr. CLEMENT, Mr. DIAZ-BALART, and Mr. TURNER.

H.R. 4800: Mr. SCARBOROUGH and Mr. BARR of Georgia.

H.R. 5122: Mr. LIPINSKI, Mr. MCHUGH, Mr. BISHOP, Mr. BOEHNER, and Mr. RADANOVICH.

H. Res. 146: Mr. SMITH of New Jersey.

MONDAY, SEPTEMBER 25, 2000 (96)

¶96.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. LAHOOD, who laid before the House the following communication:

WASHINGTON, DC,
September 25, 2000.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

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

¶96.2 MESSAGE FROM THE SENATE

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

H.R. 4365. An Act to amend the Public Health Service Act with respect to children's health.

The message also announced that the Senate agrees to the amendment of the

House to the bill (S. 430) ''An Act to amend the Alaska Native Claims Settlement Act to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes.''

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

S. 2511. An Act to establish the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes.

¶96.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to the order of the House of Tuesday, January 19, 1999, recognized Members for ''morning-hour debate''.

¶96.4 RECESS—12:31 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 31 minutes p.m. until 2 o'clock p.m.

¶96.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶96.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, announced he had examined and approved the Journal of the proceedings of Friday, September 22, 2000.

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

¶96.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10263. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Citrus Canker; Addition to Quarantined Areas; Correction [Docket No. 00–036–2] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10264. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Melon Fruit Fly Regulations; Regulated Areas, Regulated Articles and Removal of Quarantined Area [Docket No. 99–097–3] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10265. A communication from the President of the United States, transmitting the request and availability of appropriations for the Low Income Home Energy Assistance Program of the Department of Health and Human Services; (H. Doc. No. 106–295); to the Committee on Appropriations and ordered to be printed.

10266. A letter from the Director, Office of Equal Opportunity Program, Department of the Treasury, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (RIN: 1190–AA28) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10267. A letter from the Associate Administrator for Equal Opportunity Programs, National Aeronautics and Space Administration, transmitting the Administration's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (RIN: 1190–AA28) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10268. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Priorities List for Uncontrolled Hazardous Waste Sites [FRL–6877–4] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10269. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pennsylvania: Final Authorization of State Hazardous Waste Management Program [FRL–6875–3] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10270. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tennessee: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6874–6] received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10271. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tennessee: Final Authorization of State Hazardous Waste Management Program Revision [FRL#6874–6] received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10272. A letter from the Associate Bureau Chief, WTB, Federal Communications Commission, transmitting the Commission's final rule— Amendment of Parts 2 and 95 of the Commission's Rules to Establish a Medical Implant Communications Service in the 402–405 MHz Band [WT Docket No. 99–66; RM–9157] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10273. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Electronic Filing of Documents [Docket No. RM00–12–000; Order No. 619] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10274. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment sold commercially under a contract to the Netherlands [Transmittal No. DTC 101–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10275. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Norway and Spain [Transmittal No. DTC 100–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10276. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to South Korea [Transmittal No. DTC 110–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10277. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Argentina [Transmittal No. DTC 108–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10278. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

10279. A letter from the Director, U.S. Fish and Wildlife Service, Department of Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to List the Santa Barbara County Distinct Population of the California Tiger Salamander as Endangered (RIN: 1018–AF81) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10280. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Resubmission of Disapproved Measure in Amendment 9 [Docket No. 00211038–0232–02; I.D. 101499D] (RIN: 0648–AM93) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10281. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Polskie Zaklady Lotnicze Spolka zo.o. Models PZL M18A, and PZL M18B Airplanes [Docket No. 99–CE–84–AD; Amendment 39–11897; AD 2000–18–12] (RIN: 2120–AA64) received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10282. A letter from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials Regulations: Editorial Corrections and Clarifications [Docket No. RSPA–00–7755 (HM–189Q)] (RIN: 2137–AD47) received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10283. A letter from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Pipeline Safety: Underwater Abandoned Pipeline Facilities [RSPA–97–2094; Amdt. Nos. 192–89; 195–69] (RIN: 2137–AC54) received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10284. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Service Difficulty Reports [Docket No. 28293; Amendment No. 121–279, 125–35, 135–77, and 145–22] (RIN: 2120–AF17) received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10285. A letter from the Commissioner of Social Securtity, transmitting a draft bill intended as an addendum to the draft bill, ''Social Security Amendments of 2000''; to the Committee on Ways and Means.

10286. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Kathy A. King v. Commissioner—received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10287. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—October 2000 Applicable Federal Rates [Rev. Ruling 2000–45] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶96.8 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 22, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 22, 2000 at 1:55 p.m.

That the Senate agreed to Conference Report H.R. 4919.

That the Senate passed without amendment H. Con. Res. 405.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶96.9 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 22, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on September 22, 2000 at 12:42 p.m. and said to contain a message from the President whereby he notifies the Congress that he has extended the national emergency with respect to Angola (UNITA) beyond September 26, 2000, by Notice filed earlier with the Federal Register.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶96.10 NATIONAL EMERGENCY WITH RESPECT TO ANGOLA

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to the National Union for the Total Independence of Angola (UNITA) is to continue in effect beyond September 26, 2000, to the *Federal Register* for publication.

The circumstances that led to the declaration on September 26, 1993, of a national emergency have not been resolved. The actions and policies of UNITA pose a continuing unusual and extraordinary threat to the foreign policy of the United States. United Nations Security Council Resolutions 864 (1993), 1127 (1997), 1173 (1998), and 1176 (1998) continue to oblige all member states to maintain sanctions. Discontinuation of the sanctions would have a prejudicial effect on the prospects for peace in Angola. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure on UNITA to reduce its ability to pursue its military operations.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 22, 2000.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 106–294).

¶96.11 25TH ANNIVERSARY OF EDUCATION FOR ALL HANDICAPPED CHILDREN

Mr. GOODLING moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 399):

Whereas the Education for All Handicapped Children Act of 1975 (Public Law 94–142) was signed into law 25 years ago on November 29, 1975, and amended the State grant program under part B of the Education of the Handicapped Act;

Whereas the Education for All Handicapped Children Act of 1975 established the Federal policy of ensuring that all children, regardless of the nature or severity of their disability, have available to them a free appropriate public education in the least restrictive environment;

Whereas the Education of the Handicapped Act was further amended by the Education of the Handicapped Act Amendments of 1986 (Public Law 99–457) to create a preschool grant program for children with disabilities 3 to 5 years of age and an early intervention program for infants and toddlers with disabilities from birth through age 2;

Whereas the Education of the Handicapped Act Amendments of 1990 (Public Law 101–476) renamed the statute as the Individuals with Disabilities Education Act (IDEA);

Whereas IDEA currently serves an estimated 200,000 infants and toddlers, 600,000 preschoolers, and 5,400,000 children 6 to 21 years of age;

Whereas IDEA has assisted in a dramatic reduction in the number of children with developmental disabilities who must live in State institutions away from their families;

Whereas the number of children with disabilities who complete high school has grown significantly since the enactment of IDEA;

Whereas the number of children with disabilities who enroll in college as freshmen has more than tripled since the enactment of IDEA;

Whereas IDEA has raised the Nation's expectations about the abilities of children with disabilities by requiring access to the general education curriculum;

Whereas improvements to IDEA made in 1997 changed the focus of a child's individualized education program from procedural requirements placed upon teachers and related services personnel to educational results for that child, thus improving academic achievement;

Whereas changes made in 1997 also addressed the need to implement behavioral assessments and intervention strategies for children whose behavior impedes learning to ensure that they receive appropriate supports in order to receive a quality education;

Whereas IDEA ensures full partnership between parents of children with disabilities and education professionals in the design and implementation of the educational services provided to children with disabilities;

Whereas IDEA has supported the classrooms of this Nation by providing Federal resources to the States and local schools to help meet their obligation to educate all children with disabilities;

Whereas, while the Federal Government has not yet met its commitment to fund part B of IDEA at 40 percent of the average per pupil expenditure, it has made significant increases in part B funding by increasing the appropriation by 115 percent since 1995, which is an increase of over $2,600,000,000;

Whereas the 1997 amendments to IDEA increased the amount of Federal funds that have a direct impact on students through improvements such as capping allowable State administrative expenses, which ensures that nearly 99 percent of funding increases directly reach local schools, and requiring mediation upon request by parents in order to reduce costly litigation;

Whereas such amendments also ensured that students whose schools cannot serve them appropriately and students who choose to attend private, parochial, and charter schools have greater access to free appropriate services outside of traditional public schools;

Whereas IDEA has supported, through its discretionary programs, more than two decades of research, demonstration, and training in effective practices for educating children with disabilities, enabling teachers, related services personnel, and administrators effectively to meet the instructional needs of children with disabilities of all ages;

Whereas Federal and State governments can support effective practices in the classroom to ensure appropriate and effective services for children with disabilities; and

Whereas IDEA has succeeded in marshalling the resources of this Nation to implement the promise of full participation in society of children with disabilities: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975 (Public Law 94–142);

(2) acknowledges the many and varied contributions of children with disabilities, their parents, teachers, related services personnel, and administrators; and

(3) reaffirms its support for the Individuals with Disabilities Education Act so that all children with disabilities have access to a free appropriate public education.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. GOODLING and Mr. KILDEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GOODLING demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶96.12 COLLEGE SCHOLARSHIP FRAUD PREVENTION

Mr. UPTON moved to suspend the rules and pass the bill of the Senate (S. 1455) to enhance protections against fraud in the offering of financial assistance for college education, and for other purposes.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. UPTON and Mr. KILDEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶96.13 CORRECT ENROLLMENT OF S. 1455

Mr. UPTON, by unanimous consent, submitted the following concurrent resolution (H. Con. Res. 407):

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (S. 1455), to enhance protections against fraud in the offering of financial assistance for college education, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 1, strike ''of 1999'' and insert ''of 2000''.

(2) In section 3, strike ''base level offense for'' and insert ''enhanced penalty the guidelines establish for a''.

(3) In section 522(c)(4) of title 11, United States Code, as amended by section 4(3) of the bill—

(A) strike ''obtaining or''; and

(B) strike ''Higher Education Act of 1954'' and insert ''Higher Education Act of 1965''.

When said concurrent resolution was considered.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence in said concurrent resolution.

¶96.14 HMONG VETERANS' NATURALIZATION

Mr. HYDE moved to suspend the rules and pass the bill (H.R. 5234) to amend the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of that Act to certain former spouses of deceased Hmong veterans.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. HYDE and Mr. KILDEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶96.15 RECESS—2:55 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 55 minutes p.m., until approximately 3:05 p.m.

¶96.16 AFTER RECESS—2:58 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, called the House to order.

¶96.17 AGREEING TO THE AMENDMENT OF THE SENATE WITH AN AMENDMENT TO H.R. 2392

Mrs. KELLY moved to suspend the rules and agree to the following resolution (H. Res. 590):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill H.R. 2392, with the amendment of the Senate thereto, and to have concurred in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—SMALL BUSINESS INNOVATION RESEARCH PROGRAM

Sec. 101. Short title.
Sec. 102. Findings.
Sec. 103. Extension of SBIR program.
Sec. 104. Annual report.
Sec. 105. Third phase assistance.
Sec. 106. Report on programs for annual performance plan.
Sec. 107. Output and outcome data.
Sec. 108. National Research Council reports.
Sec. 109. Federal agency expenditures for the SBIR program.
Sec. 110. Policy directive modifications.
Sec. 111. Federal and State technology partnership program.
Sec. 112. Mentoring networks.
Sec. 113. Simplified reporting requirements.
Sec. 114. Rural outreach program extension.

TITLE II—GENERAL BUSINESS LOAN PROGRAM

Sec. 201. Short title.
Sec. 202. Levels of participation.
Sec. 203. Loan amounts.
Sec. 204. Interest on defaulted loans.
Sec. 205. Prepayment of loans.
Sec. 206. Guarantee fees.
Sec. 207. Lease terms.

TITLE III—CERTIFIED DEVELOPMENT COMPANY PROGRAM

Sec. 301. Short title.
Sec. 302. Women-owned businesses.
Sec. 303. Maximum debenture size.
Sec. 304. Fees.
Sec. 305. Premier certified lenders program.
Sec. 306. Sale of certain defaulted loans.
Sec. 307. Loan liquidation.

TITLE IV—CORRECTIONS TO THE SMALL BUSINESS INVESTMENT ACT OF 1958

Sec. 401. Short title.
Sec. 402. Definitions.
Sec. 403. Investment in small business investment companies.
Sec. 404. Subsidy fees.
Sec. 405. Distributions.
Sec. 406. Conforming amendment.

TITLE V—REAUTHORIZATION OF SMALL BUSINESS PROGRAMS

Sec. 501. Short title.
Sec. 502. Reauthorization of small business programs.
Sec. 503. Additional reauthorizations.

TITLE VI—MISCELLANEOUS PROVISIONS

Sec. 601. Loan application processing.
Sec. 602. Application of ownership requirements.
Sec. 603. Eligibility for HUBZone program.
Sec. 604. Subcontracting preference for veterans.
Sec. 605. Small business development center program funding.
Sec. 606. Surety bonds.

TITLE I—SMALL BUSINESS INNOVATION RESEARCH PROGRAM

SECTION 101. SHORT TITLE.

(a) SHORT TITLE.—This title may be cited as the ''Small Business Innovation Research Program Reauthorization Act of 2000''.

SEC. 102. FINDINGS.

Congress finds that—

(1) the small business innovation research program established under the Small Business Innovation Development Act of 1982, and reauthorized by the Small Business Research and Development Enhancement Act of 1992 (in this Act referred to as the ''SBIR program'') is highly successful in involving small businesses in federally funded research and development;

(2) the SBIR program made the cost-effective and unique research and development capabilities possessed by the small businesses of the Nation available to Federal agencies and departments;

(3) the innovative goods and services developed by small businesses that participated in the SBIR program have produced innovations of critical importance in a wide variety of high-technology fields, including biology, medicine, education, and defense;

(4) the SBIR program is a catalyst in the promotion of research and development, the commercialization of innovative technology, the development of new products and services, and the continued excellence of this Nation's high-technology industries; and

(5) the continuation of the SBIR program will provide expanded opportunities for one of the Nation's vital resources, its small businesses, will foster invention, research, and technology, will create jobs, and will increase this Nation's competitiveness in international markets.

SEC. 103. EXTENSION OF SBIR PROGRAM.

Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended to read as follows:

''(m) TERMINATION.—The authorization to carry out the Small Business Innovation Research Program established under this section shall terminate on September 30, 2008.''.

SEC. 104. ANNUAL REPORT.

Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended by striking ''and the Committee on Small Business of the House of Representatives'' and inserting '', and to the Committee on Science and the Committee on Small Business of the House of Representatives,''.

SEC. 105. THIRD PHASE ASSISTANCE.

Section 9(e)(4)(C)(i) of the Small Business Act (15 U.S.C. 638(e)(4)(C)(i)) is amended by striking ''; and'' and inserting ''; or''.

SEC. 106. REPORT ON PROGRAMS FOR ANNUAL PERFORMANCE PLAN.

Section 9(g) of the Small Business Act (15 U.S.C. 638(g)) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period at the end and inserting a semicolon; and

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

''(9) include, as part of its annual performance plan as required by subsections (a) and (b) of section 1115 of title 31, United States Code, a section on its SBIR program, and shall submit such section to the Committee on Small Business of the Senate, and the Committee on Science and the Committee on Small Business of the House of Representatives; and''.

SEC. 107. OUTPUT AND OUTCOME DATA.

(a) COLLECTION.—Section 9(g) of the Small Business Act (15 U.S.C. 638(g)), as amended by section 106 of this Act, is further amended by adding at the end the following new paragraph:

''(10) collect, and maintain in a common format in accordance with subsection (v), such information from awardees as is necessary to assess the SBIR program, including information necessary to maintain the database described in subsection (k).''.

(b) REPORT TO CONGRESS.—Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)), as amended by section 104 of this Act, is further amended by inserting before the period at the end '', including the data on output and outcomes collected pursuant to subsections (g)(10) and (o)(9), and a description of the extent to which Federal agencies are providing in a timely manner information needed to maintain the database described in subsection (k)''.

(c) DATABASE.—Section 9(k) of the Small Business Act (15 U.S.C. 638(k)) is amended to read as follows:

''(k) DATABASE.—

''(1) PUBLIC DATABASE.—Not later than 180 days after the date of enactment of the Small Business Innovation Research Program Reauthorization Act of 2000, the Administrator shall develop, maintain, and make available to the public a searchable, up-to-date, electronic database that includes—

''(A) the name, size, location, and an identifying number assigned by the Administrator, of each small business concern that has received a first phase or second phase SBIR award from a Federal agency;

''(B) a description of each first phase or second phase SBIR award received by that small business concern, including—

''(i) an abstract of the project funded by the award, excluding any proprietary information so identified by the small business concern;

''(ii) the Federal agency making the award; and

''(iii) the date and amount of the award;

''(C) an identification of any business concern or subsidiary established for the commercial application of a product or service for which an SBIR award is made; and

''(D) information regarding mentors and Mentoring Networks, as required by section 35(d).

''(2) GOVERNMENT DATABASE.—Not later than 180 days after the date of enactment of the Small Business Innovation Research Program Reauthorization Act of 2000, the Administrator, in consultation with Federal agencies required to have an SBIR program pursuant to subsection (f)(1), shall develop and maintain a database to be used solely for SBIR program evaluation that—

''(A) contains for each second phase award made by a Federal agency—

''(i) information collected in accordance with paragraph (3) on revenue from the sale of new products or services resulting from the research conducted under the award;

''(ii) information collected in accordance with paragraph (3) on additional investment from any source, other than first phase or second phase SBIR or STTR awards, to further the research and development conducted under the award; and

''(iii) any other information received in connection with the award that the Administrator, in conjunction with the SBIR program managers of Federal agencies, considers relevant and appropriate;

''(B) includes any narrative information that a small business concern receiving a second phase award voluntarily submits to further describe the outputs and outcomes of its awards;

''(C) includes for each applicant for a first phase or second phase award that does not receive such an award—

''(i) the name, size, and location, and an identifying number assigned by the Administration;

''(ii) an abstract of the project; and

''(iii) the Federal agency to which the application was made;

''(D) includes any other data collected by or available to any Federal agency that such agency considers may be useful for SBIR program evaluation; and

''(E) is available for use solely for program evaluation purposes by the Federal Government or, in accordance with policy directives issued by the Administration, by other authorized persons who are subject to a use and nondisclosure agreement with the Federal Government covering the use of the database.

''(3) UPDATING INFORMATION FOR DATABASE.—

''(A) IN GENERAL.—A small business concern applying for a second phase award under this section shall be required to update information in the database established under this subsection for any prior second phase award received by that small business concern. In complying with this paragraph, a small business concern may apportion sales or additional investment information relating to more than one second phase award among those awards, if it notes the apportionment for each award.

''(B) ANNUAL UPDATES UPON TERMINATION.—A small business concern receiving a second phase award under this section shall—

''(i) update information in the database concerning that award at the termination of the award period; and

''(ii) be requested to voluntarily update such information annually thereafter for a period of 5 years.

''(4) PROTECTION OF INFORMATION.—Information provided under paragraph (2) shall be considered privileged and confidential and not subject to disclosure pursuant to section 552 of title 5, United States Code.

''(5) RULE OF CONSTRUCTION.—Inclusion of information in the database under this subsection shall not be considered to be publication for purposes of subsection (a) or (b) of section 102 of title 35, United States Code.''.

SEC. 108. NATIONAL RESEARCH COUNCIL REPORTS.

(a) STUDY AND RECOMMENDATIONS.—The head of each agency with a budget of more than $50,000,000 for its SBIR program for fiscal year 1999, in consultation with the Small Business Administration, shall, not later than 6 months after the date of enactment of this Act, cooperatively enter into an agreement with the National Academy of Sciences for the National Research Council to—

(1) conduct a comprehensive study of how the SBIR program has stimulated technological innovation and used small businesses to meet Federal research and development needs, including—

(A) a review of the value to the Federal research agencies of the research projects being conducted under the SBIR program, and of the quality of research being conducted by small businesses participating under the program, including a comparison of the value of projects conducted under the SBIR program to those funded by other Federal research and development expenditures;

(B) to the extent practicable, an evaluation of the economic benefits achieved by the SBIR program, including the economic rate of return, and a comparison of the economic benefits, including the economic rate of return, achieved by the SBIR program with the economic benefits, including the economic rate of return, of other Federal research and development expenditures;

(C) an evaluation of the noneconomic benefits achieved by the SBIR program over the life of the program;

(D) a comparison of the allocation for fiscal year 2000 of Federal research and development funds to small businesses with such allocation for fiscal year 1983, and an analysis of the factors that have contributed to such allocation; and

(E) an analysis of whether Federal agencies, in fulfilling their procurement needs, are making sufficient effort to use small businesses that have completed a second phase award under the SBIR program; and

(2) make recommendations with respect to—

(A) measures of outcomes for strategic plans submitted under section 306 of title 5, United States Code, and performance plans submitted under section 1115 of title 31, United States Code, of each Federal agency participating in the SBIR program;

(B) whether companies who can demonstrate project feasibility, but who have not received a first phase award, should be eligible for second phase awards, and the potential impact of such awards on the competitive selection process of the program;

(C) whether the Federal Government should be permitted to recoup some or all of its expenses if a controlling interest in a company receiving an SBIR award is sold to a foreign company or to a company that is not a small business concern;

(D) how to increase the use by the Federal Government in its programs and procurements of technology-oriented small businesses; and

(E) improvements to the SBIR program, if any are considered appropriate.

(b) PARTICIPATION BY SMALL BUSINESS.—

(1) IN GENERAL.—In a manner consistent with law and with National Research Council study guidelines and procedures, knowledgeable individuals from the small business community with experience in the SBIR program shall be included—

(A) in any panel established by the National Research Council for the purpose of performing the study conducted under this section; and

(B) among those who are asked by the National Research Council to peer review the study.

(2) CONSULTATION.—To ensure that the concerns of small business are appropriately considered under this subsection, the National Research Council shall consult with and consider the views of the Office of Technology and the Office of Advocacy of the Small Business Administration and other interested parties, including entities, organizations, and individuals actively engaged in enhancing or developing the technological capabilities of small business concerns.

(c) PROGRESS REPORTS.—The National Research Council shall provide semiannual progress reports on the study conducted under this section to the Committee on Science and the Committee on Small Business of the House of Representatives, and to the Committee on Small Business of the Senate.

(d) REPORT.—The National Research Council shall transmit to the heads of agencies

entering into an agreement under this section and to the Committee on Science and the Committee on Small Business of the House of Representatives, and to the Committee on Small Business of the Senate—

(1) not later than 3 years after the date of enactment of this Act, a report including the results of the study conducted under subsection (a)(1) and recommendations made under subsection (a)(2); and

(2) not later than 6 years after that date of enactment, an update of such report.

SEC. 109. FEDERAL AGENCY EXPENDITURES FOR THE SBIR PROGRAM.

Section 9(i) of the Small Business Act (15 U.S.C. 638(i)) is amended—

(1) by striking ''(i) Each Federal'' and inserting the following:

''(i) ANNUAL REPORTING.—

''(1) IN GENERAL.—Each Federal''; and

(2) by adding at the end the following:

''(2) CALCULATION OF EXTRAMURAL BUDGET.—

''(A) METHODOLOGY.—Not later than 4 months after the date of enactment of each appropriations Act for a Federal agency required by this section to have an SBIR program, the Federal agency shall submit to the Administrator a report, which shall include a description of the methodology used for calculating the amount of the extramural budget of that Federal agency.

''(B) ADMINISTRATOR'S ANALYSIS.—The Administrator shall include an analysis of the methodology received from each Federal agency referred to in subparagraph (A) in the report required by subsection (b)(7).''.

SEC. 110. POLICY DIRECTIVE MODIFICATIONS.

Section 9(j) of the Small Business Act (15 U.S.C. 638(j)) is amended by adding at the end the following:

''(3) ADDITIONAL MODIFICATIONS.—Not later than 120 days after the date of enactment of the Small Business Innovation Research Program Reauthorization Act of 2000, the Administrator shall modify the policy directives issued pursuant to this subsection—

''(A) to clarify that the rights provided for under paragraph (2)(A) apply to all Federal funding awards under this section, including the first phase (as described in subsection (e)(4)(A)), the second phase (as described in subsection (e)(4)(B)), and the third phase (as described in subsection (e)(4)(C));

''(B) to provide for the requirement of a succinct commercialization plan with each application for a second phase award that is moving toward commercialization;

''(C) to require agencies to report to the Administration, not less frequently than annually, all instances in which an agency pursued research, development, or production of a technology developed by a small business concern using an award made under the SBIR program of that agency, and determined that it was not practicable to enter into a follow-on non-SBIR program funding agreement with the small business concern, which report shall include, at a minimum—

''(i) the reasons why the follow-on funding agreement with the small business concern was not practicable;

''(ii) the identity of the entity with which the agency contracted to perform the research, development, or production; and

''(iii) a description of the type of funding agreement under which the research, development, or production was obtained; and

''(D) to implement subsection (v), including establishing standardized procedures for the provision of information pursuant to subsection (k)(3).''.

SEC. 111. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

(a) FINDINGS.—Congress finds that—

(1) programs to foster economic development among small high-technology firms vary widely among the States;

(2) States that do not aggressively support the development of small high-technology firms, including participation by small business concerns in the SBIR program, are at a competitive disadvantage in establishing a business climate that is conducive to technology development; and

(3) building stronger national, State, and local support for science and technology research in these disadvantaged States will expand economic opportunities in the United States, create jobs, and increase the competitiveness of the United States in the world market.

(b) FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 34 as section 36; and

(2) by inserting after section 33 the following new section:

''SEC. 34. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

''(a) DEFINITIONS.—In this section and section 35, the following definitions apply:

''(1) APPLICANT.—The term 'applicant' means an entity, organization, or individual that submits a proposal for an award or a cooperative agreement under this section.

''(2) BUSINESS ADVICE AND COUNSELING.—The term 'business advice and counseling' means providing advice and assistance on matters described in section 35(c)(2)(B) to small business concerns to guide them through the SBIR and STTR program process, from application to award and successful completion of each phase of the program.

''(3) FAST PROGRAM.—The term 'FAST program' means the Federal and State Technology Partnership Program established under this section.

''(4) MENTOR.—The term 'mentor' means an individual described in section 35(c)(2).

''(5) MENTORING NETWORK.—The term 'Mentoring Network' means an association, organization, coalition, or other entity (including an individual) that meets the requirements of section 35(c).

''(6) RECIPIENT.—The term 'recipient' means a person that receives an award or becomes party to a cooperative agreement under this section.

''(7) SBIR PROGRAM.—The term 'SBIR program' has the same meaning as in section 9(e)(4).

''(8) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

''(9) STTR PROGRAM.—The term 'STTR program' has the same meaning as in section 9(e)(6).

''(b) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program to be known as the Federal and State Technology Partnership Program, the purpose of which shall be to strengthen the technological competitiveness of small business concerns in the States.

''(c) GRANTS AND COOPERATIVE AGREEMENTS.—

''(1) JOINT REVIEW.—In carrying out the FAST program under this section, the Administrator and the SBIR program managers at the National Science Foundation and the Department of Defense shall jointly review proposals submitted by applicants and may make awards or enter into cooperative agreements under this section based on the factors for consideration set forth in paragraph (2), in order to enhance or develop in a State—

''(A) technology research and development by small business concerns;

''(B) technology transfer from university research to technology-based small business concerns;

''(C) technology deployment and diffusion benefiting small business concerns;

''(D) the technological capabilities of small business concerns through the establishment or operation of consortia comprised of entities, organizations, or individuals, including—

''(i) State and local development agencies and entities;

''(ii) representatives of technology-based small business concerns;

''(iii) industries and emerging companies;

''(iv) universities; and

''(v) small business development centers; and

''(E) outreach, financial support, and technical assistance to technology-based small business concerns participating in or interested in participating in an SBIR program, including initiatives—

''(i) to make grants or loans to companies to pay a portion or all of the cost of developing SBIR proposals;

''(ii) to establish or operate a Mentoring Network within the FAST program to provide business advice and counseling that will assist small business concerns that have been identified by FAST program participants, program managers of participating SBIR agencies, the Administration, or other entities that are knowledgeable about the SBIR and STTR programs as good candidates for the SBIR and STTR programs, and that would benefit from mentoring, in accordance with section 35;

''(iii) to create or participate in a training program for individuals providing SBIR outreach and assistance at the State and local levels; and

''(iv) to encourage the commercialization of technology developed through SBIR program funding.

''(2) SELECTION CONSIDERATIONS.—In making awards or entering into cooperative agreements under this section, the Administrator and the SBIR program managers referred to in paragraph (1)—

''(A) may only consider proposals by applicants that intend to use a portion of the Federal assistance provided under this section to provide outreach, financial support, or technical assistance to technology-based small business concerns participating in or interested in participating in the SBIR program; and

''(B) shall consider, at a minimum—

''(i) whether the applicant has demonstrated that the assistance to be provided would address unmet needs of small business concerns in the community, and whether it is important to use Federal funding for the proposed activities;

''(ii) whether the applicant has demonstrated that a need exists to increase the number or success of small high-technology businesses in the State, as measured by the number of first phase and second phase SBIR awards that have historically been received by small business concerns in the State;

''(iii) whether the projected costs of the proposed activities are reasonable;

''(iv) whether the proposal integrates and coordinates the proposed activities with other State and local programs assisting small high-technology firms in the State; and

''(v) the manner in which the applicant will measure the results of the activities to be conducted.

''(3) PROPOSAL LIMIT.—Not more than 1 proposal may be submitted for inclusion in the FAST program under this section to provide services in any one State in any 1 fiscal year.

''(4) PROCESS.—Proposals and applications for assistance under this section shall be in such form and subject to such procedures as the Administrator shall establish.

''(d) COOPERATION AND COORDINATION.—In carrying out the FAST program under this section, the Administrator shall cooperate and coordinate with—

''(1) Federal agencies required by section 9 to have an SBIR program; and

''(2) entities, organizations, and individuals actively engaged in enhancing or developing the technological capabilities of small business concerns, including—

''(A) State and local development agencies and entities;

''(B) State committees established under the Experimental Program to Stimulate Competitive Research of the National Science Foundation (as established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g));

''(C) State science and technology councils; and

''(D) representatives of technology-based small business concerns.

''(e) ADMINISTRATIVE REQUIREMENTS.—

''(1) COMPETITIVE BASIS.—Awards and cooperative agreements under this section shall be made or entered into, as applicable, on a competitive basis.

''(2) MATCHING REQUIREMENTS.—

''(A) IN GENERAL.—The non-Federal share of the cost of an activity (other than a planning activity) carried out using an award or under a cooperative agreement under this section shall be—

''(i) 50 cents for each Federal dollar, in the case of a recipient that will serve small business concerns located in one of the 18 States receiving the fewest SBIR first phase awards (as described in section 9(e)(4)(A));

''(ii) except as provided in subparagraph (B), 1 dollar for each Federal dollar, in the case of a recipient that will serve small business concerns located in one of the 16 States receiving the greatest number of such SBIR first phase awards; and

''(iii) except as provided in subparagraph (B), 75 cents for each Federal dollar, in the case of a recipient that will serve small business concerns located in a State that is not described in clause (i) or (ii) that is receiving such SBIR first phase awards.

''(B) LOW-INCOME AREAS.—The non-Federal share of the cost of the activity carried out using an award or under a cooperative agreement under this section shall be 50 cents for each Federal dollar that will be directly allocated by a recipient described in subparagraph (A) to serve small business concerns located in a qualified census tract, as that term is defined in section 42(d)(5)(C)(ii) of the Internal Revenue Code of 1986. Federal dollars not so allocated by that recipient shall be subject to the matching requirements of subparagraph (A).

''(C) TYPES OF FUNDING.—The non-Federal share of the cost of an activity carried out by a recipient shall be comprised of not less than 50 percent cash and not more than 50 percent of indirect costs and in-kind contributions, except that no such costs or contributions may be derived from funds from any other Federal program.

''(D) RANKINGS.—For purposes of subparagraph (A), the Administrator shall reevaluate the ranking of a State once every 2 fiscal years, beginning with fiscal year 2001, based on the most recent statistics compiled by the Administrator.

''(3) DURATION.—Awards may be made or cooperative agreements entered into under this section for multiple years, not to exceed 5 years in total.

''(f) REPORTS.—

''(1) INITIAL REPORT.—Not later than 120 days after the date of enactment of the Small Business Innovation Research Program Reauthorization Act of 2000, the Administrator shall prepare and submit to the Committee on Small Business of the Senate and the Committee on Science and the Committee on Small Business of the House of Representatives a report, which shall include, with respect to the FAST program, including Mentoring Networks—

''(A) a description of the structure and procedures of the program;

''(B) a management plan for the program; and

''(C) a description of the merit-based review process to be used in the program.

''(2) ANNUAL REPORTS.—The Administrator shall submit an annual report to the Committee on Small Business of the Senate and the Committee on Science and the Committee on Small Business of the House of Representatives regarding—

''(A) the number and amount of awards provided and cooperative agreements entered into under the FAST program during the preceding year;

''(B) a list of recipients under this section, including their location and the activities being performed with the awards made or under the cooperative agreements entered into; and

''(C) the Mentoring Networks and the mentoring database, as provided for under section 35, including—

''(i) the status of the inclusion of mentoring information in the database required by section 9(k); and

''(ii) the status of the implementation and description of the usage of the Mentoring Networks.

''(g) REVIEWS BY INSPECTOR GENERAL.—

''(1) IN GENERAL.—The Inspector General of the Administration shall conduct a review of—

''(A) the extent to which recipients under the FAST program are measuring the performance of the activities being conducted and the results of such measurements; and

''(B) the overall management and effectiveness of the FAST program.

''(2) REPORT.—During the first quarter of fiscal year 2004, the Inspector General of the Administration shall submit a report to the Committee on Small Business of the Senate and the Committee on Science and the Committee on Small Business of the House of Representatives on the review conducted under paragraph (1).

''(h) PROGRAM LEVELS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out the FAST program, including Mentoring Networks, under this section and section 35, $10,000,000 for each of fiscal years 2001 through 2005.

''(2) MENTORING DATABASE.—Of the total amount made available under paragraph (1) for fiscal years 2001 through 2005, a reasonable amount, not to exceed a total of $500,000, may be used by the Administration to carry out section 35(d).

''(i) TERMINATION.—The authority to carry out the FAST program under this section shall terminate on September 30, 2005.''.

(c) COORDINATION OF TECHNOLOGY DEVELOPMENT PROGRAMS.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

''(u) COORDINATION OF TECHNOLOGY DEVELOPMENT PROGRAMS.—

''(1) DEFINITION OF TECHNOLOGY DEVELOPMENT PROGRAM.—In this subsection, the term 'technology development program' means—

''(A) the Experimental Program to Stimulate Competitive Research of the National Science Foundation, as established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g);

''(B) the Defense Experimental Program to Stimulate Competitive Research of the Department of Defense;

''(C) the Experimental Program to Stimulate Competitive Research of the Department of Energy;

''(D) the Experimental Program to Stimulate Competitive Research of the Environmental Protection Agency;

''(E) the Experimental Program to Stimulate Competitive Research of the National Aeronautics and Space Administration;

''(F) the Institutional Development Award Program of the National Institutes of Health; and

''(G) the National Research Initiative Competitive Grants Program of the Department of Agriculture.

''(2) COORDINATION REQUIREMENTS.—Each Federal agency that is subject to subsection (f) and that has established a technology development program may, in each fiscal year, review for funding under that technology development program—

''(A) any proposal to provide outreach and assistance to 1 or more small business concerns interested in participating in the SBIR program, including any proposal to make a grant or loan to a company to pay a portion or all of the cost of developing an SBIR proposal, from an entity, organization, or individual located in—

''(i) a State that is eligible to participate in that program; or

''(ii) a State described in paragraph (3); or

''(B) any proposal for the first phase of the SBIR program, if the proposal, though meritorious, is not funded through the SBIR program for that fiscal year due to funding restraints, from a small business concern located in—

''(i) a State that is eligible to participate in a technology development program; or

''(ii) a State described in paragraph (3).

''(3) ADDITIONALLY ELIGIBLE STATE.—A State referred to in subparagraph (A)(ii) or (B)(ii) of paragraph (2) is a State in which the total value of contracts awarded to small business concerns under all SBIR programs is less than the total value of contracts awarded to small business concerns in a majority of other States, as determined by the Administrator in biennial fiscal years, beginning with fiscal year 2000, based on the most recent statistics compiled by the Administrator.''.

SEC. 112. MENTORING NETWORKS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 34, as added by section 111(b)(2) of this Act, the following new section:

''SEC. 35. MENTORING NETWORKS.

''(a) FINDINGS.—Congress finds that—

''(1) the SBIR and STTR programs create jobs, increase capacity for technological innovation, and boost international competitiveness;

''(2) increasing the quantity of applications from all States to the SBIR and STTR programs would enhance competition for such awards and the quality of the completed projects; and

''(3) mentoring is a natural complement to the FAST program of reaching out to new companies regarding the SBIR and STTR programs as an effective and low-cost way to improve the likelihood that such companies will succeed in such programs in developing and commercializing their research.

''(b) AUTHORIZATION FOR MENTORING NETWORKS.—The recipient of an award or participant in a cooperative agreement under section 34 may use a reasonable amount of such assistance for the establishment of a Mentoring Network under this section.

''(c) CRITERIA FOR MENTORING NETWORKS.—A Mentoring Network established using assistance under section 34 shall—

''(1) provide business advice and counseling to high technology small business concerns located in the State or region served by the Mentoring Network and identified under section 34(c)(1)(E)(ii) as potential candidates for the SBIR or STTR programs;

''(2) identify volunteer mentors who—

''(A) are persons associated with a small business concern that has successfully com-

pleted one or more SBIR or STTR funding agreements; and

''(B) have agreed to guide small business concerns through all stages of the SBIR or STTR program process, including providing assistance relating to—

''(i) proposal writing;

''(ii) marketing;

''(iii) Government accounting;

''(iv) Government audits;

''(v) project facilities and equipment;

''(vi) human resources;

''(vii) third phase partners;

''(viii) commercialization;

''(ix) venture capital networking; and

''(x) other matters relevant to the SBIR and STTR programs;

''(3) have experience working with small business concerns participating in the SBIR and STTR programs;

''(4) contribute information to the national database referred to in subsection (d); and

''(5) agree to reimburse volunteer mentors for out-of-pocket expenses related to service as a mentor under this section.

''(d) MENTORING DATABASE.—The Administrator shall—

''(1) include in the database required by section 9(k)(1), in cooperation with the SBIR, STTR, and FAST programs, information on Mentoring Networks and mentors participating under this section, including a description of their areas of expertise;

''(2) work cooperatively with Mentoring Networks to maintain and update the database;

''(3) take such action as may be necessary to aggressively promote Mentoring Networks under this section; and

''(4) fulfill the requirements of this subsection either directly or by contract.''.

SEC. 113. SIMPLIFIED REPORTING REQUIREMENTS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is further amended by adding at the end the following new subsection:

''(v) SIMPLIFIED REPORTING REQUIREMENTS.—The Administrator shall work with the Federal agencies required by this section to have an SBIR program to standardize reporting requirements for the collection of data from SBIR applicants and awardees, including data for inclusion in the database under subsection (k), taking into consideration the unique needs of each agency, and to the extent possible, permitting the updating of previously reported information by electronic means. Such requirements shall be designed to minimize the burden on small businesses.''.

SEC. 114. RURAL OUTREACH PROGRAM EXTENSION.

(a) EXTENSION OF TERMINATION DATE.—Section 501(b)(2) of the Small Business Reauthorization Act of 1997 (15 U.S.C. 638 note; 111 Stat. 2622) is amended by striking ''2001'' and inserting ''2005''.

(b) EXTENSION OF AUTHORIZATION OF APPROPRIATIONS.—Section 9(s)(2) of the Small Business Act (15 U.S.C. 638(s)(2)) is amended by striking ''for fiscal year 1998, 1999, 2000, or 2001'' and inserting ''for each of the fiscal years 2000 through 2005,''.

TITLE II—GENERAL BUSINESS LOAN PROGRAM

SEC. 201. SHORT TITLE.

This title may be cited as the ''Small Business General Business Loan Improvement Act of 2000''.

SEC. 202. LEVELS OF PARTICIPATION.

Section 7(a)(2)(A) of the Small Business Act (15 U.S.C. 636(a)(2)(A)) is amended—

(1) in paragraph (i) by striking ''$100,000'' and inserting ''$150,000''; and

(2) in paragraph (ii)—

(A) by striking ''80 percent'' and inserting ''85 percent''; and

(B) by striking ''$100,000'' and inserting ''$150,000''.

SEC. 203. LOAN AMOUNTS.

Section 7(a)(3)(A) of the Small Business Act (15 U.S.C. 636(a)(3)(A)) is amended by striking ''$750,000,'' and inserting, ''$1,000,000 (or if the gross loan amount would exceed $2,000,000),''.

SEC. 204. INTEREST ON DEFAULTED LOANS.

Subparagraph (B) of section 7(a)(4) of the Small Business Act (15 U.S.C. 636(a)(4)) is amended by adding at the end the following:

''(iii) APPLICABILITY.—Clauses (i) and (ii) shall not apply to loans made on or after October 1, 2000.''.

SEC. 205. PREPAYMENT OF LOANS.

Section 7(a)(4) of the Small Business Act (15 U.S.C. 636(a)(4)) is further amended—

(1) by striking ''(4) INTEREST RATES AND FEES.—'' and inserting ''(4) INTEREST RATES AND PREPAYMENT CHARGES.—''; and

(2) by adding at the end the following:

''(C) PREPAYMENT CHARGES.—

''(i) IN GENERAL.—A borrower who prepays any loan guaranteed under this subsection shall remit to the Administration a subsidy recoupment fee calculated in accordance with clause (ii) if—

''(I) the loan is for a term of not less than 15 years;

''(II) the prepayment is voluntary;

''(III) the amount of prepayment in any calendar year is more than 25 percent of the outstanding balance of the loan; and

''(IV) the prepayment is made within the first 3 years after disbursement of the loan proceeds.

''(ii) SUBSIDY RECOUPMENT FEE.—The subsidy recoupment fee charged under clause (i) shall be—

''(I) 5 percent of the amount of prepayment, if the borrower prepays during the first year after disbursement;

''(II) 3 percent of the amount of prepayment, if the borrower prepays during the second year after disbursement; and

''(III) 1 percent of the amount of prepayment, if the borrower prepays during the third year after disbursement.''.

SEC. 206. GUARANTEE FEES.

Section 7(a)(18)(B) of the Small Business Act (15 U.S.C. 636(a)(18)(B)) is amended to read as follows:

''(B) EXCEPTION FOR CERTAIN LOANS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), if the total deferred participation share of a loan guaranteed under this subsection is less than or equal to $150,000, the guarantee fee collected under subparagraph (A) shall be in an amount equal to 2 percent of the total deferred participation share of the loan.

''(ii) RETENTION OF FEES.—Lenders participating in the programs established under this subsection may retain not more than 25 percent of the fee collected in accordance with this subparagraph with respect to any loan not exceeding $150,000 in gross loan amount.''.

SEC. 207. LEASE TERMS.

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is further amended by adding at the end the following:

''(28) LEASING.—In addition to such other lease arrangements as may be authorized by the Administration, a borrower may permanently lease to one or more tenants not more than 20 percent of any property constructed with the proceeds of a loan guaranteed under this subsection, if the borrower permanently occupies and uses not less than 60 percent of the total business space in the property.''.

TITLE III—CERTIFIED DEVELOPMENT COMPANY PROGRAM

SEC. 301. SHORT TITLE.

This title may be cited as the ''Certified Development Company Program Improvements Act of 2000''.

SEC. 302. WOMEN-OWNED BUSINESSES.

Section 501(d)(3)(C) of the Small Business Investment Act (15 U.S.C. 695(d)(3)(C)) is amended by inserting before the comma ''or women-owned business development''.

SEC. 303. MAXIMUM DEBENTURE SIZE.

Section 502(2) of the Small Business Investment Act of 1958 (15 U.S.C. 696(2)) is amended to read as follows:

''(2) Loans made by the Administration under this section shall be limited to $1,000,000 for each such identifiable small business concern, except loans meeting the criteria specified in section 501(d)(3), which shall be limited to $1,300,000 for each such identifiable small business concern.''.

SEC. 304. FEES.

Section 503(f) of the Small Business Investment Act of 1958 (15 U.S.C. 697(f)) is amended to read as follows:

''(f) EFFECTIVE DATE.—The fees authorized by subsections (b) and (d) shall apply to financings approved by the Administration on or after October 1, 1996, but shall not apply to financings approved by the Administration on or after October 1, 2003.''.

SEC. 305. PREMIER CERTIFIED LENDERS PROGRAM.

Section 217(b) of the Small Business Reauthorization and Amendments Act of 1994 (relating to section 508 of the Small Business Investment Act) is repealed.

SEC. 306. SALE OF CERTAIN DEFAULTED LOANS.

Section 508 of the Small Business Investment Act of 1958 (15 U.S.C. 697e) is amended—

(1) in subsection (a), by striking ''On a pilot program basis, the'' and inserting ''The'';

(2) by redesignating subsections (d) though (i) as subsections (e) though (j), respectively;

(3) in subsection (f) (as redesignated by paragraph (2)), by striking ''subsection (f)'' and inserting ''subsection (g)'';

(4) in subsection (h) (as redesignated by paragraph (2)), by striking ''subsection (f)'' and inserting ''subsection (g)''; and

(5) by inserting after subsection (c) the following:

''(d) SALE OF CERTAIN DEFAULTED LOANS.—

''(1) NOTICE.—If, upon default in repayment, the Administration acquires a loan guaranteed under this section and identifies such loan for inclusion in a bulk asset sale of defaulted or repurchased loans or other financings, it shall give prior notice thereof to any certified development company which has a contingent liability under this section. The notice shall be given to the company as soon as possible after the financing is identified, but not less than 90 days before the date the Administration first makes any records on such financing available for examination by prospective purchasers prior to its offering in a package of loans for bulk sale.

''(2) LIMITATIONS.—The Administration shall not offer any loan described in paragraph (1) as part of a bulk sale unless it—

''(A) provides prospective purchasers with the opportunity to examine the Administration's records with respect to such loan; and

''(B) provides the notice required by paragraph (1).''.

SEC. 307. LOAN LIQUIDATION.

(a) LIQUIDATION AND FORECLOSURE.—Title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.) is amended by adding at the end the following:

''SEC. 510. FORECLOSURE AND LIQUIDATION OF LOANS.

''(a) DELEGATION OF AUTHORITY.—In accordance with this section, the Administration shall delegate to any qualified State or local development company (as defined in section 503(e)) that meets the eligibility requirements of subsection (b)(1) the authority to foreclose and liquidate, or to otherwise treat in accordance with this section, defaulted

loans in its portfolio that are funded with the proceeds of debentures guaranteed by the Administration under section 503.

''(b) ELIGIBILITY FOR DELEGATION.—

''(1) REQUIREMENTS.—A qualified State or local development company shall be eligible for a delegation of authority under subsection (a) if—

''(A) the company—

''(i) has participated in the loan liquidation pilot program established by the Small Business Programs Improvement Act of 1996 (15 U.S.C. 695 note), as in effect on the day before promulgation of final regulations by the Administration implementing this section;

''(ii) is participating in the Premier Certified Lenders Program under section 508; or

''(iii) during the 3 fiscal years immediately prior to seeking such a delegation, has made an average of not less than 10 loans per year that are funded with the proceeds of debentures guaranteed under section 503; and

''(B) the company—

''(i) has one or more employees—

''(I) with not less than 2 years of substantive, decision-making experience in administering the liquidation and workout of problem loans secured in a manner substantially similar to loans funded with the proceeds of debentures guaranteed under section 503; and

''(II) who have completed a training program on loan liquidation developed by the Administration in conjunction with qualified State and local development companies that meet the requirements of this paragraph; or

''(ii) submits to the Administration documentation demonstrating that the company has contracted with a qualified third-party to perform any liquidation activities and secures the approval of the contract by the Administration with respect to the qualifications of the contractor and the terms and conditions of liquidation activities.

''(2) CONFIRMATION.—On request the Administration shall examine the qualifications of any company described in subsection (a) to determine if such company is eligible for the delegation of authority under this section. If the Administration determines that a company is not eligible, the Administration shall provide the company with the reasons for such ineligibility.

''(c) SCOPE OF DELEGATED AUTHORITY.—

''(1) IN GENERAL.—Each qualified State or local development company to which the Administration delegates authority under section (a) may with respect to any loan described in subsection (a)—

''(A) perform all liquidation and foreclosure functions, including the purchase in accordance with this subsection of any other indebtedness secured by the property securing the loan, in a reasonable and sound manner according to commercially accepted practices, pursuant to a liquidation plan approved in advance by the Administration under paragraph (2)(A);

''(B) litigate any matter relating to the performance of the functions described in subparagraph (A), except that the Administration may—

''(i) defend or bring any claim if—

''(I) the outcome of the litigation may adversely affect the Administration's management of the loan program established under section 502; or

''(II) the Administration is entitled to legal remedies not available to a qualified State or local development company and such remedies will benefit either the Administration or the qualified State or local development company; or

''(ii) oversee the conduct of any such litigation; and

''(C) take other appropriate actions to mitigate loan losses in lieu of total liquidation or foreclosures, including the restructuring of a loan in accordance with prudent loan servicing practices and pursuant to a workout plan approved in advance by the Administration under paragraph (2)(C).

''(2) ADMINISTRATION APPROVAL.—

''(A) LIQUIDATION PLAN.—

''(i) IN GENERAL.—Before carrying out functions described in paragraph (1)(A), a qualified State or local development company shall submit to the Administration a proposed liquidation plan.

''(ii) ADMINISTRATION ACTION ON PLAN.—

''(I) TIMING.—Not later than 15 business days after a liquidation plan is received by the Administration under clause (i), the Administration shall approve or reject the plan.

''(II) NOTICE OF NO DECISION.—With respect to any plan that cannot be approved or denied within the 15-day period required by subclause (I), the Administration shall within such period provide in accordance with subparagraph (E) notice to the company that submitted the plan.

''(iii) ROUTINE ACTIONS.—In carrying out functions described in paragraph (1)(A), a qualified State or local development company may undertake routine actions not addressed in a liquidation plan without obtaining additional approval from the Administration.

''(B) PURCHASE OF INDEBTEDNESS.—

''(i) IN GENERAL.—In carrying out functions described in paragraph (1)(A), a qualified State or local development company shall submit to the Administration a request for written approval before committing the Administration to the purchase of any other indebtedness secured by the property securing a defaulted loan.

''(ii) ADMINISTRATION ACTION ON REQUEST.—

''(I) TIMING.—Not later than 15 business days after receiving a request under clause (i), the Administration shall approve or deny the request.

''(II) NOTICE OF NO DECISION.—With respect to any request that cannot be approved or denied within the 15-day period required by subclause (I), the Administration shall within such period provide in accordance with subparagraph (E) notice to the company that submitted the request.

''(C) WORKOUT PLAN.—

''(i) IN GENERAL.—In carrying out functions described in paragraph (1)(C), a qualified State or local development company shall submit to the Administration a proposed workout plan.

''(ii) ADMINISTRATION ACTION ON PLAN.—

''(I) TIMING.—Not later than 15 business days after a workout plan is received by the Administration under clause (i), the Administration shall approve or reject the plan.

''(II) NOTICE OF NO DECISION.—With respect to any workout plan that cannot be approved or denied within the 15-day period required by subclause (I), the Administration shall within such period provide in accordance with subparagraph (E) notice to the company that submitted the plan.

''(D) COMPROMISE OF INDEBTEDNESS.—In carrying out functions described in paragraph (1)(A), a qualified State or local development company may—

''(i) consider an offer made by an obligor to compromise the debt for less than the full amount owing; and

''(ii) pursuant to such an offer, release any obligor or other party contingently liable, if the company secures the written approval of the Administration.

''(E) CONTENTS OF NOTICE OF NO DECISION.—Any notice provided by the Administration under subparagraphs (A)(ii)(II), (B)(ii)(II), or (C)(ii)(II)—

''(i) shall be in writing;

''(ii) shall state the specific reason for the Administration's inability to act on a plan or request;

''(iii) shall include an estimate of the additional time required by the Administration to act on the plan or request; and

''(iv) if the Administration cannot act because insufficient information or documentation was provided by the company submitting the plan or request, shall specify the nature of such additional information or documentation.

''(3) CONFLICT OF INTEREST.—In carrying out functions described in paragraph (1), a qualified State or local development company shall take no action that would result in an actual or apparent conflict of interest between the company (or any employee of the company) and any third party lender, associate of a third party lender, or any other person participating in a liquidation, foreclosure, or loss mitigation action.

''(d) SUSPENSION OR REVOCATION OF AUTHORITY.—The Administration may revoke or suspend a delegation of authority under this section to any qualified State or local development company, if the Administration determines that the company—

''(1) does not meet the requirements of subsection (b)(1);

''(2) has violated any applicable rule or regulation of the Administration or any other applicable law; or

''(3) fails to comply with any reporting requirement that may be established by the Administration relating to carrying out of functions described in paragraph (1).

''(e) REPORT.—

''(1) IN GENERAL.—Based on information provided by qualified State and local development companies and the Administration, the Administration shall annually submit to the Committees on Small Business of the House of Representatives and of the Senate a report on the results of delegation of authority under this section.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following information:

''(A) With respect to each loan foreclosed or liquidated by a qualified State or local development company under this section, or for which losses were otherwise mitigated by the company pursuant to a workout plan under this section—

''(i) the total cost of the project financed with the loan;

''(ii) the total original dollar amount guaranteed by the Administration;

''(iii) the total dollar amount of the loan at the time of liquidation, foreclosure, or mitigation of loss;

''(iv) the total dollar losses resulting from the liquidation, foreclosure, or mitigation of loss; and

''(v) the total recoveries resulting from the liquidation, foreclosure, or mitigation of loss, both as a percentage of the amount guaranteed and the total cost of the project financed.

''(B) With respect to each qualified State or local development company to which authority is delegated under this section, the totals of each of the amounts described in clauses (i) through (v) of subparagraph (A).

''(C) With respect to all loans subject to foreclosure, liquidation, or mitigation under this section, the totals of each of the amounts described in clauses (i) through (v) of subparagraph (A).

''(D) A comparison between—

''(i) the information provided under subparagraph (C) with respect to the 12-month period preceding the date on which the report is submitted; and

''(ii) the same information with respect to loans foreclosed and liquidated, or otherwise treated, by the Administration during the same period.

''(E) The number of times that the Administration has failed to approve or reject a liquidation plan in accordance with subpara-

graph (A)(i), a workout plan in accordance with subparagraph (C)(i), or to approve or deny a request for purchase of indebtedness under subparagraph (B)(i), including specific information regarding the reasons for the Administration's failure and any delays that resulted.''.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 150 days after the date of enactment of this Act, the Administrator shall issue such regulations as may be necessary to carry out section 510 of the Small Business Investment Act of 1958, as added by subsection (a) of this section.

(2) TERMINATION OF PILOT PROGRAM.—Beginning on the date which the final regulations are issued under paragraph (1), section 204 of the Small Business Programs Improvement Act of 1996 (15 U.S.C. 695 note) shall cease to have effect.

TITLE IV—CORRECTIONS TO THE SMALL BUSINESS INVESTMENT ACT OF 1958

SEC. 401. SHORT TITLE.

This title may be cited as the ''Small Business Investment Corrections Act of 2000''.

SEC. 402. DEFINITIONS.

(a) SMALL BUSINESS CONCERN.—Section 103(5)(A)(i) of the Small Business Investment Act of 1958 (15 U.S.C. 662(5)(A)(i)) is amended by inserting ''regardless of the allocation of control during the investment period under any investment agreement between the business concern and the entity making the investment'' before the semicolon at the end.

(b) LONG TERM.—Section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662) is amended—

(1) in paragraph (15), by striking ''and'' at the end;

(2) in paragraph (16), by striking the period at the end and inserting ''; and''; and

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

''(17) the term 'long term', when used in connection with equity capital or loan funds invested in any small business concern or smaller enterprise, means any period of time not less than 1 year.''.

SEC. 403. INVESTMENT IN SMALL BUSINESS INVESTMENT COMPANIES.

Section 302(b) of the Small Business Investment Act of 1958 (15 U.S.C. 682(b)) is amended—

(1) by striking ''(b) Notwithstanding'' and inserting the following:

''(b) FINANCIAL INSTITUTION INVESTMENTS.—

''(1) CERTAIN BANKS.—Notwithstanding''; and

(2) by adding at the end the following:

''(2) CERTAIN SAVINGS ASSOCIATIONS.—Notwithstanding any other provision of law, any Federal savings association may invest in any 1 or more small business investment companies, or in any entity established to invest solely in small business investment companies, except that in no event may the total amount of such investments by any such Federal savings association exceed 5 percent of the capital and surplus of the Federal savings association.''.

SEC. 404. SUBSIDY FEES.

(a) DEBENTURES.—Section 303(b) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)) is amended by striking ''plus an additional charge of 1 percent per annum which shall be paid to and retained by the Administration'' and inserting ''plus, for debentures issued after September 30, 2000, an additional charge, in an amount established annually by the Administration, of not more than 1 percent per year as necessary to reduce to zero the cost (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) to the Administration of purchasing and guaranteeing debentures under this Act, which shall be paid to and retained by the Administration''.

(b) PARTICIPATING SECURITIES.—Section 303(g)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 683(g)(2)) is amended by striking ''plus an additional charge of 1 percent per annum which shall be paid to and retained by the Administration'' and inserting ''plus, for participating securities issued after September 30, 2000, an additional charge, in an amount established annually by the Administration, of not more than 1 percent per year as necessary to reduce to zero the cost (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) to the Administration of purchasing and guaranteeing participating securities under this Act, which shall be paid to and retained by the Administration''.

SEC. 405. DISTRIBUTIONS.

Section 303(g)(8) of the Small Business Investment Act of 1958 (15 U.S.C. 683(g)(8)) is amended—

(1) by striking ''subchapter s corporation'' and inserting ''subchapter S corporation'';

(2) by striking ''the end of any calendar quarter based on a quarterly'' and inserting ''any time during any calendar quarter based on an''; and

(3) by striking ''quarterly distributions for a calendar year,'' and inserting ''interim distributions for a calendar year,''.

SEC. 406. CONFORMING AMENDMENT.

Section 310(c)(4) of the Small Business Investment Act of 1958 (15 U.S.C. 687b(c)(4)) is amended by striking ''five years'' and inserting ''1 year''.

TITLE V—REAUTHORIZATION OF SMALL BUSINESS PROGRAMS

SEC. 501. SHORT TITLE.

This title may be cited as the ''Small Business Reauthorization Act of 2000''.

SEC. 502. REAUTHORIZATION OF SMALL BUSINESS PROGRAMS.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended by adding at the end the following:

''(g) FISCAL YEAR 2001.—

''(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2001:

''(A) For the programs authorized by this Act, the Administration is authorized to make—

''(i) $45,000,000 in technical assistance grants as provided in section 7(m); and

''(ii) $60,000,000 in direct loans, as provided in 7(m).

''(B) For the programs authorized by this Act, the Administration is authorized to make $19,050,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(i) $14,500,000,000 in general business loans as provided in section 7(a);

''(ii) $4,000,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(iii) $500,000,000 in loans as provided in section 7(a)(21); and

''(iv) $50,000,000 in loans as provided in section 7(m).

''(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(i) $2,500,000,000 in purchases of participating securities; and

''(ii) $1,500,000,000 in guarantees of debentures.

''(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $4,000,000,000 of which not more than 50 percent may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(E) The Administration is authorized to make grants or enter cooperative agreements for a total amount of $5,000,000 for the Service Corps of Retired Executives program authorized by section 8(b)(1).

''(2) ADDITIONAL AUTHORIZATIONS.—

''(A) There are authorized to be appropriated to the Administration for fiscal year 2001 such sums as may be necessary to carry out the provisions of this Act not elsewhere provided for, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out title IV of the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(B) Notwithstanding any other provision of this paragraph, for fiscal year 2001—

''(i) no funds are authorized to be used as loan capital for the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under paragraph (1)(B)(i) is fully funded; and

''(ii) the Administration may not approve loans on its own behalf or on behalf of any other Federal department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.

''(h) FISCAL YEAR 2002.—

''(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2002:

''(A) For the programs authorized by this Act, the Administration is authorized to make—

''(i) $60,000,000 in technical assistance grants as provided in section 7(m); and

''(ii) $80,000,000 in direct loans, as provided in 7(m).

''(B) For the programs authorized by this Act, the Administration is authorized to make $20,050,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(i) $15,000,000,000 in general business loans as provided in section 7(a);

''(ii) $4,500,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(iii) $500,000,000 in loans as provided in section 7(a)(21); and

''(iv) $50,000,000 in loans as provided in section 7(m).

''(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(i) $3,500,000,000 in purchases of participating securities; and

''(ii) $2,500,000,000 in guarantees of debentures.

''(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $5,000,000,000 of which not more than 50 percent may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(E) The Administration is authorized to make grants or enter cooperative agreements for a total amount of $6,000,000 for the Service Corps of Retired Executives program authorized by section 8(b)(1).

''(2) ADDITIONAL AUTHORIZATIONS.—

''(A) There are authorized to be appropriated to the Administration for fiscal year 2002 such sums as may be necessary to carry out the provisions of this Act not elsewhere provided for, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out title IV of the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(B) Notwithstanding any other provision of this paragraph, for fiscal year 2002—

''(i) no funds are authorized to be used as loan capital for the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under paragraph (1)(B)(i) is fully funded; and

''(ii) the Administration may not approve loans on its own behalf or on behalf of any other Federal department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.

''(i) FISCAL YEAR 2003.—

''(1) PROGRAM LEVELS.—The following program levels are authorized for fiscal year 2003:

''(A) For the programs authorized by this Act, the Administration is authorized to make—

''(i) $70,000,000 in technical assistance grants as provided in section 7(m); and

''(ii) $100,000,000 in direct loans, as provided in 7(m).

''(B) For the programs authorized by this Act, the Administration is authorized to make $21,550,000,000 in deferred participation loans and other financings. Of such sum, the Administration is authorized to make—

''(i) $16,000,000,000 in general business loans as provided in section 7(a);

''(ii) $5,000,000,000 in financings as provided in section 7(a)(13) of this Act and section 504 of the Small Business Investment Act of 1958;

''(iii) $500,000,000 in loans as provided in section 7(a)(21); and

''(iv) $50,000,000 in loans as provided in section 7(m).

''(C) For the programs authorized by title III of the Small Business Investment Act of 1958, the Administration is authorized to make—

''(i) $4,000,000,000 in purchases of participating securities; and

''(ii) $3,000,000,000 in guarantees of debentures.

''(D) For the programs authorized by part B of title IV of the Small Business Investment Act of 1958, the Administration is authorized to enter into guarantees not to exceed $6,000,000,000 of which not more than 50 percent may be in bonds approved pursuant to section 411(a)(3) of that Act.

''(E) The Administration is authorized to make grants or enter into cooperative agreements for a total amount of $7,000,000 for the Service Corps of Retired Executives program authorized by section 8(b)(1).

''(2) ADDITIONAL AUTHORIZATIONS.—

''(A) There are authorized to be appropriated to the Administration for fiscal year 2003 such sums as may be necessary to carry out the provisions of this Act not elsewhere provided for, including administrative expenses and necessary loan capital for disaster loans pursuant to section 7(b), and to carry out title IV of the Small Business Investment Act of 1958, including salaries and expenses of the Administration.

''(B) Notwithstanding any other provision of this paragraph, for fiscal year 2003—

''(i) no funds are authorized to be used as loan capital for the loan program authorized by section 7(a)(21) except by transfer from another Federal department or agency to the Administration, unless the program level authorized for general business loans under paragraph (1)(B)(i) is fully funded; and

''(ii) the Administration may not approve loans on its own behalf or on behalf of any other Federal department or agency, by contract or otherwise, under terms and conditions other than those specifically authorized under this Act or the Small Business Investment Act of 1958, except that it may approve loans under section 7(a)(21) of this Act in gross amounts of not more than $1,250,000.''.

SEC. 503. ADDITIONAL REAUTHORIZATIONS.

(a) SMALL BUSINESS DEVELOPMENT CENTERS PROGRAM.—Section 21(a)(4)(C)(iii)(III) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(iii)(III)) is amended by striking ''$95,000,000'' and inserting ''$125,000,000''.

(b) DRUG-FREE WORKPLACE PROGRAM.—Section 27 of the Small Business Act (15 U.S.C. 654) is amended—

(1) in the section heading, by striking ''**DRUG-FREE WORKPLACE DEMONSTRATION PROGRAM**'' and inserting ''**PAUL D. COVERDELL DRUG-FREE WORKPLACE PROGRAM**''; and

(2) in subsection (g)(1), by striking ''$10,000,000 for fiscal years 1999 and 2000'' and inserting ''$5,000,000 for each of fiscal years 2001 through 2003''.

(c) HUBZONE PROGRAM.—Section 31 of the Small Business Act (15 U.S.C. 657a) is amended by adding at the end the following new subsection:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program established by this section $10,000,000 for each of fiscal years 2001 through 2003.''.

(d) WOMEN'S BUSINESS ENTERPRISE DEVELOPMENT PROGRAMS.—Section 411 of the Women's Business Ownership Act (Public Law 105–135; 15 U.S.C. 631 note) is amended by striking ''$600,000, for each of fiscal years 1998 through 2000,'' and inserting ''$1,000,000 for each of fiscal years 2001 through 2003,''.

(e) VERY SMALL BUSINESS CONCERNS PROGRAM.—Section 304(i) of the Small Business Administration Reauthorization and Amendments Act of 1994 (Public Law 103–403; 15 U.S.C. 644 note) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2003''.

(f) SOCIALLY AND ECONOMICALLY DISADVANTAGED BUSINESSES PROGRAM.—Section 7102(c) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355; 15 U.S.C. 644 note) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2003''.

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. LOAN APPLICATION PROCESSING.

(a) STUDY.—The Administrator of the Small Business Administration shall conduct a study to determine the average time that the Administration requires to process an application for each type of loan or loan guarantee made under the Small Business Act (15 U.S.C. 631 et seq.).

(b) TRANSMITTAL.—Not later than 1 year after the date of the enactment of this title, the Administrator shall transmit to Congress the results of the study conducted under subsection (a).

SEC. 602. APPLICATION OF OWNERSHIP REQUIREMENTS.

Section 2 of the Small Business Act (15 U.S.C. 631) is amended by adding at the end the following new subsection:

''(k) APPLICATION OF OWNERSHIP REQUIREMENTS.—Each ownership requirement established under this Act or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) shall be applied without regard to any possible future ownership interest of a spouse arising from the application of any State community property law established for the purpose of determining marital interest.''.

SEC. 603. ELIGIBILITY FOR HUBZONE PROGRAM.

Section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)) is amended by adding at the end the following new subparagraph:

''(E) EXTENSION OF ELIGIBILITY.—If a geographic area that qualified as a HUBZone under this subsection ceases to qualify as a result of a change in official government data or boundary designations, each small business concern certified as HUBZone small business concern in connection with such geographic area shall remain certified as such for a period of 1 year after the effective date of the change in HUBZone status, if the small business concern continues to meet each of the other qualifications applicable to a HUBZone small business concern.''.

SEC. 604. SUBCONTRACTING PREFERENCE FOR VETERANS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended—

(1) in paragraph (1), by inserting ''small business concerns owned and controlled by veterans,'' after ''small business concerns,'' the first place that term appears in each of the first and second sentences;

(2) in paragraph (3)—

(A) in subparagraph (A), by inserting ''small business concerns owned and controlled by service-disabled veterans,'' after ''small business concerns owned and controlled by veterans,'' in each of the first and second sentences; and

(B) in subparagraph (F), by inserting ''small business concern owned and controlled by service-disabled veterans,'' after ''small business concern owned and controlled by veterans,''; and

(3) in each of paragraphs (4)(D), (4)(E), (6)(A), (6)(C), (6)(F), and (10)(B), by inserting ''small business concern owned and controlled by service-disabled veterans,'' after ''small business concerns owned and controlled by veterans,''.

SEC. 605. SMALL BUSINESS DEVELOPMENT CENTER PROGRAM FUNDING.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Section 20(a)(1) of the Small Business Act (15 U.S.C. 631 note) is amended by striking ''For fiscal year 1985'' and all that follows through ''expended.'' and inserting the following: ''For fiscal year 2000 and each fiscal year thereafter, there are authorized to be appropriated such sums as may be necessary and appropriate, to remain available until expended, and to be available solely—

''(A) to carry out the Small Business Development Center Program under section 21, but not to exceed the annual funding level, as specified in section 21(a);

''(B) to pay the expenses of the National Small Business Development Center Advisory Board, as provided in section 21(i);

''(C) to pay the expenses of the information sharing system, as provided in section 21(c)(8);

''(D) to pay the expenses of the association referred to in section 21(a)(3)(A) for conducting the certification program, as provided in section 21(k)(2); and

''(E) to pay the expenses of the Administration, including salaries of examiners, for conducting examinations as part of the certification program conducted by the association referred to in section 21(a)(3)(A).''.

(2) TECHNICAL AMENDMENT.—Section 20(a) of the Small Business Act (15 U.S.C. 631 note) is further amended by moving paragraphs (3) and (4), including subparagraphs (A) and (B) of paragraph (4), 2 ems to the left.

(b) FUNDING FORMULA.—Section 21(a)(4)(C) of the Small Business Act (15 U.S.C. 648(a)(4)(C)) is amended to read as follows:

''(C) FUNDING FORMULA.—

''(i) IN GENERAL.—Subject to clause (iii), the amount of a formula grant received by a State under this subparagraph shall be equal to an amount determined in accordance with the following formula:

''(I) The annual amount made available under section 20(a) for the Small Business Development Center Program, less any reductions made for expenses authorized by clause (v) of this subparagraph, shall be di-

vided on a pro rata basis, based on the percentage of the population of each State, as compared to the population of the United States.

''(II) If the pro rata amount calculated under subclause (I) for any State is less than the minimum funding level under clause (iii), the Administration shall determine the aggregate amount necessary to achieve that minimum funding level for each such State.

''(III) The aggregate amount calculated under subclause (II) shall be deducted from the amount calculated under subclause (I) for States eligible to receive more than the minimum funding level. The deductions shall be made on a pro rata basis, based on the population of each such State, as compared to the total population of all such States.

''(IV) The aggregate amount deducted under subclause (III) shall be added to the grants of those States that are not eligible to receive more than the minimum funding level in order to achieve the minimum funding level for each such State, except that the eligible amount of a grant to any State shall not be reduced to an amount below the minimum funding level.

''(ii) GRANT DETERMINATION.—The amount of a grant that a State is eligible to apply for under this subparagraph shall be the amount determined under clause (i), subject to any modifications required under clause (iii), and shall be based on the amount available for the fiscal year in which performance of the grant commences, but not including amounts distributed in accordance with clause (iv). The amount of a grant received by a State under any provision of this subparagraph shall not exceed the amount of matching funds from sources other than the Federal Government, as required under subparagraph (A).

''(iii) MINIMUM FUNDING LEVEL.—The amount of the minimum funding level for each State shall be determined for each fiscal year based on the amount made available for that fiscal year to carry out this section, as follows:

''(I) If the amount made available is not less than $81,500,000 and not more than $90,000,000, the minimum funding level shall be $500,000.

''(II) If the amount made available is less than $81,500,000, the minimum funding level shall be the remainder of $500,000 minus a percentage of $500,000 equal to the percentage amount by which the amount made available is less than $81,500,000.

''(III) If the amount made available is more than $90,000,000, the minimum funding level shall be the sum of $500,000 plus a percentage of $500,000 equal to the percentage amount by which the amount made available exceeds $90,000,000.

''(iv) DISTRIBUTIONS.—Subject to clause (iii), if any State does not apply for, or use, its full funding eligibility for a fiscal year, the Administration shall distribute the remaining funds as follows:

''(I) If the grant to any State is less than the amount received by that State in fiscal year 2000, the Administration shall distribute such remaining funds, on a pro rata basis, based on the percentage of shortage of each such State, as compared to the total amount of such remaining funds available, to the extent necessary in order to increase the amount of the grant to the amount received by that State in 2000, or until such funds are exhausted, whichever first occurs.

''(II) If any funds remain after the application of subclause (I), the remaining amount may be distributed as supplemental grants to any State, as the Administration determines, in its discretion, to be appropriate, after consultation with the association referred to in subsection (a)(3)(A).

''(v) USE OF AMOUNTS.—

''(I) IN GENERAL.—Of the amounts made available in any fiscal year to carry out this section—

''(aa) not more than $500,000 may be used by the Administration to pay expenses enumerated in subparagraphs (B) through (D) of section 20(a)(1); and

''(bb) not more than $500,000 may be used by the Administration to pay the examination expenses enumerated in section 20(a)(1)(E).

''(II) LIMITATION.—No funds described in subclause (I) may be used for examination expenses under section 20(a)(1)(E) if the usage would reduce the amount of grants made available under clause (i)(I) to less than $85,000,000 (after excluding any amounts provided in appropriations Acts for specific institutions or for purposes other than the general small business development center program) or would further reduce the amount of such grants below such amount.

''(vi) EXCLUSIONS.—Grants provided to a State by the Administration or another Federal agency to carry out subsection (c)(3)(G) or (a)(6) or supplemental grants set forth in clause (iv)(II) of this subparagraph, shall not be included in the calculation of maximum funding for a State under clause (ii) of this subparagraph.

''(vii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subparagraph $125,000,000 for each of fiscal years 2001, 2002, and 2003.

''(viii) STATE DEFINED.—In this subparagraph, the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.''.

SEC. 606. SURETY BONDS.

(a) CONTRACT AMOUNTS.—Section 411 of the Small Business Investment Act of 1958 (15 U.S.C. 694b) is amended—

(1) in subsection (a)(1), by striking ''$1,250,000'' and inserting ''$2,000,000''; and

(2) in subsection (e)(2), by striking ''$1,250,000'' and inserting ''$2,000,000''.

(b) EXTENSION OF CERTAIN AUTHORITY.—Section 207 of the Small Business Administration Reauthorization and Amendment Act of 1988 (15 U.S.C. 694b note) is amended by striking ''2000'' and inserting ''2003''.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mrs. KELLY and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said resolution.

¶96.18 FREDERICK L. DEWBERRY, JR. POST OFFICE BUILDING

Mrs. BIGGERT moved to suspend the rules and pass the bill (H.R. 4451) to designate the facility of the United States Postal Service located at 1001 Frederick Road in Baltimore, Maryland, as the ''Frederick L. Dewberry, Jr. Post Office Building''.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mrs. BIGGERT and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶96.19 RECESS—3:18 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 18 minutes p.m., until approximately 4:30 p.m.

¶96.20 AFTER RECESS—5:05 P.M.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, called the House to order.

¶96.21 MESSAGES FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶96.22 AGRICULTURE TRADE DEVELOPMENT AND ASSISTANCE

Mr. GILMAN moved to suspend the rules and pass the bill (H.R. 5224) to amend the Agriculture Trade Development and Assistance Act of 1954 to authorize assistance for the stockpiling and rapid transportation, delivery, and distribution of shelf stable prepackaged foods to needy individuals in foreign countries; as amended.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. GILMAN and Mr. POMEROY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶96.23 PENALTIES FOR VIOLATIONS OF THE EXPORT ADMINISTRATION

Mr. GILMAN moved to suspend the rules and pass the bill (H.R. 5239) to provide for increased penalties for violations of the Export Administration Act of 1979, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. GILMAN and Mr. POMEROY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶96.24 SERBIA AND MONTENEGRO DEMOCRACY

Mr. GILMAN moved to suspend the rules and pass the bill (H.R. 1064) to authorize a coordinated program to promote the development of democracy in Serbia and Montenegro; as amended.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. GILMAN and Mr. POMEROY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶96.25 ASIAN PACIFIC CHARTER COMMISSION

Mr. GILMAN moved to suspend the rules and pass the bill (H.R. 4899) to establish a commission to promote a consistent and coordinated foreign policy of the United States to ensure economic and military security in the Pacific region of Asia through the promotion of democracy, human rights, the rule of law, free trade, and open markets, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. GILMAN and Mr. CROWLEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to establish a commission to promote a consistent and coordinated foreign policy of the United States to ensure economic and military security in the Asia-Pacific region through the promotion of democracy, human rights, the rule of law, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶96.26 H. CON. RES. 399—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to said concurrent resolution (H. Con. Res. 399) recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 359 / Nays 2

¶96.27 [Roll No. 487]

YEAS—359

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
Meehan
Meek (FL)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Nadler
Napolitano
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Paul
Sanford

NOT VOTING—72

Baker
Ballenger
Barr
Bliley
Blunt
Brown (FL)
Burton
Campbell
Capps
Clement
Coburn
Cook
Cubin
Danner
DeFazio
Delahunt
DeLauro
Dickey

Engel	McCollum	Pryce (OH)
English	McCrery	Quinn
Fossella	McIntosh	Sanders
Franks (NJ)	McKinney	Serrano
Gillmor	McNulty	Shows
Graham	Meeks (NY)	Smith (MI)
Gutierrez	Mica	Souder
Hill (IN)	Miller, Gary	Sweeney
Hilliard	Miller, George	Talent
Hinchey	Mink	Taylor (NC)
Isakson	Murtha	Tierney
Jones (OH)	Myrick	Udall (NM)
Klink	Neal	Vento
Lantos	Nethercutt	Vitter
Lazio	Northup	Waxman
Lee	Oxley	Wicker
Maloney (CT)	Pelosi	Wise
Matsui	Pombo	Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶96.28 25TH ANNIVERSARY OF HELSINKI FINAL ACT

Mr. GILMAN moved to suspend the rules and pass the joint resolution (H.J. Res. 100) calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. GILMAN and Mr. CROWLEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said joint resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Tuesday, September 26, 2000, pursuant to the prior announcement of the Chair.

¶96.29 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO ANGOLA

The SPEAKER pro tempore, Mr. PEASE, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the National Union for the Total Independence of Angola (UNITA) that was declared in Executive Order 12865 of September 26, 1993.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 25, 2000*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 106–296).

¶96.30 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO IRAN

The SPEAKER pro tempore, Mr. PEASE, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c), I transmit herewith a 6-month periodic report on developments concerning the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, and matters relating to the measures in that order and in Executive Order 12959 of May 6, 1995, and in Executive Order 13059 of August 19, 1997.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 25, 2000*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 106–297).

¶96.31 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 109

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–887) the resolution (H. Res. 591) providing for consideration of the joint resolution (H.J. Res. 109) making continuing appropriations for the fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶96.32 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–888) the resolution (H. Res. 592) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶96.33 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2511. An Act to establish the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes; to the Committee on Resources.

¶96.34 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ENGLISH, for today;

To Mr. POMBO, for today; and

To Mr. SMITH of Michigan, for today and September 26.

And then,

¶96.35 ADJOURNMENT

On motion of Mr. MCINNIS, at 10 o'clock and 9 minutes p.m., the House adjourned.

¶96.36 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BLILEY: Committee on Commerce. H.R. 2641. A bill to make technical corrections to title X of the Energy Policy Act of 1992; with amendments (Rept. No. 106–886). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 591. Resolution providing for consideration of the joint resolution (H.J. Res. 109) making continuing appropriations for the fiscal year 2001, and for other purposes (Rept. No. 106–887). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 592. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 106–888). Referred to the House Calendar.

¶96.37 TIME LIMITATION OF REFERRED BILL

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

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than September 26, 2000.

¶96.38 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. EVANS:

H.R. 5271. A bill to amend title 38, United States Code, to revise the rules applicable to net worth limitation with respect to eligibility for pensions for certain veterans; to the Committee on Veterans' Affairs.

By Mr. GILMAN (for himself, Mr. NADLER, Mr. LAZIO, Mrs. LOWEY, and Mr. REYNOLDS):

H.R. 5272. A bill to provide for a United States response in the event of a unilateral declaration of a Palestinian state; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACHUS (for himself, Mr. LEACH, Mr. LAFALCE, and Ms. WATERS):

H.R. 5273. A bill to clarify the intention of the Congress with regard to the authority of the United States Mint to produce numismatic coins, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. LAZIO (for himself, Mr. MCHUGH, Mr. RAHALL, Mr. MCKEON, Mr. OBERSTAR, and Mr. LIPINSKI):

H.R. 5274. A bill to amend title XIX of the Social Security Act to provide public access to quality medical imaging procedures and radiation therapy procedures; to the Committee on Commerce.

By Mr. BOUCHER (for himself, Mr. BURR of North Carolina, Mr. LAHOOD, and Mr. UPTON):

H.R. 5275. A bill to amend title 17, United States Code, with respect to personal interactive performances of recorded nondramatic musical works, and for other purposes; to the Committee on the Judiciary.

By Mr. CAMP:

H.R. 5276. A bill to amend title XVIII of the Social Security Act to revise the coverage of immunosuppressive drugs under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. STARK, Mr. MATSUI, Mr. LEVIN, Mr. CARDIN, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. MOORE, Mr. FARR of California, Mr. TIERNEY, Mr. LANTOS, Mrs. THURMAN, Mr. OLVER, Mr. NADLER, Mr. GREEN of Texas, Mr. BENTSEN, Mr. CROWLEY, Mr. WEINER, and Ms. SLAUGHTER):

H.R. 5277. A bill to amend the Internal Revenue Code of 1986 to avoid duplicate reporting of information on political activities of certain State and local political organizations, and for other purposes; to the Committee on Ways and Means.

By Mr. HYDE:

H.R. 5278. A bill to express the sense of Congress that the President should take action to develop a comprehensive energy policy and to amend the Internal Revenue Code of 1986 to repeal the 1993 4.3-cent increases in highway motor fuel taxes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MINGE (for himself, Mr. POMEROY, Mr. THUNE, Mr. EVANS, Mr. GUTKNECHT, and Mr. PETERSON of Minnesota):

H.R. 5279. A bill to amend the Internal Revenue Code of 1986 to allow allocation of small ethanol producer credit to patrons of cooperative, and for other purposes; to the Committee on Ways and Means.

By Mr. PETERSON of Minnesota (for himself, Mr. SABO, Mr. OBERSTAR, and Mr. MINGE):

H.R. 5280. A bill to amend the Equity in Educational Land-Grant Status Act of 1994 to add White Earth Tribal and Community College to the list of 1994 Institutions; to the Committee on Agriculture.

By Mr. PETERSON of Minnesota (for himself, Mr. SABO, Mr. RAMSTAD, and Mr. MINGE):

H.R. 5281. A bill to amend title XXI of the Social Security Act to provide for more equitable distribution of block grant funds under the State children's health insurance program; to the Committee on Commerce.

By Mr. RYAN of Wisconsin:

H.R. 5282. A bill to establish a demonstration project to waive certain nurse training requirements for specially trained individuals who perform certain specific nursing-related tasks in Medicare and Medicaid nursing facilities; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALMON:

H.R. 5283. A bill to amend the Telemarketing and Consumer Fraud and Abuse Prevention Act to authorize the Federal Trade Commission to issue new rules regulating telemarketing firms, and for other purposes; to the Committee on Commerce.

By Mr. SCOTT (for himself, Mr. BLILEY, Mr. DAVIS of Virginia, Mr. GOODE, Mr. BOUCHER, Mr. MORAN of Virginia, Mr. SISISKY, Mr. WOLF, and Mr. GOODLATTE):

H.R. 5284. A bill to designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Customhouse''; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Texas (for himself and Mr. FOLEY):

H.R. 5285. A bill to amend the Immigration and Nationality Act to prevent human rights abusers from being eligible for admission into the United States and other forms of immigration relief, and for other purposes; to the Committee on the Judiciary.

By Mr. WELDON of Florida (for himself and Mr. GREEN of Texas):

H.R. 5286. A bill to provide for a study of anesthesia services furnished under the Medicare Program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Mr. GIBBONS, Mr. SAXTON, Mr. POMBO, and Mr. DOOLITTLE):

H.R. 5287. A bill to establish the National Museum of Jewish Heritage and the National Museum of Jewish Heritage Board of Directors; to the Committee on Resources.

By Mr. SHERWOOD (for himself, Mr. PETERSON of Pennsylvania, and Mr. MINGE):

H.R. 5288. A bill to amend part C of title XVIII of the Social Security Act to increase the minimum payment amount to Medicare+Choice organizations offering Medicare+Choice plans to correct inequities in amounts paid in rural and urban areas; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Florida:

H.J. Res. 109. A joint resolution making continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. UPTON:

H. Con. Res. 407. Concurrent resolution to direct the Secretary of the Senate to correct technical errors in the enrollment of S. 1455; considered and agreed to

By Mr. METCALF:

H. Con. Res. 408. Concurrent resolution expressing appreciation for the United States service members who were aboard the British transport HMT ROHNA when it sank, the families of these service members, and the rescuers of the HMT ROHNA's passengers and crew; to the Committee on Armed Services.

By Mr. TALENT:

H. Res. 590. A resolution providing for the concurrence by the House with an amendment in the amendment of the Senate to H.R. 2392; considered and agreed to

¶96.39 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PASCRELL:

H.R. 5289. A bill for the relief of Moise Marcel Sapriel; to the Committee on the Judiciary.

By Mr. ROHRABACHER:

H.R. 5290. A bill to provide private relief for Salah Idris of Saudi Arabia and El Shifa Pharmaceuticals Industries Company relating to the bombing and destruction of the El Shifa Pharmaceutical plant in Khartoum, Sudan, and for other purposes; to the Committee on the Judiciary.

By Mr. ROHRABACHER:

H. Res. 593. A resolution to provide for the consideration of a private relief bill by the United States Court of Claims, and for other purposes; to the Committee on the Judiciary.

¶96.40 ADDITIONAL SPONSORS

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

H.R. 284: Mr. SHIMKUS, Mr. EVANS, Mr. HORN, Mr. JONES of North Carolina, Mr. BORSKI, and Ms. SANCHEZ.

H.R. 534: Mr. GEJDENSON.

H.R. 783: Mr. DIXON.

H.R. 983: Ms. RIVERS.

H.R. 1071: Ms. ROYBAL-ALLARD, Mr. TANNER, Mr. EDWARDS, Mr. THOMPSON of California, and Mr. MCINTYRE.

H.R. 1194: Mr. GRAHAM.

H.R. 1217: Mr. MEEKS of New York and Mr. BONILLA.

H.R. 1248: Mr. CRAMER, Mr. CASTLE, Mr. SHERMAN, Mr. DIXON, Mr. SERRANO, and Mr. LEVIN.

H.R. 1275: Mr. MINGE, Mr. POMEROY, Mr. GONZALEZ, Mrs. KELLY, Mr. MASCARA, Mr. GILCHREST, Mr. BORSKI, Mr. HOEFFEL, Mr. BARTLETT of Maryland, Mr. BOUCHER, Mr. JONES of North Carolina, Ms. MCCARTHY of Missouri, and Mr. OSE.

H.R. 1399: Mr. WEXLER.

H.R. 2025: Mr. STUPAK.

H.R. 2166: Mr. METCALF, Mr. OLVER, and Mr. THOMPSON of California.

H.R. 2200: Mr. MINGE and Mr. UDALL of Colorado.

H.R. 2308: Mr. STUPAK and Mr. HAYWORTH.

H.R. 2380: Mr. SANDERS.

H.R. 2620: Mr. KUCINICH.

H.R. 2710: Mr. PORTMAN, Mr. PORTER, and Mr. BASS.

H.R. 2722: Mr. BROWN of Ohio.

H.R. 2900: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LIPINSKI, Mr. CARDIN, Mr. GONZALEZ, Mr. RODRIGUEZ, and Mr. FROST.

H.R. 3250: Ms. DEGETTE and Mr. LAMPSON.

H.R. 3325: Mr. WYNN.

H.R. 3463: Mr. RANGEL.

H.R. 3466: Ms. DUNN.

H.R. 3633: Ms. WATERS, Mr. PORTER Mr. KUCINICK, Mr. BLUNT, and Mr. RUSH.

H.R. 3766: Mr. ROEMER, Mr. ROMERO-BARCELO, Mr. GEPHARDT, Ms. DEGETTE, Mr. SERRANO, and Mr. POMEROY.

H.R. 3842: Mr. BARCIA.

H.R. 3850: Mr. SNYDER.

H.R. 3881: Mr. SHADEGG.

H.R. 3982: Mr. SHADEGG.

H.R. 4025: Mr. HORN.

H.R. 4028: Mr. OLVER.

H.R. 4082: Mr. HOYER, Mrs. MORELLA, and Mr. FRANK of Massachusetts.

H.R. 4259: Mr. HAYES, Mr. RYAN of Wisconsin, Mr. BISHOP, Mr. BOEHNER, Mr. RADANOVICH, Mr. PRICE of North Carolina, Mrs. LOWEY, Mrs. ROUKEMA, Ms. BALDWIN, Mr. CRAMER, Mr. CROWLEY, Mr. DAVIS of Illi-

nois, Mr. STEARNS, Mr. DELAHUNT, Mr. GOODLATTE, Mr. BOUCHER, Mr. FARR of California, Ms. DEGETTE, Mr. BALDACCI, Mr. CAPUANO, Mr. COSTELLO, Ms. ESHOO, Mr. EHLERS, Mr. HOEKSTRA, Mrs. JOHNSON of Connecticut, Mrs. EMERSON, Mr. MANZULLO, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. VISCLOSKY, Mr. CLYBURN, Mr. DREIER, Mr. FRANK of Massachusetts, Mr. LEACH, Mrs. CAPPS, Mr. EHRLICH, and Mr. TANNER.

H.R. 4328: Mr. KUCINICH and Mr. DELAHUNT.

H.R. 4330: Mr. HOLT, Ms. ROS-LEHTINEN, and Mr. DOYLE.

H.R. 4395: Mr. BRYANT, Mr. WEYGAND, Mr. UPTON, and Mr. BLAGOJEVICH.

H.R. 4483: Ms. ESHOO.

H.R. 4493: Mr. BACHUS, Mr. VITTER, and Mr. HORN.

H.R. 4547: Mr. TERRY and Mr. PETERSON of Pennsylvania.

H.R. 4592: Mr. BLUNT.

H.R. 4634: Mrs. MALONEY of New York, Mr. BONIOR, and Mr. STARK.

H.R. 4640: Mr. ROTHMAN.

H.R. 4649: Mr. ALLEN and Mr. BISHOP.

H.R. 4689: Mr. DIAZ-BALART.

H.R. 4723: Mr. TALENT.

H.R. 4740: Mr. MOAKLEY, Mr. SABO, Mr. CAPUANO, Ms. DEGETTE, Mr. SHIMKUS, Mr. ETHERIDGE, Mrs. MCCARTHY of New York, and Mr. HILL of Montana.

H.R. 4827: Mr. CAMP.

H.R. 4838: Mr. DIAZ-BALART,

H.R. 4841: Mr. CAMP and Mr. JONES of North Carolina.

H.R. 4894: Mr. EVANS, Mr. DINGELL, Mr. JOHN, Mr. BISHOP, and Mr. MCINTOSH.

H.R. 4895: Mr. EVANS, Mr. JOHN, Mr. BISHOP, and Mr. MCINTOSH.

H.R. 4926: Ms. BERKLEY, Mr. BERMAN, Ms. DELAURO, Mr. KILDEE, Mr. UDALL of Colorado, and Mr. GEPHARDT.

H.R. 4939: Mr. BONIOR, Ms. NORTON, Mr. KUCINICH, and Mrs. MEEK of Florida.

H.R. 4964: Mr. CLEMENT and Mr. BILBRAY.

H.R. 4966: Mr. ABERCROMBIE.

H.R. 4971: Mr. BOYD, Mr. SWEENEY, Mr. BURR of North Carolina, Mr. SISISKY, and Mr. INSLEE.

H.R. 4976: Mr. WAMP, Mrs. MYRICK, Mr. STUPAK, Ms. WOOLSEY, Mr. RAMSTAD, Mr. WEYGAND, and Mr. LAMPSON.

H.R. 4977: Mr. CRANE.

H.R. 5065: Mr. WEXLER.

H.R. 5066: Mr. BLUMENAUER.

H.R. 5067: Mr. MEEHAN.

H.R. 5095: Mr. NADLER, Mr. MCGOVERN, Mr. CONYERS, and Mr. MARKEY.

H.R. 5114: Mr. SKELTON and Mr. TANCREDO.

H.R. 5117: Mr. TALENT and Mr. POMBO.

H.R. 5151: Mr. MCHUGH, Mr. FOLEY, and Mr. LATOURETTE.

H.R. 5152: Mr. PICKERING.

H.R. 5175: Mr. FOSSELLA, Mr. ROEMER, Mr. GILLMOR, Mr. SHOWS, Mr. GARY MILLER of California, Mr. BACA, Mr. FRELINGHUYSEN, Ms. DANNER, Mr. LARGENT, Mr. TURNER, Mr. BILIRAKIS, Mr. BISHOP, Mr. KINGSTON, Mr. MCINTYRE, Mr. GOODLING, Mr. SANDLIN, Mr. SWEENEY, Mr. REYNOLDS, Mr. DEAL of Georgia, Mr. BUYER, Mr. MCHUGH, and Mr. BLUNT.

H.R. 5178: Mr. FRANKS of New Jersey, Mr. HOBSON, Mr. UPTON, Mr. WEYGAND, Mr. FILNER, Mr. GILMAN, Mr. FOLEY, Mr. SANDERS, Mr. SAXTON, and Mr. HILLIARD.

H.R. 5180: Mrs. JOHNSON of Connecticut.

H.R. 5211: Mr. HINCHEY, Mr. HOLDEN, Mr. MASCARA, and Mr. DOYLE.

H.R. 5228: Mr. MOLLOHAN.

H.R. 5257: Mr. DAVIS of Virginia and Mr. SOUDER.

H.R. 5267: Mr. MCHUGH and Mr. SWEENEY.

H. Con. Res. 58: Mr. UDALL of New Mexico.

H. Con. Res. 62: Mr. ROTHMAN.

H. Con. Res. 341: Mr. ISAKSON and Mr. SPENCE.

H. Con. Res. 357: Mr. KUCINICH, Mrs. MINK of Hawaii, Mr. DOGGETT, and Mr. LANTOS.

H. Con. Res. 370: Mr. SHERMAN and Mr. KLINK.

H. Con. Res. 376: Mr. ROMERO-BARCELO.

H. Con. Res. 382: Mr. NADLER.

H. Con. Res. 389: Mr. BARRETT of Wisconsin and Mr. SCHAFFER.

H. Con. Res. 399: Mr. SCHAFFER, Mr. BARRETT of Wisconsin, Mr. BERMAN, Mr. KOLBE, Ms. MILLENDER-MCDONALD, Mr. MOORE, Mr. MORAN of Kansas, Mrs. NORTHUP, Mr. SHIMKUS, and Ms. SLAUGHTER.

H. Con. Res. 404: Mr. OSE, Ms. HOOLEY of Oregon, Mr. UDALL of Colorado, Mr. FOLEY, and Mr. THOMPSON of California.

H. Res. 576: Mr. REYNOLDS, Mrs. FOWLER, Mrs. BIGGERT, Mr. PORTMAN, Mr. HOBSON, and Mr. MORAN of Virginia.

H. Res. 577: Mr. PAYNE and Mr. GILLMOR.

H. Res. 578: Ms. SANCHEZ, Mr. SESSIONS, Mr. SMITH of Washington, Mr. TOOMEY, Mr. MCINTOSH, Mrs. CHENOWETH-HAGE, Mr. WELDON of Florida, and Mr. HAYWORTH.

¶96.41 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsor was deleted from the public bill as follows:

H.R. 5194: Mr. STUPAK.

TUESDAY, SEPTEMBER 26, 2000 (97)

The House was called to order at 9:00 o'clock a.m. by the SPEAKER.

¶97.1 MESSAGE FROM THE SENATE

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

H.R. 4864. An act to amend title 38, United States Code, to reaffirm and clarify the duty of the Secretary of Veterans Affairs to assist claimants for benefits under laws administered by the Secretary, and for other purposes.

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

S. 2796. An act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

¶97.2 ''MORNING-HOUR DEBATE''

The SPEAKER, pursuant to the order of the House of Tuesday, January 19, 1999, recognized Members for ''morning-hour debate''.

¶97.3 RECESS—9:20 A.M.

The SPEAKER pro tempore, Mr. BALLENGER, pursuant to clause 12 of rule I, declared the House in recess until 10 o'clock a.m.

¶97.4 AFTER RECESS—10:00 A.M.

The SPEAKER pro tempore, Mr. HANSEN, called the House to order.

¶97.5 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HANSEN, announced he had examined and approved the Journal of the proceedings of Monday, September 25, 2000.

Mr. PASCRELL, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. HANSEN, announced that the yeas had it.

Mr. PASCRELL objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶97.6 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10288. A letter from the Under Secretary, Natural Resources and the Environment, Department of Agriculture, transmitting the Department's final rule—Urban and Community Forestry Assistance Program—received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10289. A letter from the Administrator, Rural Utilities Services, Department of Agriculture, transmitting the Department's final rule—Reduction in Minimum TIER Requirements (RIN: 0572–AB51) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10290. A letter from the Administrator, Rural Utilities Services, Department of Agriculture, transmitting the Department's final rule—General Policies, Types of Loans, Loan Requirements—Telecommunications Program (RIN: 0572–AB56) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10291. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Mefenoxam; Pesticide Tolerances for Emergency Exemptions [OPP–301042; FRL–6741–1] (RIN: 2070–2078) received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10292. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Yucca Extract; Exemption From the Requirement of a Tolerance [OPP–301067; FRL–6748–3] (RIN: 2070–AB78) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10293. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Methacrylic Acid-Methyl Methacrylate-Polyethylen Glycol Methyl Ether Methacrylate Copolymer; and Maleic Anhydride-ox-Methylstyrene Copolymer Sodium Salt; Tolerance Exemption [OPP–301059; FRL–6745–2] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10294. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hexythiazox; Pesticide Tolerance [OPP–301061; FRL–6746–5] (RIN: 2070–AB78) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10295. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Halosulfuron-methyl; Pesticide Tolerance [OPP–301058; FRL–6746–2] (RIN: 2070–AB78) received September 25, 2000, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10296. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Ethametsulfuron-methyl; Pesticide Tolerances for Emergency Exemptions [OPP–301048; FRL–6744–1] (RIN: 2070–AB78) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10297. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of Air Armament Center is initiating a single-function cost comparison of the 46th Test Wing Aircraft Maintenance Backshop at Eglin Air Force Base (AFB), Florida, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

10298. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Fair Market Rents for Fiscal Year 2001 [Docket No. FR–4589–N–02] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10299. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Involuntary Liquidation of Federal Credit Unions and Adjudication of Creditor Claims Involving Federally-Insured Credit Unions in Liquidation—received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10300. A letter from the Director, Office of Civil Rights, Environmental Protection Agency, transmitting the Agency's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10301. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Arizona State Implementation Plan, Pinal County Air Quality Control District [AZ 063–0029a; FRL–6866–1] received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10302. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for Use by the Mobile-Satellite Service [Docket No. 95–18, FCC 00–23] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10303. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Bahrain for defense articles and services (Transmittal No. 00–16), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10304. A letter from the Director, Lieutenant General, USAF, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Israel for defense articles and services (Transmittal No. 00–75), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10305. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1999, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

10306. A letter from the Director, Information Security Oversight Office, transmitting the Information Security Oversight Office's 1999 Report to the President; to the Committee on Government Reform.

10307. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Financial Responsibility Requirements for Licensed Reentry Activities [Docket No. FAA 1999–6265; Amendment No. 450–1] (RIN: 2120–AG76) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

10308. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Commercial Space Transportation Reusable Launch Vehicle and Reentry Licensing Regulations [Docket No. FAA–199–5535; Amdt. Nos. 400–1, 401–1, 404–1, 405–1, 406–1, 413–1, 415–1, 431–1, 433–1, 435–1] (RIN 2120–AG71) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

10309. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Extension of Expiration Date for the Respiratory Body System Listings (RIN: 0960–AF42) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10310. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a draft bill to permit the Department of State to establish a new position of Under Secretary of State for Security, Law Enforcement and Counterterrorism and to centralize authority and responsibility for these matters in that position; jointly to the Committees on International Relations and Government Reform.

10311. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification of the Nonproliferation and Disarmament Fund in accordance with Title II of the Foreign Operations, Export Financing and Related Programs Appropriations Act, 2000; jointly to the Committees on International Relations and Appropriations.

¶97.7 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, September 25, 2000.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. HANSEN, announced that the yeas had it.

Mr. LAMPSON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 332
- Nays 47
- Answered present 1

¶97.8 [Roll No. 488]

YEAS—332

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Combest
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hooley
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Miller (FL)
Miller, George
Minge
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pastor
Payne
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Quinn
Radanovich
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt

Tierney	Walsh	Whitfield
Toomey	Waters	Wicker
Towns	Watkins	Wilson
Traficant	Watt (NC)	Wolf
Turner	Watts (OK)	Woolsey
Upton	Waxman	Wu
Velazquez	Weiner	Wynn
Walden	Weldon (FL)	Young (FL)

NAYS—47

Baird	Hefley	Ramstad
Bilbray	Hill (MT)	Sabo
Borski	Hilleary	Schaffer
Brady (PA)	Hilliard	Slaughter
Capuano	Holt	Stark
Condit	Hulshof	Stenholm
Crane	Kucinich	Stupak
Crowley	LoBiondo	Taylor (MS)
DeFazio	Markey	Thompson (CA)
Dickey	McDermott	Thompson (MS)
English	McNulty	Udall (CO)
Filner	Moran (KS)	Udall (NM)
Gutierrez	Oberstar	Visclosky
Gutknecht	Pascrell	Wamp
Hall (OH)	Peterson (MN)	Weller
Hastings (FL)	Pickett	

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—53

Archer	Gillmor	Pelosi
Blunt	Hinchey	Price (NC)
Burton	Horn	Pryce (OH)
Campbell	Hyde	Rahall
Chenoweth-Hage	Jefferson	Royce
Clay	Jones (OH)	Sanders
Coburn	Kilpatrick	Sandlin
Collins	Klink	Smith (MI)
Costello	Lazio	Stabenow
Danner	McCollum	Talent
Dingell	McCrery	Taylor (NC)
Emerson	McIntosh	Vento
Engel	Millender-McDonald	Vitter
Fattah	Miller, Gary	Weldon (PA)
Ford	Mink	Wexler
Fossella	Nadler	Weygand
Franks (NJ)	Paul	Wise
Gibbons		Young (AK)

So the Journal was approved.

¶97.9 MISSING CHILDREN TAX FAIRNESS

Mr. RAMSTAD moved to suspend the rules and pass the bill (H.R. 5117) to amend the Internal Revenue Code of 1986 to clarify the allowance of the child credit, the deduction for personal exemptions, and the earned income credit for missing children, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. RAMSTAD and Mr. COYNE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that the yeas had it.

Mr. RAMSTAD demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶97.10 BAYLEE'S LAW

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 4519) to amend the Public Buildings Act of 1959 concerning the safety and security of children enrolled in childcare facilities located in public buildings under the control of the General Services Administration; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. LATOURETTE and Mr. TRAFICANT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Public Buildings Act of 1959 concerning the safety and security of children enrolled in childcare facilities located in public buildings under the control of the General Services Administration, to provide for reform of the Federal Protective Service, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.11 APOLLO EXPLORATION AWARD

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 2572) to direct the Administrator of NASA to design and present an award to the Apollo astronauts.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. SENSENBRENNER and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SENSENBRENNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶97.12 CORRECT ENROLLMENT OF H.R. 1654

Mr. SENSENBRENNER, by unanimous consent, submitted the following concurrent resolution (H. Con. Res. 409):

Resolved by the House of Representatives (the Senate concurring), that the Clerk of the House of Representatives shall make the following corrections in the enrollment of the bill H.R. 1654:

(1) In section 1(b), in the item relating to section 205 in the table of contents, insert ''research utilization and commercialization'' after ''Space station''.

(2) In section 2(4)—

(A) insert ''the'' after ''commercial providers of''; and

(B) strike the comma after ''reusable space vehicles''.

(3) In section 201(b)—

(A) strike ''the Russian Service Module, other'' and insert ''any'';

(B) strike '', or Russian'' and insert ''or any Russian'';

(C) strike ''the Russian Service Module, or any other Russian element in the critical path or Russian launch service'' and insert ''any Russian element in the critical path or any Russian launch services''; and

(D) strike the comma after ''with the permanent replacement''.

(4) In section 203(a)(2), strike the comma after ''Sciences and Applications''.

(5) In the section heading of section 205, insert ''**RESEARCH UTILIZATION AND COMMERCIALIZATION**'' after ''**SPACE STATION**''.

(6) In section 303, strike the comma after ''fullest extent feasible''.

(7) In section 317(b), strike ''October'' and insert ''December''.

When said concurrent resolution was considered.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence in said concurrent resolution.

¶97.13 ELECTRONIC COMMERCE ENHANCEMENT

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 4429) to require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such businesses to successfully integrate and utilize electronic commerce technologies and business practices; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. SENSENBRENNER and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such businesses to successfully integrate and utilize electronic commerce technologies and business practices, and to authorize the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major manufacturing industry.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and

the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.14 NATIONAL SMALL BUSINESS REGULATORY ASSISTANCE

Mr. SWEENEY moved to suspend the rules and pass the bill (H.R. 4946) to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. SWEENEY and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.15 EXPORT WORKING CAPITAL LOAN IMPROVEMENT

Mr. MANZULLO moved to suspend the rules and pass the bill (H.R. 4944) to amend the Small Business Act to permit the sale of guaranteed loans made for export purposes before the loans have been fully disbursed to borrowers.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. MANZULLO and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.16 VIOLENCE AGAINST WOMEN

Mr. HYDE moved to suspend the rules and pass the bill (H.R. 1248) to prevent violence against women; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. HYDE and Mr. CONYERS, each for 20 minutes.

After debate,

By unanimous consent, the time for debate was extended by 10 minutes to be equally divided and controlled by Mr. HYDE and Mr. CONYERS.

After further debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. MORELLA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶97.17 H.R. 5117—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5117) to amend the Internal Revenue Code of 1986 to clarify the allowance of the child credit, the deduction for personal exemptions, and the earned income credit for missing children, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	419
	Nays	0

¶97.18 [Roll No. 489]

YEAS—419

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Burton	Lazio	Rogan
Campbell	McCollum	Smith (MI)
Gillmor	McIntosh	Smith (WA)
Jones (OH)	Miller, Gary	Vento
Klink	Paul	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.19 H.R. 2572—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2572) to direct the Administrator of NASA to design and present an award to the Apollo astronauts.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 419 / Nays 0

¶97.20 [Roll No. 490]

YEAS—419

Abercrombie	Camp	Dreier
Ackerman	Canady	Duncan
Aderholt	Cannon	Dunn
Allen	Capps	Edwards
Andrews	Capuano	Ehlers
Archer	Cardin	Ehrlich
Armey	Carson	Emerson
Baca	Castle	Engel
Bachus	Chabot	English
Baird	Chambliss	Eshoo
Baker	Chenoweth-Hage	Etheridge
Baldacci	Clay	Evans
Baldwin	Clayton	Everett
Ballenger	Clement	Ewing
Barcia	Clyburn	Farr
Barr	Coble	Fattah
Barrett (NE)	Coburn	Filner
Barrett (WI)	Collins	Fletcher
Bartlett	Combest	Foley
Barton	Condit	Forbes
Bass	Conyers	Ford
Becerra	Cook	Fossella
Bentsen	Cooksey	Fowler
Bereuter	Costello	Frank (MA)
Berkley	Cox	Franks (NJ)
Berman	Coyne	Frelinghuysen
Berry	Cramer	Frost
Biggert	Crane	Gallegly
Bilbray	Crowley	Ganske
Bilirakis	Cubin	Gejdenson
Bishop	Cummings	Gekas
Blagojevich	Cunningham	Gephardt
Bliley	Danner	Gibbons
Blumenauer	Davis (FL)	Gilchrest
Blunt	Davis (IL)	Gilman
Boehlert	Davis (VA)	Gonzalez
Boehner	Deal	Goode
Bonilla	DeFazio	Goodlatte
Bonior	DeGette	Goodling
Bono	Delahunt	Gordon
Borski	DeLauro	Goss
Boswell	DeLay	Graham
Boucher	DeMint	Granger
Boyd	Deutsch	Green (TX)
Brady (PA)	Diaz-Balart	Green (WI)
Brady (TX)	Dickey	Greenwood
Brown (FL)	Dicks	Gutierrez
Brown (OH)	Dingell	Gutknecht
Bryant	Dixon	Hall (OH)
Burr	Doggett	Hall (TX)
Buyer	Dooley	Hansen
Callahan	Doolittle	Hastert
Calvert	Doyle	Hastings (FL)
Hastings (WA)	McInnis	Saxton
Hayes	McIntyre	Scarborough
Hayworth	McKeon	Schaffer
Hefley	McNulty	Schakowsky
Herger	Meehan	Scott
Hill (IN)	Meek (FL)	Sensenbrenner
Hill (MT)	Meeks (NY)	Serrano
Hilleary	Menendez	Sessions
Hilliard	Metcalf	Shadegg
Hinchey	Mica	Shaw
Hinojosa	Millender-McDonald	Shays
Hobson	Miller (FL)	Sherman
Hoeffel	Miller, George	Sherwood
Hoekstra	Minge	Shimkus
Holden	Mink	Shows
Holt	Moakley	Shuster
Hooley	Mollohan	Simpson
Horn	Moore	Sisisky
Hostettler	Moran (KS)	Skeen
Houghton	Moran (VA)	Skelton
Hoyer	Morella	Slaughter
Hulshof	Murtha	Smith (NJ)
Hunter	Myrick	Smith (TX)
Hutchinson	Nadler	Snyder
Hyde	Napolitano	Souder
Inslee	Neal	Spence
Isakson	Nethercutt	Spratt
Istook	Ney	Stabenow
Jackson (IL)	Northup	Stark
Jackson-Lee (TX)	Norwood	Stearns
Jefferson	Nussle	Stenholm
Jenkins	Oberstar	Strickland
John	Obey	Stump
Johnson (CT)	Olver	Stupak
Johnson, E.B.	Ortiz	Sununu
Johnson, Sam	Ose	Sweeney
Jones (NC)	Owens	Talent
Kanjorski	Oxley	Tancredo
Kaptur	Packard	Tanner
Kasich	Pallone	Tauscher
Kelly	Pascrell	Tauzin
Kennedy	Pastor	Taylor (MS)
Kildee	Payne	Taylor (NC)
Kilpatrick	Pease	Terry
Kind (WI)	Pelosi	Thomas
King (NY)	Peterson (MN)	Thompson (CA)
Kingston	Peterson (PA)	Thompson (MS)
Kleczka	Petri	Thornberry
Knollenberg	Phelps	Thune
Kolbe	Pickering	Thurman
Kucinich	Pickett	Tiahrt
Kuykendall	Pitts	Tierney
LaFalce	Pombo	Toomey
LaHood	Pomeroy	Towns
Lampson	Porter	Traficant
Lantos	Portman	Turner
Largent	Price (NC)	Udall (CO)
Larson	Pryce (OH)	Udall (NM)
Latham	Quinn	Upton
LaTourette	Radanovich	Velazquez
Leach	Rahall	Visclosky
Lee	Ramstad	Vitter
Levin	Rangel	Walden
Lewis (CA)	Regula	Walsh
Lewis (GA)	Reyes	Wamp
Lewis (KY)	Reynolds	Waters
Linder	Riley	Watkins
Lipinski	Rivers	Watt (NC)
LoBiondo	Rodriguez	Watts (OK)
Lofgren	Roemer	Waxman
Lowey	Rogers	Weiner
Lucas (KY)	Rohrabacher	Weldon (FL)
Lucas (OK)	Ros-Lehtinen	Weldon (PA)
Luther	Rothman	Weller
Maloney (CT)	Roukema	Wexler
Maloney (NY)	Roybal-Allard	Weygand
Manzullo	Royce	Whitfield
Markey	Rush	Wicker
Martinez	Ryan (WI)	Wilson
Mascara	Ryun (KS)	Wise
Matsui	Sabo	Wolf
McCarthy (MO)	Salmon	Woolsey
McCarthy (NY)	Sanchez	Wu
McCrery	Sanders	Wynn
McDermott	Sandlin	Young (AK)
McGovern	Sanford	Young (FL)
McHugh	Sawyer	

NOT VOTING—15

Burton	Lazio	Paul
Campbell	McCollum	Rogan
Gillmor	McIntosh	Smith (MI)
Jones (OH)	McKinney	Smith (WA)
Klink	Miller, Gary	Vento

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.21 H.R. 1248—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1248) to prevent violence against women; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 415 / Nays 3

¶97.22 [Roll No. 491]

YEAS—415

Abercrombie	Coburn	Gibbons
Ackerman	Collins	Gilchrest
Aderholt	Combest	Gonzalez
Allen	Condit	Goode
Andrews	Conyers	Goodlatte
Archer	Cook	Goodling
Armey	Cooksey	Gordon
Baca	Costello	Goss
Bachus	Cox	Graham
Baird	Coyne	Granger
Baker	Cramer	Green (TX)
Baldacci	Crane	Green (WI)
Baldwin	Crowley	Greenwood
Ballenger	Cubin	Gutierrez
Barcia	Cummings	Gutknecht
Barr	Cunningham	Hall (OH)
Barrett (NE)	Danner	Hall (TX)
Barrett (WI)	Davis (FL)	Hansen
Bartlett	Davis (IL)	Hastert
Barton	Davis (VA)	Hastings (FL)
Bass	Deal	Hastings (WA)
Becerra	DeFazio	Hayes
Bentsen	DeGette	Hayworth
Bereuter	Delahunt	Hefley
Berkley	DeLauro	Herger
Berman	DeLay	Hill (IN)
Berry	DeMint	Hill (MT)
Biggert	Deutsch	Hilleary
Bilbray	Diaz-Balart	Hilliard
Bilirakis	Dickey	Hinchey
Bishop	Dicks	Hinojosa
Blagojevich	Dingell	Hobson
Bliley	Dixon	Hoeffel
Blumenauer	Doggett	Hoekstra
Blunt	Dooley	Holden
Boehlert	Doolittle	Holt
Boehner	Doyle	Hooley
Bonilla	Dreier	Horn
Bonior	Duncan	Houghton
Bono	Dunn	Hoyer
Borski	Edwards	Hulshof
Boswell	Ehlers	Hunter
Boucher	Ehrlich	Hutchinson
Boyd	Engel	Hyde
Brady (PA)	English	Inslee
Brady (TX)	Eshoo	Isakson
Brown (FL)	Etheridge	Istook
Brown (OH)	Evans	Jackson (IL)
Bryant	Everett	Jackson-Lee (TX)
Burr	Ewing	Jefferson
Buyer	Farr	Jenkins
Callahan	Fattah	John
Calvert	Filner	Johnson (CT)
Camp	Fletcher	Johnson, E. B.
Canady	Foley	Johnson, Sam
Cannon	Forbes	Jones (NC)
Capps	Ford	Kanjorski
Capuano	Fossella	Kaptur
Cardin	Fowler	Kasich
Carson	Frank (MA)	Kelly
Castle	Franks (NJ)	Kennedy
Chabot	Frelinghuysen	Kildee
Chambliss	Frost	Kilpatrick
Clay	Gallegly	Kind (WI)
Clayton	Ganske	King (NY)
Clement	Gejdenson	Kingston
Clyburn	Gekas	Kleczka
Coble	Gephardt	

Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Chenoweth-Hage
Hostettler
Sanford

NOT VOTING—16

Burton
Campbell
Emerson
Gillmor
Gilman
Jones (OH)
Klink
Lazio
McCollum
McIntosh
Miller, Gary
Paul
Radanovich
Rogan
Smith (MI)
Vento

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.23 H.J. RES. 100—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the joint resolution (H.J. Res. 100) calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act.

The question being put,

Will the House suspend the rules and pass said joint resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 413 / Nays 0

¶97.24 [Roll No. 492]

YEAS—413

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—20

Burton
Campbell
Diaz-Balart
Franks (NJ)
Gillmor
Jones (OH)
Klink
Lazio
Matsui
McCollum
McIntosh
Miller, Gary
Paul
Radanovich
Rogan
Smith (MI)
Stupak
Taylor (MS)
Vento
Weller

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said joint resolution was passed.

A motion to reconsider the vote whereby the rules were suspended and said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶97.25 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 109

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 591):

Resolved, That upon the adoption of this resolution it shall be in order without inter-

vention of any point of order to consider in the House the joint resolution (H.J. Res. 109) making continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶97.26 CONTINUING APPROPRIATIONS FY 2000

Mr. YOUNG of Florida, pursuant to House Resolution 591, called up the joint resolution (H.J. Res. 109) making continuing appropriations for the fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 415 / Nays ..... 2 }

¶97.27 [Roll No. 493]

YEAS—415

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

DeFazio
Stark

NOT VOTING—16

Campbell
Clay
Franks (NJ)
Gillmor
Gutierrez
Horn
Jones (OH)
Klink
Lazio
McCollum
McIntosh
Paul
Rogan
Smith (MI)
Vento
Watkins

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶97.28 SMALL BUSINESS LIABILITY RELIEF

Mr. OXLEY moved to suspend the rules and pass the bill (H.R. 5175) to provide relief to small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. OXLEY and Mr. TOWNS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. TOWNS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶97.29 BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH

Mr. BOEHLERT moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 999) to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Beaches Environmental Assessment and Coastal Health Act of 2000''.

SEC. 2. ADOPTION OF COASTAL RECREATION WATER QUALITY CRITERIA AND STANDARDS BY STATES.

Section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313) is amended by adding at the end the following:

''(i) COASTAL RECREATION WATER QUALITY CRITERIA.—

''(1) ADOPTION BY STATES.—

''(A) INITIAL CRITERIA AND STANDARDS.—Not later than 42 months after the date of enactment of this subsection, each State having coastal recreation waters shall adopt and submit to the Administrator water quality criteria and standards for the coastal recreation waters of the State for those pathogens and pathogen indicators for which the Administrator has published criteria under section 304(a).

''(B) NEW OR REVISED CRITERIA AND STANDARDS.—Not later than 36 months after the date of publication by the Administrator of new or revised water quality criteria under section 304(a)(9), each State having coastal recreation waters shall adopt and submit to the Administrator new or revised water quality standards for the coastal recreation waters of the State for all pathogens and pathogen indicators to which the new or revised water quality criteria are applicable.

''(2) FAILURE OF STATES TO ADOPT.—

''(A) IN GENERAL.—If a State fails to adopt water quality criteria and standards in accordance with paragraph (1)(A) that are as protective of human health as the criteria for pathogens and pathogen indicators for coastal recreation waters published by the Administrator, the Administrator shall promptly propose regulations for the State setting forth revised or new water quality standards for pathogens and pathogen indicators described in paragraph (1)(A) for coastal recreation waters of the State.

''(B) EXCEPTION.—If the Administrator proposes regulations for a State described in subparagraph (A) under subsection (c)(4)(B), the Administrator shall publish any revised or new standard under this subsection not later than 42 months after the date of enactment of this subsection.

''(3) APPLICABILITY.—Except as expressly provided by this subsection, the requirements and procedures of subsection (c) apply to this subsection, including the requirement in subsection (c)(2)(A) that the criteria protect public health and welfare.''.

SEC. 3. REVISIONS TO WATER QUALITY CRITERIA.

(a) STUDIES CONCERNING PATHOGEN INDICATORS IN COASTAL RECREATION WATERS.—Section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254) is amended by adding at the end the following:

''(v) STUDIES CONCERNING PATHOGEN INDICATORS IN COASTAL RECREATION WATERS.—Not later than 18 months after the date of enactment of this subsection, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), the Administrator shall initiate, and, not later than 3 years after the date of enactment of this subsection, shall complete, in cooperation with the heads of other Federal agencies, studies to provide additional information for use in developing—

''(1) an assessment of potential human health risks resulting from exposure to pathogens in coastal recreation waters, including nongastrointestinal effects;

''(2) appropriate and effective indicators for improving detection in a timely manner in coastal recreation waters of the presence of pathogens that are harmful to human health;

''(3) appropriate, accurate, expeditious, and cost-effective methods (including predictive models) for detecting in a timely manner in coastal recreation waters the presence of pathogens that are harmful to human health; and

''(4) guidance for State application of the criteria for pathogens and pathogen indicators to be published under section 304(a)(9) to account for the diversity of geographic and aquatic conditions.''.

(b) REVISED CRITERIA.—Section 304(a) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)) is amended by adding at the end the following:

''(9) REVISED CRITERIA FOR COASTAL RECREATION WATERS.—

''(A) IN GENERAL.—Not later than 5 years after the date of enactment of this paragraph, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), the Administrator shall publish new or revised water quality criteria for pathogens and pathogen indicators (including a revised list of testing methods, as appropriate), based on the results of the studies conducted under section 104(v), for the purpose of protecting human health in coastal recreation waters.

''(B) REVIEWS.—Not later than the date that is 5 years after the date of publication of water quality criteria under this paragraph, and at least once every 5 years thereafter, the Administrator shall review and, as necessary, revise the water quality criteria.''.

SEC. 4. COASTAL RECREATION WATER QUALITY MONITORING AND NOTIFICATION.

Title IV of the Federal Water Pollution Control Act (33 U.S.C. 1341 et seq.) is amended by adding at the end the following:

''SEC. 406. COASTAL RECREATION WATER QUALITY MONITORING AND NOTIFICATION.

''(a) MONITORING AND NOTIFICATION.—

''(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), and after providing public notice and an opportunity for comment, the Administrator shall publish performance criteria for—

''(A) monitoring and assessment (including specifying available methods for monitoring) of coastal recreation waters adjacent to beaches or similar points of access that are used by the public for attainment of applicable water quality standards for pathogens and pathogen indicators; and

''(B) the prompt notification of the public, local governments, and the Administrator of any exceeding of or likelihood of exceeding applicable water quality standards for coastal recreation waters described in subparagraph (A).

''(2) LEVEL OF PROTECTION.—The performance criteria referred to in paragraph (1) shall provide that the activities described in subparagraphs (A) and (B) of that paragraph shall be carried out as necessary for the protection of public health and safety.

''(b) PROGRAM DEVELOPMENT AND IMPLEMENTATION GRANTS.—

''(1) IN GENERAL.—The Administrator may make grants to States and local governments to develop and implement programs for monitoring and notification for coastal recreation waters adjacent to beaches or similar points of access that are used by the public.

''(2) LIMITATIONS.—

''(A) IN GENERAL.—The Administrator may award a grant to a State or a local government to implement a monitoring and notification program if—

''(i) the program is consistent with the performance criteria published by the Administrator under subsection (a);

''(ii) the State or local government prioritizes the use of grant funds for particular coastal recreation waters based on the use of the water and the risk to human health presented by pathogens or pathogen indicators;

''(iii) the State or local government makes available to the Administrator the factors used to prioritize the use of funds under clause (ii);

''(iv) the State or local government provides a list of discrete areas of coastal recreation waters that are subject to the program for monitoring and notification for which the grant is provided that specifies any coastal recreation waters for which fiscal constraints will prevent consistency with the performance criteria under subsection (a); and

''(v) the public is provided an opportunity to review the program through a process that provides for public notice and an opportunity for comment.

''(B) GRANTS TO LOCAL GOVERNMENTS.—The Administrator may make a grant to a local government under this subsection for implementation of a monitoring and notification program only if, after the 1-year period beginning on the date of publication of performance criteria under subsection (a)(1), the Administrator determines that the State is not implementing a program that meets the requirements of this subsection, regardless of whether the State has received a grant under this subsection.

''(3) OTHER REQUIREMENTS.—

''(A) REPORT.—A State recipient of a grant under this subsection shall submit to the Administrator, in such format and at such intervals as the Administrator determines to be appropriate, a report that describes—

''(i) data collected as part of the program for monitoring and notification as described in subsection (c); and

''(ii) actions taken to notify the public when water quality standards are exceeded.

''(B) DELEGATION.—A State recipient of a grant under this subsection shall identify each local government to which the State has delegated or intends to delegate responsibility for implementing a monitoring and notification program consistent with the performance criteria published under subsection (a) (including any coastal recreation waters for which the authority to implement a monitoring and notification program would be subject to the delegation).

''(4) FEDERAL SHARE.—

''(A) IN GENERAL.—The Administrator, through grants awarded under this section, may pay up to 100 percent of the costs of developing and implementing a program for monitoring and notification under this subsection.

''(B) NON-FEDERAL SHARE.—The non-Federal share of the costs of developing and implementing a monitoring and notification program may be—

''(i) in an amount not to exceed 50 percent, as determined by the Administrator in consultation with State, tribal, and local government representatives; and

''(ii) provided in cash or in kind.

''(c) CONTENT OF STATE AND LOCAL GOVERNMENT PROGRAMS.—As a condition of receipt of a grant under subsection (b), a State or local government program for monitoring and notification under this section shall identify—

''(1) lists of coastal recreation waters in the State, including coastal recreation waters adjacent to beaches or similar points of access that are used by the public;

''(2) in the case of a State program for monitoring and notification, the process by which the State may delegate to local governments responsibility for implementing the monitoring and notification program;

''(3) the frequency and location of monitoring and assessment of coastal recreation waters based on—

''(A) the periods of recreational use of the waters;

''(B) the nature and extent of use during certain periods;

''(C) the proximity of the waters to known point sources and nonpoint sources of pollution; and

''(D) any effect of storm events on the waters;

''(4)(A) the methods to be used for detecting levels of pathogens and pathogen indicators that are harmful to human health; and

''(B) the assessment procedures for identifying short-term increases in pathogens and pathogen indicators that are harmful to human health in coastal recreation waters (including increases in relation to storm events);

''(5) measures for prompt communication of the occurrence, nature, location, pollutants involved, and extent of any exceeding of, or likelihood of exceeding, applicable water quality standards for pathogens and pathogen indicators to—

''(A) the Administrator, in such form as the Administrator determines to be appropriate; and

''(B) a designated official of a local government having jurisdiction over land adjoining the

coastal recreation waters for which the failure to meet applicable standards is identified;

''(6) measures for the posting of signs at beaches or similar points of access, or functionally equivalent communication measures that are sufficient to give notice to the public that the coastal recreation waters are not meeting or are not expected to meet applicable water quality standards for pathogens and pathogen indicators; and

''(7) measures that inform the public of the potential risks associated with water contact activities in the coastal recreation waters that do not meet applicable water quality standards.

''(d) FEDERAL AGENCY PROGRAMS.—Not later than 3 years after the date of enactment of this section, each Federal agency that has jurisdiction over coastal recreation waters adjacent to beaches or similar points of access that are used by the public shall develop and implement, through a process that provides for public notice and an opportunity for comment, a monitoring and notification program for the coastal recreation waters that—

''(1) protects the public health and safety;

''(2) is consistent with the performance criteria published under subsection (a);

''(3) includes a completed report on the information specified in subsection (b)(3)(A), to be submitted to the Administrator; and

''(4) addresses the matters specified in subsection (c) .

''(e) DATABASE.—The Administrator shall establish, maintain, and make available to the public by electronic and other means a national coastal recreation water pollution occurrence database that provides—

''(1) the data reported to the Administrator under subsections (b)(3)(A)(i) and (d)(3); and

''(2) other information concerning pathogens and pathogen indicators in coastal recreation waters that—

''(A) is made available to the Administrator by a State or local government, from a coastal water quality monitoring program of the State or local government; and

''(B) the Administrator determines should be included.

''(f) TECHNICAL ASSISTANCE FOR MONITORING FLOATABLE MATERIAL.—The Administrator shall provide technical assistance to States and local governments for the development of assessment and monitoring procedures for floatable material to protect public health and safety in coastal recreation waters.

''(g) LIST OF WATERS.—

''(1) IN GENERAL.—Beginning not later than 18 months after the date of publication of performance criteria under subsection (a), based on information made available to the Administrator, the Administrator shall identify, and maintain a list of, discrete coastal recreation waters adjacent to beaches or similar points of access that are used by the public that—

''(A) specifies any waters described in this paragraph that are subject to a monitoring and notification program consistent with the performance criteria established under subsection (a); and

''(B) specifies any waters described in this paragraph for which there is no monitoring and notification program (including waters for which fiscal constraints will prevent the State or the Administrator from performing monitoring and notification consistent with the performance criteria established under subsection (a)).

''(2) AVAILABILITY.—The Administrator shall make the list described in paragraph (1) available to the public through—

''(A) publication in the Federal Register; and

''(B) electronic media.

''(3) UPDATES.—The Administrator shall update the list described in paragraph (1) periodically as new information becomes available.

''(h) EPA IMPLEMENTATION.—In the case of a State that has no program for monitoring and notification that is consistent with the performance criteria published under subsection (a) after the last day of the 3-year period beginning on the date on which the Administrator lists waters in the State under subsection (g)(1)(B), the Administrator shall conduct a monitoring and notification program for the listed waters based on a priority ranking established by the Administrator using funds appropriated for grants under subsection (i)—

''(1) to conduct monitoring and notification; and

''(2) for related salaries, expenses, and travel.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for making grants under subsection (b), including implementation of monitoring and notification programs by the Administrator under subsection (h), $30,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 5. DEFINITIONS.

Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362) is amended by adding at the end the following:

''(21) COASTAL RECREATION WATERS.—

''(A) IN GENERAL.—The term 'coastal recreation waters' means—

''(i) the Great Lakes; and

''(ii) marine coastal waters (including coastal estuaries) that are designated under section 303(c) by a State for use for swimming, bathing, surfing, or similar water contact activities.

''(B) EXCLUSIONS.—The term 'coastal recreation waters' does not include—

''(i) inland waters; or

''(ii) waters upstream of the mouth of a river or stream having an unimpaired natural connection with the open sea.

''(22) FLOATABLE MATERIAL.—

''(A) IN GENERAL.—The term 'floatable material' means any foreign matter that may float or remain suspended in the water column.

''(B) INCLUSIONS.—The term 'floatable material' includes—

''(i) plastic;

''(ii) aluminum cans;

''(iii) wood products;

''(iv) bottles; and

''(v) paper products.

''(23) PATHOGEN INDICATOR.—The term 'pathogen indicator' means a substance that indicates the potential for human infectious disease.''.

SEC. 6. INDIAN TRIBES.

Section 518(e) of the Federal Water Pollution Control Act (33 U.S.C. 1377(e)) is amended by striking ''and 404'' and inserting ''404, and 406''.

SEC. 7. REPORT.

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, and every 4 years thereafter, the Administrator of the Environmental Protection Agency shall submit to Congress a report that includes—

(1) recommendations concerning the need for additional water quality criteria for pathogens and pathogen indicators and other actions that should be taken to improve the quality of coastal recreation waters;

(2) an evaluation of Federal, State, and local efforts to implement this Act, including the amendments made by this Act; and

(3) recommendations on improvements to methodologies and techniques for monitoring of coastal recreation waters.

(b) COORDINATION.—The Administrator of the Environmental Protection Agency may coordinate the report under this section with other reporting requirements under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the provisions of this Act, including the amendments made by this Act, for which amounts are not otherwise specifically authorized to be appropriated, such sums as are necessary for each of fiscal years 2001 through 2005.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. BOEHLERT and Mr. BORSKI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶97.30 EFFIGY MOUNDS NATIONAL MONUMENT ADDITIONS

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 3745) to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. HANSEN and Mr. ROMERO-BARCELO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ISAKSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.31 NATIONAL HISTORIC LIGHTHOUSE PRESERVATION

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 4613) to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program; as amended.

The SPEAKER pro tempore, Mr. ISAKSON, recognized Mr. HANSEN and Mr. ROMERO-BARCELO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HUTCHINSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.32 WILLING SELLER AMENDMENTS TO THE NATIONAL TRAILS SYSTEM

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 2267) to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HUTCHINSON, recognized Mr. HANSEN and Mr. ROMERO-BARCELO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HUTCHINSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.33 LINCOLN COUNTY LAND ACT

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 2752) to give Lincoln County, Nevada, the right to purchase at fair market value certain public land located with that county, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HUTCHINSON, recognized Mr. HANSEN and Mr. ROMERO-BARCELO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HUTCHINSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to direct the Secretary of Interior to sell certain public land in Lincoln County through a competitive process.''.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.34 DAYTON AVIATION HERITAGE PRESERVATION

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 5036) to amend the Dayton Aviation Heritage Preservation Act of 1992 to clarify the areas included in the Dayton Aviation Heritage National Historical Park and to authorize appropriations for that park; as amended.

The SPEAKER pro tempore, Mr. HUTCHINSON, recognized Mr. HANSEN and Mr. ROMERO-BARCELO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HUTCHINSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.35 GETTYSBURG NATIONAL MILITARY PARK

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 1324) to expand the boundaries of the Gettysburg National Military Park to include Wills House, and for other purposes.

The SPEAKER pro tempore, Mr. HUTCHINSON, recognized Mr. HANSEN and Mr. ROMERO-BARCELO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HUTCHINSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶97.36 RELATIONSHIP WITH NATIVE HAWAIIANS

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 4904) to express the policy of the United States regarding the United States relationship with Native Hawaiians, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HUTCHINSON, recognized Mr. HANSEN and Mr. ABERCROMBIE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HUTCHINSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to express the policy of the United States regarding the United States relationship with Native Hawaiians, to provide a process for the reorganization of a Native Hawaiian government and the recognition by the United States of the Native Hawaiian government, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.37 CIA LAND EXCHANGE

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 4835) to authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, and for other purposes.

The SPEAKER pro tempore, Mr. HUTCHINSON, recognized Mr. HANSEN and Mr. ROMERO-BARCELO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HUTCHINSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.38 H.R. 5175—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HUTCHINSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5175) to provide relief to small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the negative	Yeas	253
	Nays	161

¶97.39 [Roll No. 494]

YEAS—253

Aderholt	Barr	Biggert
Archer	Barrett (NE)	Bilbray
Armey	Bartlett	Bilirakis
Baca	Barton	Bishop
Bachus	Bass	Bliley
Baldacci	Bentsen	Blunt
Ballenger	Bereuter	Boehlert
Barcia	Berry	Boehner

Bonilla
Bono
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Fletcher
Foley
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
McCrery
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NAYS—161

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Barrett (WI)
Becerra
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clayton
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Engel
Eshoo
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gilman
Gonzalez
Gutierrez
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Stabenow
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wynn

NOT VOTING—19

Baker
Campbell
Clay
Ewing
Franks (NJ)
Gillmor
Jones (OH)
Klink
Lazio
McCollum
McIntosh
Paul
Rogan
Sandlin
Saxton
Smith (MI)
Stark
Vento
Woolsey

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill, as amended, was not passed.

¶97.40 BORN-ALIVE INFANTS PROTECTION

Mr. CANADY moved to suspend the rules and pass the bill (H.R. 4292) to protect infants who are born alive.

The SPEAKER pro tempore, Mr. DICKEY, recognized Mr. CANADY and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. DICKEY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CANADY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 380; Nays ..... 15; Answered present 3 }

¶97.41 [Roll No. 495]

YEAS—380

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent

Tancredo	Towns	Weldon (PA)
Tanner	Traficant	Weller
Tauscher	Turner	Wexler
Tauzin	Udall (CO)	Weygand
Taylor (MS)	Udall (NM)	Whitfield
Taylor (NC)	Upton	Wicker
Terry	Visclosky	Wilson
Thomas	Vitter	Wise
Thompson (CA)	Walden	Wolf
Thompson (MS)	Walsh	Woolsey
Thornberry	Wamp	Wu
Thune	Watkins	Wynn
Thurman	Watts (OK)	Young (AK)
Tiahrt	Waxman	Young (FL)
Tierney	Weiner	
Toomey	Weldon (FL)	

NAYS—15

Carson	Hastings (FL)	Maloney (NY)
Dingell	Jackson (IL)	McKinney
Fattah	Johnson (CT)	Velazquez
Gilman	Lee	Waters
Gonzalez	Lowey	Watt (NC)

ANSWERED ''PRESENT''—3

Hinchey	Schakowsky	Slaughter

NOT VOTING—35

Bereuter	Kilpatrick	Pickett
Boehner	Klink	Porter
Brown (OH)	Lazio	Quinn
Campbell	Lewis (GA)	Rogan
Clay	Martinez	Rush
Ewing	McCollum	Sandlin
Frank (MA)	McIntosh	Shuster
Franks (NJ)	Moran (VA)	Sisisky
Gillmor	Morella	Smith (MI)
Hall (OH)	Murtha	Stark
Houghton	Packard	Vento
Jones (OH)	Paul	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.42 PEACE PROCESS IN NORTHERN IRELAND

Mr. GILMAN moved to suspend the rules and agree to the following resolution (H. Res. 547); as amended:

Whereas the April 10, 1998, Good Friday Agreement established a framework for the peaceful settlement of the conflict in Northern Ireland;

Whereas the Good Friday Agreement stated that it provided ''the opportunity for a new beginning to policing in Northern Ireland with a police service capable of attracting and sustaining support from the community as a whole'';

Whereas the Good Friday Agreement provided for the establishment of an Independent Commission on Policing to make ''recommendations for future policing arrangements in Northern Ireland including means of encouraging widespread community support for these arrangements'';

Whereas the Independent Commission on Policing, led by Sir Christopher Patten, concluded its work on September 9, 1999, and proposed 175 recommendations in its final report to ensure a new beginning to policing, consistent with the requirements in the Good Friday Agreement;

Whereas the Patten report explicitly ''warned in the strongest terms against cherry-picking from this report or trying to implement some major elements of it in isolation from others'';

Whereas section 405 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as contained in H.R. 3427, as enacted by section 1000(a)(7) of Public Law 106–113, and as contained in appendix G to such Public Law) requires President Clinton to certify, among other things, that the Governments of the United Kingdom and Ireland are committed to assisting in the full implementation of the recommendations contained in the Patten Commission report issued on September 9, 1999 before the Federal Bureau of Investigation or any other Federal law enforcement agency can provide training for the Royal Ulster Constabulary;

Whereas a May 5, 2000, joint letter by the British Prime Minister and the Irish Prime Minister stated that ''legislation to implement the Patten report will, subject to Parliament, be enacted by November 2000'';

Whereas on May 16, 2000, the British Government published the proposed Police (Northern Ireland) bill, which purports to implement in law the Patten report;

Whereas many of the signatories to the Good Friday Agreement have stated that the proposed Police (Northern Ireland) bill does not live up to the letter or spirit of the Patten report and dilutes or fails to implement many of the Patten Commission's key recommendations regarding accountability, such as, by limiting the Policing Board and Police Ombudsman's powers of inquiry, by failing to appoint a commissioner to oversee implementation of the Patten Commission's 175 recommendations and instead limiting the commissioner to overseeing those changes in policing which are decided upon by the British Government, and by rejecting the Patten Commission's recommendation that all police officers in Northern Ireland take an oath expressing an explicit commitment to uphold human rights;

Whereas Northern Ireland's main nationalist parties have indicated that they will not participate or encourage participation in the new policing structures unless the Patten report is fully implemented; and

Whereas on June 15, 2000, British Secretary of State for Northern Ireland Peter Mandelson said, ''I remain absolutely determined to implement the Patten recommendations and to achieve the effective and representative policing service, accepted in every part of Northern Ireland, that his report aimed to secure'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the parties for progress to date in implementing all aspects of the Good Friday Agreement and urges them to move expeditiously to complete the implementation;

(2) believes that the full and speedy implementation of the recommendations of the Independent Commission on Policing for Northern Ireland holds the promise of ensuring that the police service in Northern Ireland will gain the support of both nationalists and unionists and that ''policing structures and arrangements are such that the police service is fair and impartial, free from partisan political control, accountable . . . to the community it serves, representative of the society that it polices . . . [and] complies with human rights norms'', as mandated by the Good Friday Agreement; and

(3) calls upon the British Government to fully and faithfully implement the recommendations contained in the September 9, 1999, Patten Commission report on policing.

The SPEAKER pro tempore, Mr. PITTS, recognized Mr. GILMAN and Mr. CROWLEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. PITTS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶97.43 U.S. RESPONSE TO POSSIBLE DECLARATION OF PALESTINIAN STATE

Mr. GILMAN moved to suspend the rules and pass the bill (H.R. 5272) to provide for a United States response in the event of a unilateral declaration of a Palestinian state; as amended.

The SPEAKER pro tempore, Mr. PITTS, recognized Mr. GILMAN and Mr. CROWLEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PITTS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GILMAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PITTS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, September 27, 2000.

¶97.44 ORDER OF BUSINESS—CONSIDERATION OF SUSPENSIONS AND CORRECTIONS CALENDAR MEASURE

On motion of Mr. GOODLING, by unanimous consent,

Ordered, That it may be in order at any time on Wednesday, September 27, 2000, for the Speaker to entertain motions to suspend the rules and pass, or adopt, the following measures: (H.R. 1795) to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering; (H.R. 2641) to make technical corrections to title X of the Energy Policy Act of 1992; (H.R. 2346) to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment; (H. Res. 576) supporting efforts to increase childhood cancer awareness, treatment, and research; and (S. 1295) to designate the United States Post Office located at 3813 Main Street in East Chicago, Indiana, as the ''Lance Corporal Harold Gomez Post Office''; and that it may be in order at any time on Wednesday, September 27, 2000, for the Speaker to direct the Clerk to call the bill on the Corrections Calendar.

¶97.45 QUALITY TEACHER RECRUITMENT AND RETENTION

Mr. GOODLING moved to suspend the rules and pass the bill (H.R. 5034) to expand loan forgiveness for teachers, and for other purposes.

The SPEAKER pro tempore, Mr. PITTS, recognized Mr. GOODLING and Ms. SANCHEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.46 PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 4365

Ms. PRYCE of Ohio, by direction of the Committee on Rules, reported (Rept. No. 106–901) the resolution (H. Res. 594) providing for consideration of the Senate amendment to the bill (H.R. 4365) to amend the Public Health Service Act with respect to children's health.

When said resolution and report were referred to the House Calendar and ordered printed.

¶97.47 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Ms. PRYCE of Ohio, by direction of the Committee on Rules, reported (Rept. No. 106–902) the resolution (H. Res. 595) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶97.48 CONGRATULATING HOME EDUCATORS

Mr. SCHAFFER moved to suspend the rules and agree to the following resolution (H. Res. 578):

Whereas the United States is committed to excellence in education and to strengthening the family;

Whereas parental choice and involvement are important to excellence in education;

Whereas parents have a fundamental right to direct the education and upbringing of their children;

Whereas home schooling families contribute significantly to cultural diversity, which is important to a healthy society;

Whereas home education allows families the opportunity to provide their children a sound academic education integrated with high ethical standards taught within a safe and secure environment;

Whereas home education has been a major part of American education and culture since the Nation's inception and demonstrates the American ideals of innovation, entrepreneurship, and individual responsibility;

Whereas home education was proven successful in the lives of George Washington, Patrick Henry, John Quincy Adams, John Marshall, Robert E. Lee, Booker T. Washington, Thomas Edison, Abraham Lincoln, Theodore Roosevelt, Woodrow Wilson, Mark Twain, John Singleton Copley, William Carey, Phyllis Wheatley, and Andrew Carnegie, who were each home schooled;

Whereas today the United States has a significant number of parents who teach a total of approximately 1,700,000 home schooled students, thus saving several billion dollars on public education each year;

Whereas home schooled students exhibit self-confidence and good citizenship and are fully prepared academically and socially to meet the challenges of today's society;

Whereas scores of contemporary studies, including a 1999 University of Maryland analysis of the nationally recognized Iowa Test of Basic Skills, confirm that children who are educated at home perform exceptionally well on nationally normed achievement tests, and such performance is also demonstrated by the fact that home schooled students scored well above the national average on the 2000 SAT and the 1997, 1998, 1999, and 2000 ACT;

Whereas studies demonstrate that home schooled students excel in college, with the grade point average of home schooled students exceeding the college average;

Whereas home schooled students continue to exhibit excellence in academic competitions, as demonstrated by home schooled students finishing first, second, and third in the 2000 Scripps-Howard National Spelling Bee and by a home schooled student finishing second in the 2000 National Geography Bee sponsored by the National Geographic Society; and

Whereas National Home Education Week, beginning on October 1, 2000, and ending on October 7, 2000, furthers the goal of honoring home educators and home schooled students for their efforts to improve the quality of education in the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates home educators and home schooled students across the Nation for their ongoing contributions to education and for the role they play in promoting and ensuring a brighter, stronger future for the Nation;

(2) honors home educators and home schooled students for their efforts to improve the quality of education in the United States; and

(3) supports the goals of National Home Education Week.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. SCHAFFER and Ms. SANCHEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶97.49 NATIONAL MUSEUM OF THE AMERICAN INDIAN COMMEMORATIVE COIN

Mr. LEACH moved to suspend the rules and pass the bill (H.R. 4259) to require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. LEACH and Mr. LAFALCE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.50 NUMISMATIC COIN CLARIFICATION

Mr. LUCAS moved to suspend the rules and pass the bill (H.R. 5273) to clarify the intention of the Congress with regard to the authority of the United States Mint to produce numismatic coins, and for other purposes.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. LUCAS and Mr. LAFALCE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶97.51 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2909. An act to provide for implementation by the United States of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes.

H.R. 4919. An act to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes.

¶97.52 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 430. An act to amend the Alaska Native Claims Settlement Act to provide for a land

exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes.

¶97.53 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PAUL, for today and balance of the week.

And then,

¶97.54 ADJOURNMENT

On motion of Mr. METCALF, at 11 o'clock and 53 minutes p.m., the House adjourned.

¶97.55 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BLILEY: Committee on Commerce. H.R. 1795. A bill to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering, with amendments (Rept. 106–889). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4613. A bill to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program; with an amendment (Rept. 106–890). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 1248. A bill to prevent violence against women; with an amendment (Rept. 106–891, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4835. A bill to authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, and for other purposes (Rept. 106–895 Pt. 1). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 5036. A bill to amend the Dayton Aviation Heritage Preservation Act of 1992 to clarify the areas included in the Dayton Aviation Heritage National Historical Park and to authorize appropriations for that park (Rept. 106–896). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4904. A bill to express the policy of the United States regarding the United States relationship with Native Hawaiians, and for other purposes; with amendments (Rept. 106–897). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 1030. An act to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws (Rept. 106–898). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 426. An act to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes (Rept. 106–899). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCOLLUM: Committee on Judiciary. H.R. 4640. A bill to make grants to States for carrying out DNA analyses for use in the Combined DNA Index System of the Federal Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain violent and sexual offenders for use in such system, and for other purposes; with an amendment (Rept. 106–900 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 594. Resolution providing for consideration of the Senate amendment to the bill (H.R. 4365) to amend the Public Health Service Act with respect to children's health (Rept. 106–901). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 595. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 106–902). Referred to the House Calendar.

¶97.56 TIME LIMITATION OF REFERRED BILL

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

H.R. 1248. Referral to the Committees on Education and the Workforce and Commerce extended for a period ending not later than September 26, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than September 29, 2000.

H.R. 4640. Referral to the Committee on Armed Services extended for a period ending not later than September 26, 2000.

¶97.57 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committees on Education and the Workforce and Commerce discharged. H.R. 1248 referred to the Committee on the Whole House on the State of the Union.

Pursuant to clause 5 of rule X the Committee on Armed Services discharged. H.R. 4640 referred to the Committee of the Whole House on the State of the Union.

¶97.58 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BLILEY (for himself, Mr. DINGELL, Mr. BILIRAKIS, Mr. BROWN of Ohio, Mr. TAUZIN, Mr. OXLEY, Mr. UPTON, Mr. STEARNS, Mr. GILLMOR, Mr. GREENWOOD, Mr. BURR of North Carolina, Mr. NORWOOD, Mr. ROGAN, Mr. SHIMKUS, Mrs. WILSON, Mr. PICKERING, Mr. BRYANT, Mr. BLUNT, Mr. EHRLICH, Ms. McCARTHY of Missouri, Mr. LUTHER, Mr. ALLEN, Mr. WEYGAND, Mr. WAXMAN, Mr. MARKEY, Mr. HALL of Texas, Mr. BOUCHER, Mr. TOWNS, Mr. PALLONE, Mr. GORDON, Ms. ESHOO, Mr. KLINK, Mr. STUPAK, Mr. ENGEL, Mr. WYNN, Mr. BARRETT of Wisconsin, and Mr. HOEFFEL):

H.R. 5291. A bill to amend titles XVIII, XIX, and XXI of the Social Security Act to make additional corrections and refinements in the Medicare, Medicaid, and State children's health insurance programs, as revised by the Balanced Budget Act of 1997; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut:

H.R. 5292. A bill to increase State flexibility in funding child protection programs, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of Texas:

H.R. 5293. A bill to amend the Immigration and Nationality Act to improve provisions relating to inadmissibility and detention of, and cancellation of removal for, aliens who have committed crimes, and for other purposes; to the Committee on the Judiciary.

By Mr. DEAL of Georgia:

H.R. 5294. A bill to require the Federal Communications Commission to completely and accurately fulfill the support requirements for universal service for high cost areas, and for other purposes; to the Committee on Commerce.

By Mr. ENGLISH:

H.R. 5295. A bill to amend the Internal Revenue Code of 1986 with respect to discharge of indebtedness income from prepayment of loans under section 306B of the Rural Electrification Act of 1936; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 5296. A bill to amend title XVIII of the Social Security Act to revise and improve the Medicare Program; to the Committee on Ways and Means, and in addition to the Committees on Commerce, the Budget, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EVERETT:

H.R. 5297. A bill to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the construction of reservoir structures for the storage of water in rural areas, and for other purposes; to the Committee on Agriculture.

By Mr. GALLEGLY:

H.R. 5298. A bill to amend title 18, United States Code, to create an offense of solicitation or recruitment of persons in criminal street gang activity; to the Committee on the Judiciary.

By Mr. GREEN of Wisconsin:

H.R. 5299. A bill to strengthen the enforcement of Federal statutes relating to false identification, and for other purposes; to the Committee on the Judiciary.

By Mr. HOLT:

H.R. 5300. A bill to amend section 227 of the Communications Act of 1934 to prohibit the use of the text, graphic, or image messaging systems of wireless telephone systems to transmit unsolicited commercial messages; to the Committee on Commerce.

By Mr. LEWIS of California:

H.R. 5301. A bill to authorize the Secretary of the Interior to carry out a land exchange involving lands in Inyo and San Bernardino Counties, California; to the Committee on Resources.

By Mr. McDERMOTT (for himself, Mr. INSLEE, Mr. METCALF, Mr. BAIRD, Mr. HASTINGS of Washington, Mr. NETHERCUTT, Mr. DICKS, Ms. DUNN, Mr. SMITH of Washington, Mr. MATSUI, Mrs. MINK of Hawaii, and Mr. WU):

H.R. 5302. A bill to designate the United States courthouse located at 1010 Fifth Avenue in Seattle, Washington, as the "William Kenzo Nakamura United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself and Mr. SMITH of New Jersey):

H.R. 5303. A bill to amend title XVIII of the Social Security Act to clarify the definition of homebound under the Medicare home health benefit; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subse-

quently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHADEGG:

H.R. 5304. A bill to require the General Accounting Office to report on the impact of the Emergency Medical Treatment and Active Labor Act (EMTALA) on hospital emergency departments; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself and Mr. BOEHLERT):

H.R. 5305. A bill to enhance the services provided by the Environmental Protection Agency to small communities that are attempting to comply with national, State, and local environmental regulations; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO (for himself, Mr. DELAY, Mr. PITTS, Mr. DOOLITTLE, Mr. SAM JOHNSON of Texas, Mr. HILLEARY, Mrs. MYRICK, Mr. TOOMEY, Mr. SMITH of New Jersey, Mr. LARGENT, Mr. BARTLETT of Maryland, Mr. HOSTETTLER, Mr. KINGSTON, Mr. GOODE, Mr. JONES of North Carolina, Mr. SCHAFFER, Mr. SOUDER, Mr. DICKEY, Mr. COBURN, Mr. SANFORD, Mr. SHADEGG, Mr. DEMINT, Mr. RYAN of Wisconsin, and Mr. GARY MILLER of California):

H.R. 5306. A bill to prohibit the use of Federal funds to discriminate against the Boy Scouts of America on the basis of beliefs promoted by that organization or that organization's constitutionally protected expression of beliefs or exercise of associational rights, and for other purposes; to the Committee on the Judiciary.

By Mr. WALDEN of Oregon:

H.R. 5307. A bill to authorize the Secretary of the Interior to conduct a feasibility study on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon; to the Committee on Resources.

By Mr. WATKINS:

H.R. 5308. A bill to amend laws relating to the lands of the citizens of the Muscogee (Creek), Seminole, Cherokee, Chickasawa and Choctaw Nations, historically referred to as the Five Civilized Tribes, and for other purposes; to the Committee on Resources.

By Mr. WELDON of Florida:

H.R. 5309. A bill to designate the facility of the United States Postal Service located at 2305 Minton Road in West Melbourne, Florida, as the ''Ronald W. Reagan Post Office Building''; to the Committee on Government Reform.

By Ms. WOOLSEY:

H.R. 5310. A bill to authorize appropriations to promote innovation and technology transfer in wastewater discharge reduction and water conservation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SENSENBRENNER:

H. Con. Res. 409. Concurrent resolution directing the Clerk of the House of Representatives to make corrections in the enrollment of the bill H.R. 1654; considered and agreed to.

By Mr. LANTOS (for himself, Mr. ROYCE, Mr. PAYNE, Mr. PORTER, Mr. PETERSON of Minnesota, Mr. MINGE, Mr. OBERSTAR, Mr. LUTHER, Mrs. MALONEY of New York, Ms. PELOSI, Mr. FALEOMAVAEGA, Mr. MCGOVERN, Mrs. MORELLA, Mr. RUSH, and Mr. GUTKNECHT):

H. Con. Res. 410. Concurrent resolution condemning the assassination of Father John Kaiser and others who worked to promote human rights and justice in the Republic of Kenya; to the Committee on International Relations.

¶97.59 REPORT OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

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

Mr. HYDE: Committee on the Judiciary. H.R. 3414. A bill for the relief of Luis A. Leon-Molina, Ligia Padron, Juan Leon Padron, Rendy Leon Padron, Manuel Leon Padron, and Luis Leon Padron (Rept. 106–892). Referred to the Private Calendar.

Mr. HYDE: Committee on the Judiciary. H.R. 3184. A bill for the relief of Zohreh Farhang Ghahfarokhi (Rept. 106–893). Referred to the Private Calendar.

Mr. HYDE: Committee on the Judiciary. H.R. 848. A bill for the relief of Sepandan Farnia and Farbod Farnia (Rept. 106–894). Referred to the Private Calendar.

¶97.60 ADDITIONAL SPONSORS

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

H.R. 78: Mr. BENTSEN.

H.R. 218: Mr. ROGAN and Mr. MALONEY of Connecticut.

H.R. 284: Ms. WOOLSEY, Mr. REYNOLDS, Mrs. CHRISTENSEN, Mrs. MALONEY of New York, and Mr. ANDREWS.

H.R. 534: Mr. MCKEON.

H.R. 583: Mr. SHIMKUS and Mr. SANDLIN.

H.R. 714: Ms. KILPATRICK and Mr. LANTOS.

H.R. 835: Mr. LEWIS of California.

H.R. 842: Mr. VISCLOSKY and Mr. LIPINSKI.

H.R. 860: Mr. MEEKS of New York and Ms. MCKINNEY.

H.R. 914: Mr. TURNER.

H.R. 919: Mr. OWENS, Mr. DELAHUNT, and Mr. MARKEY.

H.R. 961: Ms. DELAURO.

H.R. 1092: Mr. ARMEY.

H.R. 1194: Mr. SUNUNU.

H.R. 1621: Mr. COLLINS, Mr. TANNER, and Mr. BERRY.

H.R. 1671: Mr. NEAL of Massachusetts, Mr. DINGELL, and Mr. CLEMENT.

H.R. 1892: Mrs. THURMAN.

H.R. 2121: Mr. MATSUI, Mr. BRADY of Pennsylvania, Mr. SERRANO, Mr. TIERNEY, Mr. HILLIARD, Mr. JEFFERSON, and Ms. ESHOO.

H.R. 2344: Mr. SANDLIN.

H.R. 2402: Mr. HEFLEY and Mrs. KELLY.

H.R. 2624: Mr. UDALL of Colorado.

H.R. 2710: Mr. BORSKI and Mr. HYDE.

H.R. 2720: Mr. SHAW.

H.R. 2738: Ms. LEE and Mr. GREENWOOD.

H.R. 2814: Mr. UDALL of Colorado.

H.R. 2867: Mr. SCHAFFER and Mr. JONES of North Carolina.

H.R. 2945: Mr. KUCINICH.

H.R. 2953: Mr. KING.

H.R. 3003: Mr. SHIMKUS, Mrs. WILSON, and Mr. LOBIONDO.

H.R. 3008: Mr. KLINK.

H.R. 3065: Mrs. JONES of Ohio.

H.R. 3082: Mr. LEWIS of Georgia.

H.R. 3192: Mr. BILBRAY and Mr. FLETCHER.

H.R. 3214: Mr. PICKETT.

H.R. 3308: Mr. TIAHRT.

H.R. 3408: Mr. MCKEON.

H.R. 3433: Ms. DELAURO and Mr. LARSON.

H.R. 3455: Mr. REYES.

H.R. 3514: Mr. SANDERS, Mr. BARTLETT of Maryland, and Mr. COSTELLO.

H.R. 3518: Mr. FRANKS of New Jersey.

H.R. 3580: Mr. HORN, Mr. POMBO, and Mrs. JONES of Ohio.

H.R. 3710: Mr. POMBO.

H.R. 3839: Mrs. JOHNSON of Connecticut, Mr. BOEHLERT, Mr. SMITH of Texas, Mr. OBEY, Mr. HORN, and Mr. MCHUGH.

H.R. 3842: Mr. ROMERO-BARCELÓ.

H.R. 3915: Mr. MCKEON, Mr. STENHOLM, and Mr. DELAHUNT.

H.R. 4025: Mr. LOBIONDO and Mrs. MYRICK.

H.R. 4046: Mr. BOUCHER and Mr. NADLER.

H.R. 4094: Mr. LUTHER and Mr. SHAW.

H.R. 4144: Mr. LIPINSKI.

H.R. 4167: Mr. BLUMENAUER.

H.R. 4178: Mr. GALLEGLY.

H.R. 4191: Ms. KILPATRICK.

H.R. 4192: Mr. GANSKE.

H.R. 4206: Mr. ALLEN.

H.R. 4215: Mr. HOEKSTRA and Mr. RYUN of Kansas.

H.R. 4239: Mrs. JONES of Ohio.

H.R. 4259: Mr. HOYER.

H.R. 4274: Mr. RUSH and Mr. FOSSELLA.

H.R. 4277: Mr. BENTSEN, Mr. MCNULTY, Ms. PELOSI, Mr. BLUNT, and Mr. STUMP.

H.R. 4299: Mr. SHAW and Mr. GORDON.

H.R. 4340: Mr. RYUN of Kansas.

H.R. 4359: Ms. CARSON.

H.R. 4375: Mr. BAIRD.

H.R. 4395: Mr. MCDERMOTT.

H.R. 4399: Mr. BOYD, Ms. ROS-LEHTINEN, Mr. WEXLER, Mrs. THURMAN, Mr. DEUTSCH, Mr. MCCOLLUM, Mr. MICA, Mr. CANADY of Florida, Mr. WELDON of Florida, Mr. FOLEY, Mrs. FOWLER, Mr. DAVIS of Florida, Mr. MILLER of Florida, Mr. YOUNG of Florida, Mr. SHAW, Mr. STEARNS, Mr. GOSS, Mr. DIAZ-BALART, Mr. BILIRAKIS, and Mr. SCARBOROUGH.

H.R. 4400: Mrs. MEEK of Florida, Mr. BOYD, Ms. ROS-LEHTINEN, Mr. WEXLER, Mrs. THURMAN, Mr. DEUTSCH, Mr. MCCOLLUM, Mr. MICA, Mr. CANADY of Florida, Mr. WELDON of Florida, Mr. FOLEY, Mrs. FOWLER, Mr. DAVIS of Florida, Mr. MILLER of Florida, Mr. YOUNG of Florida, Mr. SHAW, Mr. STEARNS, Mr. GOSS, Mr. DIAZ-BALART, Mr. BURRAKIS, and Mr. SCARBOROUGH.

H.R. 4493: Mr. RAMSTAD.

H.R. 4511: Mr. STENHOLM, Mr. EHRLICH, Mr. BURR of North Carolina, Mr. WHITFIELD, and Mr. RYUN of Kansas.

H.R. 4527: Mr. HAYWORTH, Mr. KILDEE, Mr. GEPHARDT, Mr. CANNON, Mr. KENNEDY of Rhode Island, Mr. CONYERS, Mr. SKEEN, Mr. BONIOR, Mr. FALEOMAVAEGA, Mr. ROHRABACHER, Mr. MCCOLLUM, Mr. LARGENT, Mr. WATTS of Oklahoma, Mr. OWENS, Mr. WAXMAN, Mr. MARTINEZ, Mr. COOK, Mr. FILNER, Mr. FROST, and Mr. GEJDENSON.

H.R. 4543: Mrs. CHENOWETH-HAGE.

H.R. 4571: Mr. JENKINS, Mr. KLECZKA, Mr. COOK, Ms. MILLENDER-MCDONALD, Mr. STRICKLAND, Mr. KUCINICH, Mrs. JOHNSON of Connecticut, Mr. BONIOR, Mr. GEORGE MILLER of California, and Mr. CAMP.

H.R. 4633: Mr. CHAMBLISS.

H.R. 4636: Ms. BALDWIN and Mr. BARRETT of Wisconsin.

H.R. 4638: Mr. HOSTETTLER.

H.R. 4672: Mr. FOLEY, Mr. SMITH of Michigan, Mr. KOLBE, Mr. TANCREDO, Mr. GARY MILLER of California, Mr. BACHUS, Mr. HILL of Montana, and Mr. JONES of North Carolina.

H.R. 4702: Mr. TANNER.

H.R. 4728: Mr. SWEENEY, Mr. LAZIO, Mr. CHAMBLISS, Ms. DELAURO, MR. LARGENT, and Mr. MEEKS of New York.

H.R. 4740: Mr. HINOJOSA, Mr. HOLT, Mr. SHERMAN, Ms. DANNER, Mrs. CHRISTENSEN, Mr. DELAHUNT, Mr. LEWIS of Georgia, Mr. ABERCROMBIE, Mr. GILMAN, and Mr. KUCINICH.

H.R. 4746: Mr. CAMP.

H.R. 4770: Mr. WYNN.

H.R. 4772: Mrs. JONES of Ohio, Ms. NORTON, and Ms. LEE.

H.R. 4791: Mr. HUTCHINSON.

H.R. 4825: Mr. KUCINICH, Mr. MORAN of Kansas, Mr. KIND, Mr. BUYER, Mrs. JONES of Ohio, and Mr. DOYLE.
H.R. 4893: Ms. PELOSI.
H.R. 4922: Mr. HERGER.
H.R. 4977: Mr. SANDERS.
H.R. 4995: Mr. GORDON.
H.R. 4996: Mr. GORDON.
H.R. 4997: Mr. GORDON.
H.R. 4998: Mr. CALLAHAN.
H.R. 5004: Mr. GARY MILLER of California.
H.R. 5034: Mr. KUYKENDALL.
H.R. 5066: Mr. DEFAZIO.
H.R. 5067: Mr. BALDACCI.
H.R. 5070: Mr. RAMSTAD.
H.R. 5117: Mr. THOMAS and Mr. LAMPSON.
H.R. 5144: Mr. LUCAS of Kentucky.
H.R. 5151: Mr. CANADY of Florida.
H.R. 5154: Mr. DICKEY.
H.R. 5163: Mr. GOODLATTE, Mr. KUCINICH, Mr. SOUDER, Mr. BORSKI, Mr. NETHERCUTT, Ms. BROWN of Florida, Mr. MINGE, and Mr. MALONEY of Connecticut.
H.R. 5172: Mr. HILLIARD and Mr. ENGLISH.
H.R. 5178: Mr. LOBIONDO, Mr. GRAHAM, Mr. COBLE, Mr. FARR of California, Mrs. TAUSCHER, Mr. COOK, Mr. NEY, Mr. CUNNINGHAM, Mrs. NORTHUP, Mr. DICKEY, Mr. NORWOOD, Mr. BONILLA, Mr. ABERCROMBIE, and Mr. BOEHLERT.
H.R. 5179: Mr. BORSKI, Ms. LEE, and Mr. KUCINICH.
H.R. 5180: Mr. LOBIONDO.
H.R. 5198: Mr. TOWNS.
H.R. 5200: Mr. FRANKS of New Jersey, Mr. SCHAFFER, Mr. ENGLISH, Mrs. MYRICK, Mr. JONES of North Carolina, and Mr. MANZULLO.
H.R. 5204: Mr. HILLIARD, Mr. FROST, Mr. CONYERS, Mrs. MORELLA, and Mr. PAYNE.
H.R. 5208: Ms. ESHOO and Ms. KILPATRICK.
H.R. 5244: Mr. HILL of Montana and Mr. CANNON.
H.R. 5257: Mr. RYAN of Wisconsin.
H.R. 5272: Mr. BEREUTER, Mr. FALEOMAVAEGA, Mr. SMITH of New Jersey, and Mr. LANTOS.
H.J. Res. 48: Mr. HOEKSTRA and Mr. OBERSTAR.
H. Con. Res. 273: Mr. EVANS and Mr. SAXTON.
H. Con. Res. 308: Mr. DOYLE, Mr. Defazio, and Mr. HINCHEY.
H. Con. Res. 337: Mr. LEWIS of California.
H. Con. Res. 355: Mr. LANTOS.
H. Con. Res. 365: Mr. GIBBONS.
H. Con. Res. 389: Mr. WATT of North Carolina and Mr. WAXMAN.
H. Con. Res. 390: Mr. BAKER, Mr. KNOLLENBERG, Mr. STENHOLM, Mr. DAVIS of Florida, and Mr. KENNEDY of Rhode Island.
H. Con. Res. 395: Mrs. THURMAN.
H. Con. Res. 396: Mr. PICKETT and Mr. GOODLATTE.
H. Con. Res. 404: Mr. COLLINS, Mr. TANCREDO, and Ms. STABENOW.
H. Res. 576: Mr. WOLF, Mr. EHLERS, Mr. HILLIARD, Mr. FROST, Mr. SCHAFFER, Mrs. CLAYTON, and Mr. OSE.
H. Res. 578: Mr. BURR of North Carolina.

¶97.61 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 4503: Mr. CHAMBLISS.
H.R. 5194: Ms. DANNER.

WEDNESDAY, SEPTEMBER 27, 2000 (98)

¶98.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. OSE, who laid before the House the following communication:

WASHINGTON, DC,
September 27, 2000.

I hereby appoint the Honorable DOUG OSE to act as Speaker pro tempore on this day.

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

¶98.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. OSE, announced he had examined and approved the Journal of the proceedings of Tuesday, September 26, 2000.

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

¶98.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10312. A letter from the Administrator, Rural Utilities Services, Department of Agriculture, transmitting the Department's final rule—RUS Form 397, Special Equipment Contract (Including Installation) (RIN: 0572–AB35) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10313. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Dimethyl silicone polymer with silica; silane, dichloromethyl-reaction product with silica; hexamethyldisilizane, reaction product with silica; Tolerance Exemption [OPP–301055; FRL–6745–1] (RIN: 2070–AB78) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10314. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bifenthrin; Pesticide Tolerances for Emergency Exemptions [OPP–301047; FRL–6744–4] (RIN: 2070–AB78) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10315. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin; Pesticide Tolerance [OPP–301069; FRL–6749–1] (RIN: 2070–AB78) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10316. A letter from the Under Secretary of Defense, Acquisition and Technology, Department of Defense, transmitting The Fiscal Year 1999 Defense Environmental Technology Program; to the Committee on Armed Services.

10317. A letter from the Chief, Compliance Division, Office of Civil Rights, Department of Commerce, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10318. A letter from the Office of Civil Rights, Department of Transportation, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10319. A letter from the Senior Attorney, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards [Docket No. NHTSA–98–4515; Notice 2] (RIN: 2127–AF43) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10320. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New York State Implementation Plan Revision [Region 2 Docket No. NY43a-212, FRL–6873–2] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10321. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List Additions and Deletions—received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10322. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List: Additions—received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10323. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation [FRL–6874–5] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10324. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic MACKerel, Squid and Butterfish Fisheries; Inseason Adjustment Procedures [Docket No. 000907254–0254–01; I.D. 082400A] received September 25, 20000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10325. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Fisheries; Annual Specifications [Docket No. 000831250–0250–01; 071400E] (RIN: 0648–AN74) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10326. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Pella, IA [Airspace Docket No. 00–ACE–26] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10327. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; McPherson, KS [Airspace Docket No. 00–ACE–17] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10328. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Hugoton, KS [Airspace Docket No. 00–ACE–18] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10329. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 and EMB–145 Series Airplanes [Docket No. 2000–NM–301–AD; Amendment 39–11904; AD 2000–19–03] (RIN: 2120–AA64) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10330. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBARER) Model EMB–135 and EMB–145 Series Airplanes [Docket No. 2000–NM–300–AD; Amendment 39–11903; AD 2000–19–02] (RIN: 2120–AA64) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10331. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 1900C, 1900C (C–21J), and 1900D Airplanes [Docket No. 2000–CE–02–AD; Amendment 39–11905; AD 2000–19–04] (RIN: 2120–AA64) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10332. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Capital Gains, Partnership, Subchapter S, and Trust Provisions (RIN: 1545–AW22) received September 25,2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶98.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 4700. An Act to grant the consent of the Congress to the Kansas and Missouri Metropolitan Culture District Compact.

H.J. Res. 72. Joint resolution granting the consent of the Congress to the Red River Boundary Compact.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1658. An Act to authorize the construction of a Reconciliation Place in Fort Pierre, South Dakota, and for other purposes.

S. 1865. An Act to provide grants to establish demonstration mental health courts.

S. 1929. An Act to amend the Native Hawaiian Health Care Improvement Act to revise and extend such Act.

S. 2272. An Act to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997.

¶98.5 PROVIDING FOR THE CONSIDERATION OF THE AMENDMENT OF THE SENATE TO H.R. 4365

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 594):

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 4365) to amend the Public Health Service Act with respect to children's health, with Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chairman of the Committee on Commerce or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

When said resolution was considered. After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶98.6 CHILDREN'S HEALTH

Mr. BILIRAKIS, pursuant to House Resolution 594, moved to take from the Speaker's table the bill (H.R. 4365) to amend the Public Health Service Act with respect to children's health; together with the following amendment of the Senate thereto, and concur in said amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Children's Health Act of 2000''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

DIVISION A—CHILDREN'S HEALTH

TITLE I—AUTISM

Sec. 101. Expansion, intensification, and coordination of activities of National Institutes of Health with respect to research on autism.
Sec. 102. Developmental disabilities surveillance and research programs.
Sec. 103. Information and education.
Sec. 104. Inter-agency Autism Coordinating Committee.
Sec. 105. Report to Congress.

TITLE II—RESEARCH AND DEVELOPMENT REGARDING FRAGILE X

Sec. 201. National Institute of Child Health and Human Development; research on fragile X.

TITLE III—JUVENILE ARTHRITIS AND RELATED CONDITIONS

Sec. 301. National Institute of Arthritis and Musculoskeletal and Skin Diseases; research on juvenile arthritis and related conditions.
Sec. 302. Information clearinghouse.

TITLE IV—REDUCING BURDEN OF DIABETES AMONG CHILDREN AND YOUTH

Sec. 401. Programs of Centers for Disease Control and Prevention.
Sec. 402. Programs of National Institutes of Health.

TITLE V—ASTHMA SERVICES FOR CHILDREN

Subtitle A—Asthma Services

Sec. 501. Grants for children's asthma relief.
Sec. 502. Technical and conforming amendments.

Subtitle B—Prevention Activities

Sec. 511. Preventive health and health services block grant; systems for reducing asthma-related illnesses through integrated pest management.

Subtitle C—Coordination of Federal Activities

Sec. 521. Coordination through National Institutes of Health.

Subtitle D—Compilation of Data

Sec. 531. Compilation of data by Centers for Disease Control and Prevention.

TITLE VI—BIRTH DEFECTS PREVENTION ACTIVITIES

Subtitle A—Folic Acid Promotion

Sec. 601. Program regarding effects of folic acid in prevention of birth defects.

Subtitle B—National Center on Birth Defects and Developmental Disabilities

Sec. 611. National Center on Birth Defects and Developmental Disabilities.

TITLE VII—EARLY DETECTION, DIAGNOSIS, AND TREATMENT REGARDING HEARING LOSS IN INFANTS

Sec. 701. Purposes.
Sec. 702. Programs of Health Resources and Services Administration, Centers for Disease Control and Prevention, and National Institutes of Health.

TITLE VIII—CHILDREN AND EPILEPSY

Sec. 801. National public health campaign on epilepsy; seizure disorder demonstration projects in medically underserved areas.

TITLE IX—SAFE MOTHERHOOD; INFANT HEALTH PROMOTION

Subtitle A—Safe Motherhood Prevention Research

Sec. 901. Prevention research and other activities.

Subtitle B—Pregnant Women and Infants Health Promotion

Sec. 911. Programs regarding prenatal and postnatal health.

TITLE X—PEDIATRIC RESEARCH INITIATIVE

Sec. 1001. Establishment of pediatric research initiative.
Sec. 1002. Investment in tomorrow's pediatric researchers.
Sec. 1003. Review of regulations.
Sec. 1004. Long-term child development study.

TITLE XI—CHILDHOOD MALIGNANCIES

Sec. 1101. Programs of Centers for Disease Control and Prevention and National Institutes of Health.

TITLE XII—ADOPTION AWARENESS

Subtitle A—Infant Adoption Awareness

Sec. 1201. Grants regarding infant adoption awareness.

Subtitle B—Special Needs Adoption Awareness

Sec. 1211. Special needs adoption programs; public awareness campaign and other activities.

TITLE XIII—TRAUMATIC BRAIN INJURY

Sec. 1301. Programs of Centers for Disease Control and Prevention.
Sec. 1302. Study and monitor incidence and prevalence.
Sec. 1303. Programs of National Institutes of Health.
Sec. 1304. Programs of Health Resources and Services Administration.
Sec. 1305. State grants for protection and advocacy services.
Sec. 1306. Authorization of appropriations for certain programs.

TITLE XIV—CHILD CARE SAFETY AND HEALTH GRANTS

Sec. 1401. Definitions.
Sec. 1402. Authorization of appropriations.
Sec. 1403. Programs.
Sec. 1404. Amounts reserved; allotments.
Sec. 1405. State applications.
Sec. 1406. Use of funds.
Sec. 1407. Reports.

TITLE XV—HEALTHY START INITIATIVE

Sec. 1501. Continuation of healthy start program.

TITLE XVI—ORAL HEALTH PROMOTION AND DISEASE PREVENTION

Sec. 1601. Identification of interventions that reduce the burden and transmission of oral, dental, and craniofacial diseases in high risk populations; development of approaches for pediatric oral and craniofacial assessment.

Sec. 1602. Oral health promotion and disease prevention.
Sec. 1603. Coordinated program to improve pediatric oral health.
TITLE XVII—VACCINE-RELATED PROGRAMS
Subtitle A—Vaccine Compensation Program
Sec. 1701. Content of petitions.
Subtitle B— Childhood Immunizations
Sec. 1711. Childhood immunizations.
TITLE XVIII—HEPATITIS C
Sec. 1801. Surveillance and education regarding hepatitis C.
TITLE XIX—NIH INITIATIVE ON AUTOIMMUNE DISEASES
Sec. 1901. Autoimmune diseases; initiative through Director of National Institutes of Health.
TITLE XX—GRADUATE MEDICAL EDUCATION PROGRAMS IN CHILDREN'S HOSPITALS
Sec. 2001. Provisions to revise and extend program.
TITLE XXI—SPECIAL NEEDS OF CHILDREN REGARDING ORGAN TRANSPLANTATION
Sec. 2101. Organ Procurement and Transplantation Network; amendments regarding needs of children.
TITLE XXII—MUSCULAR DYSTROPHY RESEARCH
Sec. 2201. Muscular dystrophy research.
TITLE XXIII—CHILDREN AND TOURETTE SYNDROME AWARENESS
Sec. 2301. Grants regarding Tourette Syndrome.
TITLE XXIV—CHILDHOOD OBESITY PREVENTION
Sec. 2401. Programs operated through the Centers for Disease Control and Prevention.
TITLE XXV—EARLY DETECTION AND TREATMENT REGARDING CHILDHOOD LEAD POISONING
Sec. 2501. Centers for Disease Control and Prevention efforts to combat childhood lead poisoning.
Sec. 2502. Grants for lead poisoning related activities.
Sec. 2503. Training and reports by the Health Resources and Services Administration.
Sec. 2504. Screenings, referrals, and education regarding lead poisoning.
TITLE XXVI—SCREENING FOR HERITABLE DISORDERS
Sec. 2601. Program to improve the ability of States to provide newborn and child screening for heritable disorders.
TITLE XXVII—PEDIATRIC RESEARCH PROTECTIONS
Sec. 2701. Requirement for additional protections for children involved in research.
TITLE XXVIII—MISCELLANEOUS PROVISIONS
Sec. 2801. Report regarding research on rare diseases in children.
Sec. 2802. Study on metabolic disorders.
TITLE XXIX—EFFECTIVE DATE
Sec. 2901. Effective date.
DIVISION B—YOUTH DRUG AND MENTAL HEALTH SERVICES
Sec. 3001. Short title.
TITLE XXXI—PROVISIONS RELATING TO SERVICES FOR CHILDREN AND ADOLESCENTS
Sec. 3101. Children and violence.
Sec. 3102. Emergency response.
Sec. 3103. High risk youth reauthorization.
Sec. 3104. Substance abuse treatment services for children and adolescents.
Sec. 3105. Comprehensive community services for children with serious emotional disturbance.
Sec. 3106. Services for children of substance abusers.
Sec. 3107. Services for youth offenders.
Sec. 3108. Grants for strengthening families through community partnerships.
Sec. 3109. Programs to reduce underage drinking.
Sec. 3110. Services for individuals with fetal alcohol syndrome.
Sec. 3111. Suicide prevention.
Sec. 3112. General provisions.
TITLE XXXII—PROVISIONS RELATING TO MENTAL HEALTH
Sec. 3201. Priority mental health needs of regional and national significance.
Sec. 3202. Grants for the benefit of homeless individuals.
Sec. 3203. Projects for assistance in transition from homelessness.
Sec. 3204. Community mental health services performance partnership block grant.
Sec. 3205. Determination of allotment.
Sec. 3206. Protection and Advocacy for Mentally Ill Individuals Act of 1986.
Sec. 3207. Requirement relating to the rights of residents of certain facilities.
Sec. 3208. Requirement relating to the rights of residents of certain non-medical, community-based facilities for children and youth.
Sec. 3209. Emergency mental health centers.
Sec. 3210. Grants for jail diversion programs.
Sec. 3211. Improving outcomes for children and adolescents through services integration between child welfare and mental health services.
Sec. 3212. Grants for the integrated treatment of serious mental illness and co-occurring substance abuse.
Sec. 3213. Training grants.
TITLE XXXIII—PROVISIONS RELATING TO SUBSTANCE ABUSE
Sec. 3301. Priority substance abuse treatment needs of regional and national significance.
Sec. 3302. Priority substance abuse prevention needs of regional and national significance.
Sec. 3303. Substance abuse prevention and treatment performance partnership block grant.
Sec. 3304. Determination of allotments.
Sec. 3305. Nondiscrimination and institutional safeguards for religious providers.
Sec. 3306. Alcohol and drug prevention or treatment services for Indians and Native Alaskans.
Sec. 3307. Establishment of commission.
TITLE XXXIV—PROVISIONS RELATING TO FLEXIBILITY AND ACCOUNTABILITY
Sec. 3401. General authorities and peer review.
Sec. 3402. Advisory councils.
Sec. 3403. General provisions for the performance partnership block grants.
Sec. 3404. Data infrastructure projects.
Sec. 3405. Repeal of obsolete addict referral provisions.
Sec. 3406. Individuals with co-occurring disorders.
Sec. 3407. Services for individuals with co-occurring disorders.
TITLE XXXV—WAIVER AUTHORITY FOR PHYSICIANS WHO DISPENSE OR PRESCRIBE CERTAIN NARCOTIC DRUGS FOR MAINTENANCE TREATMENT OR DETOXIFICATION TREATMENT
Sec. 3501. Short title.
Sec. 3502. Amendment to Controlled Substances Act.
TITLE XXXVI—METHAMPHETAMINE AND OTHER CONTROLLED SUBSTANCES
Sec. 3601. Short title.
Subtitle A—Methamphetamine Production, Trafficking, and Abuse
PART I—CRIMINAL PENALTIES
Sec. 3611. Enhanced punishment of amphetamine laboratory operators.
Sec. 3612. Enhanced punishment of amphetamine or methamphetamine laboratory operators.
Sec. 3613. Mandatory restitution for violations of Controlled Substances Act and Controlled Substances Import and Export Act relating to amphetamine and methamphetamine.
Sec. 3614. Methamphetamine paraphernalia.
PART II—ENHANCED LAW ENFORCEMENT
Sec. 3621. Environmental hazards associated with illegal manufacture of amphetamine and methamphetamine.
Sec. 3622. Reduction in retail sales transaction threshold for non-safe harbor products containing pseudoephedrine or phenylpropanolamine.
Sec. 3623. Training for Drug Enforcement Administration and State and local law enforcement personnel relating to clandestine laboratories.
Sec. 3624. Combating methamphetamine and amphetamine in high intensity drug trafficking areas.
Sec. 3625. Combating amphetamine and methamphetamine manufacturing and trafficking.
PART III—ABUSE PREVENTION AND TREATMENT
Sec. 3631. Expansion of methamphetamine research.
Sec. 3632. Methamphetamine and amphetamine treatment initiative by Center for Substance Abuse Treatment.
Sec. 3633. Study of methamphetamine treatment.
PART IV—REPORTS
Sec. 3641. Reports on consumption of methamphetamine and other illicit drugs in rural areas, metropolitan areas, and consolidated metropolitan areas.
Sec. 3642. Report on diversion of ordinary, over-the-counter pseudoephedrine and phenylpropanolamine products.
Subtitle B—Controlled Substances Generally
Sec. 3651. Enhanced punishment for trafficking in list I chemicals.
Sec. 3652. Mail order requirements.
Sec. 3653. Theft and transportation of anhydrous ammonia for purposes of illicit production of controlled substances.
Subtitle C—Ecstasy Anti-Proliferation Act of 2000
Sec. 3661. Short title.
Sec. 3662. Findings.
Sec. 3663. Enhanced punishment of Ecstasy traffickers.
Sec. 3664. Emergency authority to United States Sentencing Commission.
Sec. 3665. Expansion of Ecstasy and club drugs abuse prevention efforts.
Subtitle D—Miscellaneous
Sec. 3671. Antidrug messages on Federal Government Internet websites.
Sec. 3672. Reimbursement by Drug Enforcement Administration of expenses incurred to remediate methamphetamine laboratories.
Sec. 3673. Severability.

DIVISION A—CHILDREN'S HEALTH

TITLE I—AUTISM

SEC. 101. EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES OF NATIONAL INSTITUTES OF HEALTH WITH RESPECT TO RESEARCH ON AUTISM.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following section:

''EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES OF NATIONAL INSTITUTES OF HEALTH WITH RESPECT TO RESEARCH ON AUTISM

''SEC. 409C. (a) IN GENERAL.—

''(1) EXPANSION OF ACTIVITIES.—The Director of NIH (in this section referred to as the 'Director') shall expand, intensify, and coordinate the activities of the National Institutes of Health with respect to research on autism.

''(2) ADMINISTRATION OF PROGRAM; COLLABORATION AMONG AGENCIES.—The Director shall carry out this section acting through the Director of the National Institute of Mental Health and in collaboration with any other agencies that the Director determines appropriate.

''(b) CENTERS OF EXCELLENCE.—

''(1) IN GENERAL.—The Director shall under subsection (a)(1) make awards of grants and contracts to public or nonprofit private entities to pay all or part of the cost of planning, establishing, improving, and providing basic operating support for centers of excellence regarding research on autism.

''(2) RESEARCH.—Each center under paragraph (1) shall conduct basic and clinical research into autism. Such research should include investigations into the cause, diagnosis, early detection, prevention, control, and treatment of autism. The centers, as a group, shall conduct research including the fields of developmental neurobiology, genetics, and psychopharmacology.

''(3) SERVICES FOR PATIENTS.—

''(A) IN GENERAL.—A center under paragraph (1) may expend amounts provided under such paragraph to carry out a program to make individuals aware of opportunities to participate as subjects in research conducted by the centers.

''(B) REFERRALS AND COSTS.—A program under subparagraph (A) may, in accordance with such criteria as the Director may establish, provide to the subjects described in such subparagraph, referrals for health and other services, and such patient care costs as are required for research.

''(C) AVAILABILITY AND ACCESS.—The extent to which a center can demonstrate availability and access to clinical services shall be considered by the Director in decisions about awarding grants to applicants which meet the scientific criteria for funding under this section.

''(4) COORDINATION OF CENTERS; REPORTS.—The Director shall, as appropriate, provide for the coordination of information among centers under paragraph (1) and ensure regular communication between such centers, and may require the periodic preparation of reports on the activities of the centers and the submission of the reports to the Director.

''(5) ORGANIZATION OF CENTERS.—Each center under paragraph (1) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director.

''(6) NUMBER OF CENTERS; DURATION OF SUPPORT.—

''(A) IN GENERAL.—The Director shall provide for the establishment of not less than 5 centers under paragraph (1).

''(B) DURATION.—Support for a center established under paragraph (1) may be provided under this section for a period of not to exceed 5 years. Such period may be extended for 1 or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director and if such group has recommended to the Director that such period should be extended.

''(c) FACILITATION OF RESEARCH.—The Director shall under subsection (a)(1) provide for a program under which samples of tissues and genetic materials that are of use in research on autism are donated, collected, preserved, and made available for such research. The program shall be carried out in accordance with accepted scientific and medical standards for the donation, collection, and preservation of such samples.

''(d) PUBLIC INPUT.—The Director shall under subsection (a)(1) provide for means through which the public can obtain information on the existing and planned programs and activities of the National Institutes of Health with respect to autism and through which the Director can receive comments from the public regarding such programs and activities.

''(e) FUNDING.—There are authorized to be appropriated such sums as may be necessary to carry out this section. Amounts appropriated under this subsection are in addition to any other amounts appropriated for such purpose.''.

SEC. 102. DEVELOPMENTAL DISABILITIES SURVEILLANCE AND RESEARCH PROGRAMS.

(a) NATIONAL AUTISM AND PERVASIVE DEVELOPMENTAL DISABILITIES SURVEILLANCE PROGRAM.—

(1) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary''), acting through the Director of the Centers for Disease Control and Prevention, may make awards of grants and cooperative agreements for the collection, analysis, and reporting of data on autism and pervasive developmental disabilities. In making such awards, the Secretary may provide direct technical assistance in lieu of cash.

(2) ELIGIBILITY.—To be eligible to receive an award under paragraph (1) an entity shall be a public or nonprofit private entity (including health departments of States and political subdivisions of States, and including universities and other educational entities).

(b) CENTERS OF EXCELLENCE IN AUTISM AND PERVASIVE DEVELOPMENTAL DISABILITIES EPIDEMIOLOGY.—

(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish not less than 3 regional centers of excellence in autism and pervasive developmental disabilities epidemiology for the purpose of collecting and analyzing information on the number, incidence, correlates, and causes of autism and related developmental disabilities.

(2) RECIPIENTS OF AWARDS FOR ESTABLISHMENT OF CENTERS.—Centers under paragraph (1) shall be established and operated through the awarding of grants or cooperative agreements to public or nonprofit private entities that conduct research, including health departments of States and political subdivisions of States, and including universities and other educational entities.

(3) CERTAIN REQUIREMENTS.—An award for a center under paragraph (1) may be made only if the entity involved submits to the Secretary an application containing such agreements and information as the Secretary may require, including an agreement that the center involved will operate in accordance with the following:

(A) The center will collect, analyze, and report autism and pervasive developmental disabilities data according to guidelines prescribed by the Director, after consultation with relevant State and local public health officials, private sector developmental disability researchers, and advocates for those with developmental disabilities.

(B) The center will assist with the development and coordination of State autism and pervasive developmental disabilities surveillance efforts within a region.

(C) The center will identify eligible cases and controls through its surveillance systems and conduct research into factors which may cause autism and related developmental disabilities.

(D) The center will develop or extend an area of special research expertise (including genetics, environmental exposure to contaminants, immunology, and other relevant research specialty areas).

(c) CLEARINGHOUSE.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out the following:

(1) The Secretary shall establish a clearinghouse within the Centers for Disease Control and Prevention for the collection and storage of data generated from the monitoring programs established by this title. Through the clearinghouse, such Centers shall serve as the coordinating agency for autism and pervasive developmental disabilities surveillance activities. The functions of such a clearinghouse shall include facilitating the coordination of research and policy development relating to the epidemiology of autism and other pervasive developmental disabilities.

(2) The Secretary shall coordinate the Federal response to requests for assistance from State health department officials regarding potential or alleged autism or developmental disability clusters.

(d) DEFINITION.—In this title, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 103. INFORMATION AND EDUCATION.

(a) IN GENERAL.—The Secretary shall establish and implement a program to provide information and education on autism to health professionals and the general public, including information and education on advances in the diagnosis and treatment of autism and training and continuing education through programs for scientists, physicians, and other health professionals who provide care for patients with autism.

(b) STIPENDS.—The Secretary may use amounts made available under this section to provide stipends for health professionals who are enrolled in training programs under this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 104. INTER-AGENCY AUTISM COORDINATING COMMITTEE.

(a) ESTABLISHMENT.—The Secretary shall establish a committee to be known as the ''Autism Coordinating Committee'' (in this section referred to as the ''Committee'') to coordinate all efforts within the Department of Health and Human Services concerning autism, including activities carried out through the National Institutes of Health and the Centers for Disease Control and Prevention under this title (and the amendment made by this title).

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of the Directors of such national research institutes, of the Centers for Disease Control and Prevention, and of such other agencies and such other officials as the Secretary determines appropriate.

(2) ADDITIONAL MEMBERS.—If determined appropriate by the Secretary, the Secretary may appoint to the Committee—

(A) parents or legal guardians of individuals with autism or other pervasive developmental disorders; and

(B) representatives of other governmental agencies that serve children with autism such as the Department of Education.

(c) ADMINISTRATIVE SUPPORT; TERMS OF SERVICE; OTHER PROVISIONS.—The following shall apply with respect to the Committee:

(1) The Committee shall receive necessary and appropriate administrative support from the Department of Health and Human Services.

(2) Members of the Committee appointed under subsection (b)(2)(A) shall serve for a term of 3 years, and may serve for an unlimited number of terms if reappointed.

(3) The Committee shall meet not less than 2 times each year.

SEC. 105. REPORT TO CONGRESS.

Not later than January 1, 2001, and each January 1 thereafter, the Secretary shall prepare and submit to the appropriate committees of Congress, a report concerning the implementation of this title and the amendments made by this title.

TITLE II—RESEARCH AND DEVELOPMENT REGARDING FRAGILE X

SEC. 201. NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT; RESEARCH ON FRAGILE X.

Subpart 7 of part C of title IV of the Public Health Service Act is amended by adding at the end the following section:

''FRAGILE X

''SEC. 452E. (a) EXPANSION AND COORDINATION OF RESEARCH ACTIVITIES.—The Director of the Institute, after consultation with the advisory council for the Institute, shall expand, intensify, and coordinate the activities of the Institute with respect to research on the disease known as fragile X.

''(b) RESEARCH CENTERS.—

''(1) IN GENERAL.—The Director of the Institute shall make grants or enter into contracts for the development and operation of centers to conduct research for the purposes of improving the diagnosis and treatment of, and finding the cure for, fragile X.

''(2) NUMBER OF CENTERS.—

''(A) IN GENERAL.—In carrying out paragraph (1), the Director of the Institute shall, to the extent that amounts are appropriated, and subject to subparagraph (B), provide for the establishment of at least three fragile X research centers.

''(B) PEER REVIEW REQUIREMENT.—The Director of the Institute shall make a grant to, or enter into a contract with, an entity for purposes of establishing a center under paragraph (1) only if the grant or contract has been recommended after technical and scientific peer review required by regulations under section 492.

''(3) ACTIVITIES.—The Director of the Institute, with the assistance of centers established under paragraph (1), shall conduct and support basic and biomedical research into the detection and treatment of fragile X.

''(4) COORDINATION AMONG CENTERS.—The Director of the Institute shall, as appropriate, provide for the coordination of the activities of the centers assisted under this section, including providing for the exchange of information among the centers.

''(5) CERTAIN ADMINISTRATIVE REQUIREMENTS.—Each center assisted under paragraph (1) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director of the Institute.

''(6) DURATION OF SUPPORT.—Support may be provided to a center under paragraph (1) for a period not exceeding 5 years. Such period may be extended for one or more additional periods, each of which may not exceed 5 years, if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director and if such group has recommended to the Director that such period be extended.

''(7) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE III—JUVENILE ARTHRITIS AND RELATED CONDITIONS

SEC. 301. NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES; RESEARCH ON JUVENILE ARTHRITIS AND RELATED CONDITIONS.

(a) IN GENERAL.—Subpart 4 of part C of title IV of the Public Health Service Act (42 U.S.C. 285d et seq.) is amended by inserting after section 442 the following section:

''JUVENILE ARTHRITIS AND RELATED CONDITIONS

''SEC. 442A. (a) EXPANSION AND COORDINATION OF ACTIVITIES.—The Director of the Institute, in coordination with the Director of the National Institute of Allergy and Infectious Diseases, shall expand and intensify the programs of such Institutes with respect to research and related activities concerning juvenile arthritis and related conditions.

''(b) COORDINATION.—The Directors referred to in subsection (a) shall jointly coordinate the programs referred to in such subsection and consult with the Arthritis and Musculoskeletal Diseases Interagency Coordinating Committee.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

(b) PEDIATRIC RHEUMATOLOGY.—Subpart 1 of part E of title VII of the Public Health Service Act (42 U.S.C. 294n et seq.) is amended by adding at the end the following:

"SEC. 763. PEDIATRIC RHEUMATOLOGY.

''(a) IN GENERAL.—The Secretary, acting through the appropriate agencies, shall evaluate whether the number of pediatric rheumatologists is sufficient to address the health care needs of children with arthritis and related conditions, and if the Secretary determines that the number is not sufficient, shall develop strategies to help address the shortfall.

''(b) REPORT TO CONGRESS.—Not later than October 1, 2001, the Secretary shall submit to the Congress a report describing the results of the evaluation under subsection (a), and as applicable, the strategies developed under such subsection.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 302. INFORMATION CLEARINGHOUSE.

Section 438(b) of the Public Health Service Act (42 U.S.C. 285d–3(b)) is amended by inserting '', including juvenile arthritis and related conditions,'' after ''diseases''.

TITLE IV—REDUCING BURDEN OF DIABETES AMONG CHILDREN AND YOUTH

SEC. 401. PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 317G the following section:

''DIABETES IN CHILDREN AND YOUTH

''SEC. 317H. (a) SURVEILLANCE ON JUVENILE DIABETES.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall develop a sentinel system to collect data on juvenile diabetes, including with respect to incidence and prevalence, and shall establish a national database for such data.

''(b) TYPE 2 DIABETES IN YOUTH.—The Secretary shall implement a national public health effort to address type 2 diabetes in youth, including—

''(1) enhancing surveillance systems and expanding research to better assess the prevalence and incidence of type 2 diabetes in youth and determine the extent to which type 2 diabetes is incorrectly diagnosed as type 1 diabetes among children; and

''(2) developing and improving laboratory methods to assist in diagnosis, treatment, and prevention of diabetes including, but not limited to, developing noninvasive ways to monitor blood glucose to prevent hypoglycemia and improving existing glucometers that measure blood glucose.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 402. PROGRAMS OF NATIONAL INSTITUTES OF HEALTH.

Subpart 3 of part C of title IV of the Public Health Service Act (42 U.S.C. 285c et seq.) is amended by inserting after section 434 the following section:

''JUVENILE DIABETES

''SEC. 434A. (a) LONG-TERM EPIDEMIOLOGY STUDIES.—The Director of the Institute shall conduct or support long-term epidemiology studies in which individuals with or at risk for type 1, or juvenile, diabetes are followed for 10 years or more. Such studies shall investigate the causes and characteristics of the disease and its complications.

''(b) CLINICAL TRIAL INFRASTRUCTURE/INNOVATIVE TREATMENTS FOR JUVENILE DIABETES.—The Secretary, acting through the Director of the National Institutes of Health, shall support regional clinical research centers for the prevention, detection, treatment, and cure of juvenile diabetes.

''(c) PREVENTION OF TYPE 1 DIABETES.—The Secretary, acting through the appropriate agencies, shall provide for a national effort to prevent type 1 diabetes. Such effort shall provide for a combination of increased efforts in research and development of prevention strategies, including consideration of vaccine development, coupled with appropriate ability to test the effectiveness of such strategies in large clinical trials of children and young adults.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE V—ASTHMA SERVICES FOR CHILDREN

Subtitle A—Asthma Services

SEC. 501. GRANTS FOR CHILDREN'S ASTHMA RELIEF.

Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following part:

"PART P—ADDITIONAL PROGRAMS

"SEC. 399L. CHILDREN'S ASTHMA TREATMENT GRANTS PROGRAM.

''(a) AUTHORITY TO MAKE GRANTS.—

''(1) IN GENERAL.—In addition to any other payments made under this Act or title V of the Social Security Act, the Secretary shall award grants to eligible entities to carry out the following purposes:

''(A) To provide access to quality medical care for children who live in areas that have a high prevalence of asthma and who lack access to medical care.

''(B) To provide on-site education to parents, children, health care providers, and medical teams to recognize the signs and symptoms of asthma, and to train them in the use of medications to treat asthma and prevent its exacerbations.

''(C) To decrease preventable trips to the emergency room by making medication available to individuals who have not previously had access to treatment or education in the management of asthma.

''(D) To provide other services, such as smoking cessation programs, home modification, and other direct and support services that ameliorate conditions that exacerbate or induce asthma.

''(2) CERTAIN PROJECTS.—In making grants under paragraph (1), the Secretary may make grants designed to develop and expand the following projects:

''(A) Projects to provide comprehensive asthma services to children in accordance with the guidelines of the National Asthma Education and Prevention Program (through the National Heart, Lung and Blood Institute), including access to care and treatment for asthma in a community-based setting.

''(B) Projects to fully equip mobile health care clinics that provide preventive asthma care including diagnosis, physical examinations, pharmacological therapy, skin testing, peak flow meter testing, and other asthma-related health care services.

''(C) Projects to conduct validated asthma management education programs for patients

with asthma and their families, including patient education regarding asthma management, family education on asthma management, and the distribution of materials, including displays and videos, to reinforce concepts presented by medical teams.

''(2) AWARD OF GRANTS.—

''(A) APPLICATION.—

''(i) IN GENERAL.—An eligible entity shall submit an application to the Secretary for a grant under this section in such form and manner as the Secretary may require.

''(ii) REQUIRED INFORMATION.—An application submitted under this subparagraph shall include a plan for the use of funds awarded under the grant and such other information as the Secretary may require.

''(B) REQUIREMENT.—In awarding grants under this section, the Secretary shall give preference to eligible entities that demonstrate that the activities to be carried out under this section shall be in localities within areas of known or suspected high prevalence of childhood asthma or high asthma-related mortality or high rate of hospitalization or emergency room visits for asthma (relative to the average asthma prevalence rates and associated mortality rates in the United States). Acceptable data sets to demonstrate a high prevalence of childhood asthma or high asthma-related mortality may include data from Federal, State, or local vital statistics, claims data under title XIX or XXI of the Social Security Act, other public health statistics or surveys, or other data that the Secretary, in consultation with the Director of the Centers for Disease Control and Prevention, deems appropriate.

''(3) DEFINITION OF ELIGIBLE ENTITY.—For purposes of this section, the term 'eligible entity' means a public or nonprofit private entity (including a State or political subdivision of a State), or a consortium of any of such entities.

''(b) COORDINATION WITH OTHER CHILDREN'S PROGRAMS.—An eligible entity shall identify in the plan submitted as part of an application for a grant under this section how the entity will coordinate operations and activities under the grant with—

''(1) other programs operated in the State that serve children with asthma, including any such programs operated under titles V, XIX, or XXI of the Social Security Act; and

''(2) one or more of the following—

''(A) the child welfare and foster care and adoption assistance programs under parts B and E of title IV of such Act;

''(B) the head start program established under the Head Start Act (42 U.S.C. 9831 et seq.);

''(C) the program of assistance under the special supplemental nutrition program for women, infants and children (WIC) under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

''(D) local public and private elementary or secondary schools; or

''(E) public housing agencies, as defined in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).

''(c) EVALUATION.—An eligible entity that receives a grant under this section shall submit to the Secretary an evaluation of the operations and activities carried out under the grant that includes—

''(1) a description of the health status outcomes of children assisted under the grant;

''(2) an assessment of the utilization of asthma-related health care services as a result of activities carried out under the grant;

''(3) the collection, analysis, and reporting of asthma data according to guidelines prescribed by the Director of the Centers for Disease Control and Prevention; and

''(4) such other information as the Secretary may require.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 502. TECHNICAL AND CONFORMING AMENDMENTS.

Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended—

(1) in part L, by redesignating section 399D as section 399A;

(2) in part M—

(A) by redesignating sections 399H through 399L as sections 399B through 399F, respectively;

(B) in section 399B (as so redesignated), in subsection (e)—

(i) by striking ''section 399K(b)'' and inserting ''subsection (b) of section 399E''; and

(ii) by striking ''section 399C'' and inserting ''such section'';

(C) in section 399E (as so redesignated), in subsection (c), by striking ''section 399H(a)'' and inserting ''section 399B(a)''; and

(D) in section 399F (as so redesignated)—

(i) in subsection (a), by striking ''section 399I'' and inserting ''section 399C'';

(ii) in subsection (a), by striking ''subsection 399J'' and inserting ''section 399D''; and

(iii) in subsection (b), by striking ''subsection 399K'' and inserting ''section 399E'';

(3) in part N, by redesignating section 399F as section 399G; and

(4) in part O—

(A) by redesignating sections 399G through 399J as sections 399H through 399K, respectively;

(B) in section 399H (as so redesignated), in subsection (b), by striking ''section 399H'' and inserting ''section 399I'';

(C) in section 399J (as so redesignated), in subsection (b), by striking ''section 399G(d)'' and inserting ''section 399H(d)''; and

(D) in section 399K (as so redesignated), by striking ''section 399G(d)(1)'' and inserting ''section 399H(d)(1)''.

Subtitle B—Prevention Activities

SEC. 511. PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT; SYSTEMS FOR REDUCING ASTHMA-RELATED ILLNESSES THROUGH INTEGRATED PEST MANAGEMENT.

Section 1904(a)(1) of the Public Health Service Act (42 U.S.C. 300w–3(a)(1)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(2) by adding a period at the end of subparagraph (G) (as so redesignated);

(3) by inserting after subparagraph (D), the following:

''(E) The establishment, operation, and coordination of effective and cost-efficient systems to reduce the prevalence of illness due to asthma and asthma-related illnesses, especially among children, by reducing the level of exposure to cockroach allergen or other known asthma triggers through the use of integrated pest management, as applied to cockroaches or other known allergens. Amounts expended for such systems may include the costs of building maintenance and the costs of programs to promote community participation in the carrying out at such sites of integrated pest management, as applied to cockroaches or other known allergens. For purposes of this subparagraph, the term 'integrated pest management' means an approach to the management of pests in public facilities that combines biological, cultural, physical, and chemical tools in a way that minimizes economic, health, and environmental risks.'';

(4) in subparagraph (F) (as so redesignated), by striking ''subparagraphs (A) through (D)'' and inserting ''subparagraphs (A) through (E)''; and

(5) in subparagraph (G) (as so redesignated), by striking ''subparagraphs (A) through (E)'' and inserting ''subparagraphs (A) through (F)''.

Subtitle C—Coordination of Federal Activities

SEC. 521. COORDINATION THROUGH NATIONAL INSTITUTES OF HEALTH.

Subpart 2 of part C of title IV of the Public Health Service Act (42 U.S.C. 285b et seq.) is amended by inserting after section 424A the following section:

''COORDINATION OF FEDERAL ASTHMA ACTIVITIES

''SEC. 424B (a) IN GENERAL.—The Director of Institute shall, through the National Asthma Education Prevention Program Coordinating Committee—

''(1) identify all Federal programs that carry out asthma-related activities;

''(2) develop, in consultation with appropriate Federal agencies and professional and voluntary health organizations, a Federal plan for responding to asthma; and

''(3) not later than 12 months after the date of the enactment of the Children's Health Act of 2000, submit recommendations to the appropriate committees of the Congress on ways to strengthen and improve the coordination of asthma-related activities of the Federal Government.

''(b) REPRESENTATION OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.—A representative of the Department of Housing and Urban Development shall be included on the National Asthma Education Prevention Program Coordinating Committee for the purpose of performing the tasks described in subsection (a).

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle D—Compilation of Data

SEC. 531. COMPILATION OF DATA BY CENTERS FOR DISEASE CONTROL AND PREVENTION.

Part B of title III of the Public Health Service Act, as amended by section 401 of this Act, is amended by inserting after section 317H the following section:

''COMPILATION OF DATA ON ASTHMA

''SEC. 317I. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall—

''(1) conduct local asthma surveillance activities to collect data on the prevalence and severity of asthma and the quality of asthma management;

''(2) compile and annually publish data on the prevalence of children suffering from asthma in each State; and

''(3) to the extent practicable, compile and publish data on the childhood mortality rate associated with asthma nationally.

''(b) SURVEILLANCE ACTIVITIES.—The Director of the Centers for Disease Control and Prevention, acting through the representative of the Director on the National Asthma Education Prevention Program Coordinating Committee, shall, in carrying out subsection (a), provide an update on surveillance activities at each Committee meeting.

''(c) COLLABORATIVE EFFORTS.—The activities described in subsection (a)(1) may be conducted in collaboration with eligible entities awarded a grant under section 399L.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE VI—BIRTH DEFECTS PREVENTION ACTIVITIES

Subtitle A—Folic Acid Promotion

SEC. 601. PROGRAM REGARDING EFFECTS OF FOLIC ACID IN PREVENTION OF BIRTH DEFECTS.

Part B of title III of the Public Health Service Act, as amended by section 531 of this Act, is amended by inserting after section 317I the following section:

''EFFECTS OF FOLIC ACID IN PREVENTION OF BIRTH DEFECTS

''SEC. 317J. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall expand and intensify programs (directly or through grants or contracts) for the following purposes:

''(1) To provide education and training for health professionals and the general public for

purposes of explaining the effects of folic acid in preventing birth defects and for purposes of encouraging each woman of reproductive capacity (whether or not planning a pregnancy) to consume on a daily basis a dietary supplement that provides an appropriate level of folic acid.

''(2) To conduct research with respect to such education and training, including identifying effective strategies for increasing the rate of consumption of folic acid by women of reproductive capacity.

''(3) To conduct research to increase the understanding of the effects of folic acid in preventing birth defects, including understanding with respect to cleft lip, cleft palate, and heart defects.

''(4) To provide for appropriate epidemiological activities regarding folic acid and birth defects, including epidemiological activities regarding neural tube defects.

''(b) CONSULTATIONS WITH STATES AND PRIVATE ENTITIES.—In carrying out subsection (a), the Secretary shall consult with the States and with other appropriate public or private entities, including national nonprofit private organizations, health professionals, and providers of health insurance and health plans.

''(c) TECHNICAL ASSISTANCE.—The Secretary may (directly or through grants or contracts) provide technical assistance to public and nonprofit private entities in carrying out the activities described in subsection (a).

''(d) EVALUATIONS.—The Secretary shall (directly or through grants or contracts) provide for the evaluation of activities under subsection (a) in order to determine the extent to which such activities have been effective in carrying out the purposes of the program under such subsection, including the effects on various demographic populations. Methods of evaluation under the preceding sentence may include surveys of knowledge and attitudes on the consumption of folic acid and on blood folate levels. Such methods may include complete and timely monitoring of infants who are born with neural tube defects.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—National Center on Birth Defects and Developmental Disabilities

SEC. 611. NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES.

Section 317C of the Public Health Service Act (42 U.S.C. 247b–4) is amended—

(1) by striking the heading for the section and inserting the following:

''NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES'';

(2) by striking ''SEC. 317C. (a)'' and all that follows through the end of subsection (a) and inserting the following:

''SEC. 317C. (a) IN GENERAL.—

''(1) NATIONAL CENTER.—There is established within the Centers for Disease Control and Prevention a center to be known as the National Center on Birth Defects and Developmental Disabilities (referred to in this section as the 'Center'), which shall be headed by a director appointed by the Director of the Centers for Disease Control and Prevention.

''(2) GENERAL DUTIES.—The Secretary shall carry out programs—

(A) to collect, analyze, and make available data on birth defects and developmental disabilities (in a manner that facilitates compliance with subsection (d)(2)), including data on the causes of such defects and disabilities and on the incidence and prevalence of such defects and disabilities;

(B) to operate regional centers for the conduct of applied epidemiological research on the prevention of such defects and disabilities; and

(C) to provide information and education to the public on the prevention of such defects and disabilities.

''(3) FOLIC ACID.—The Secretary shall carry out section 317J through the Center.

''(4) CERTAIN PROGRAMS.—

''(A) TRANSFERS.—All programs and functions described in subparagraph (B) are transferred to the Center, effective upon the expiration of the 180-day period beginning on the date of the enactment of the Children's Health Act of 2000.

''(B) RELEVANT PROGRAMS.—The programs and functions described in this subparagraph are all programs and functions that—

''(i) relate to birth defects; folic acid; cerebral palsy; mental retardation; child development; newborn screening; autism; fragile X syndrome; fetal alcohol syndrome; pediatric genetic disorders; disability prevention; or other relevant diseases, disorders, or conditions as determined the Secretary; and

''(ii) were carried out through the National Center for Environmental Health as of the day before the date of the enactment of the Act referred to in subparagraph (A).

''(C) RELATED TRANSFERS.—Personnel employed in connection with the programs and functions specified in subparagraph (B), and amounts available for carrying out the programs and functions, are transferred to the Center, effective upon the expiration of the 180-day period beginning on the date of the enactment of the Act referred to in subparagraph (A). Such transfer of amounts does not affect the period of availability of the amounts, or the availability of the amounts with respect to the purposes for which the amounts may be expended.''; and

(3) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''(a)(1)'' and inserting ''(a)(2)(A)''.

TITLE VII—EARLY DETECTION, DIAGNOSIS, AND TREATMENT REGARDING HEARING LOSS IN INFANTS

SEC. 701. PURPOSES.

The purposes of this title are to clarify the authority within the Public Health Service Act to authorize statewide newborn and infant hearing screening, evaluation and intervention programs and systems, technical assistance, a national applied research program, and interagency and private sector collaboration for policy development, in order to assist the States in making progress toward the following goals:

(1) All babies born in hospitals in the United States and its territories should have a hearing screening before leaving the birthing facility. Babies born in other countries and residing in the United States via immigration or adoption should have a hearing screening as early as possible.

(2) All babies who are not born in hospitals in the United States and its territories should have a hearing screening within the first 3 months of life.

(3) Appropriate audiologic and medical evaluations should be conducted by 3 months for all newborns and infants suspected of having hearing loss to allow appropriate referral and provisions for audiologic rehabilitation, medical and early intervention before the age of 6 months.

(4) All newborn and infant hearing screening programs and systems should include a component for audiologic rehabilitation, medical and early intervention options that ensures linkage to any new and existing state-wide systems of intervention and rehabilitative services for newborns and infants with hearing loss.

(5) Public policy in regard to newborn and infant hearing screening and intervention should be based on applied research and the recognition that newborns, infants, toddlers, and children who are deaf or hard-of-hearing have unique language, learning, and communication needs, and should be the result of consultation with pertinent public and private sectors.

SEC. 702. PROGRAMS OF HEALTH RESOURCES AND SERVICES ADMINISTRATION, CENTERS FOR DISEASE CONTROL AND PREVENTION, AND NATIONAL INSTITUTES OF HEALTH.

Part P of title III of the Public Health Service Act, as added by section 501 of this Act, is amended by adding at the end the following section:

''SEC. 399M. EARLY DETECTION, DIAGNOSIS, AND TREATMENT REGARDING HEARING LOSS IN INFANTS.

''(a) STATEWIDE NEWBORN AND INFANT HEARING SCREENING, EVALUATION AND INTERVENTION PROGRAMS AND SYSTEMS.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall make awards of grants or cooperative agreements to develop statewide newborn and infant hearing screening, evaluation and intervention programs and systems for the following purposes:

''(1) To develop and monitor the efficacy of state-wide newborn and infant hearing screening, evaluation and intervention programs and systems. Early intervention includes referral to schools and agencies, including community, consumer, and parent-based agencies and organizations and other programs mandated by part C of the Individuals with Disabilities Education Act, which offer programs specifically designed to meet the unique language and communication needs of deaf and hard of hearing newborns, infants, toddlers, and children.

''(2) To collect data on statewide newborn and infant hearing screening, evaluation and intervention programs and systems that can be used for applied research, program evaluation and policy development.

''(b) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH.—

''(1) CENTERS FOR DISEASE CONTROL AND PREVENTION.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall make awards of grants or cooperative agreements to provide technical assistance to State agencies to complement an intramural program and to conduct applied research related to newborn and infant hearing screening, evaluation and intervention programs and systems. The program shall develop standardized procedures for data management and program effectiveness and costs, such as—

''(A) to ensure quality monitoring of newborn and infant hearing loss screening, evaluation, and intervention programs and systems;

''(B) to provide technical assistance on data collection and management;

''(C) to study the costs and effectiveness of newborn and infant hearing screening, evaluation and intervention programs and systems conducted by State-based programs in order to answer issues of importance to state and national policymakers;

''(D) to identify the causes and risk factors for congenital hearing loss;

''(E) to study the effectiveness of newborn and infant hearing screening, audiologic and medical evaluations and intervention programs and systems by assessing the health, intellectual and social developmental, cognitive, and language status of these children at school age; and

''(F) to promote the sharing of data regarding early hearing loss with State-based birth defects and developmental disabilities monitoring programs for the purpose of identifying previously unknown causes of hearing loss.

''(2) NATIONAL INSTITUTES OF HEALTH.—The Director of the National Institutes of Health, acting through the Director of the National Institute on Deafness and Other Communication Disorders, shall for purposes of this section, continue a program of research and development on the efficacy of new screening techniques and technology, including clinical studies of screening methods, studies on efficacy of intervention, and related research.

''(c) COORDINATION AND COLLABORATION.—

''(1) IN GENERAL.—In carrying out programs under this section, the Administrator of the Health Resources and Services Administration, the Director of the Centers for Disease Control and Prevention, and the Director of the National Institutes of Health shall collaborate and consult with other Federal agencies; State and local agencies, including those responsible for early intervention services pursuant to title XIX

of the Social Security Act (Medicaid Early and Periodic Screening, Diagnosis and Treatment Program); title XXI of the Social Security Act (State Children's Health Insurance Program); title V of the Social Security Act (Maternal and Child Health Block Grant Program); and part C of the Individuals with Disabilities Education Act; consumer groups of and that serve individuals who are deaf and hard-of-hearing and their families; appropriate national medical and other health and education specialty organizations; persons who are deaf and hard-of-hearing and their families; other qualified professional personnel who are proficient in deaf or hard-of-hearing children's language and who possess the specialized knowledge, skills, and attributes needed to serve deaf and hard-of-hearing newborns, infants, toddlers, children, and their families; third-party payers and managed care organizations; and related commercial industries.

''(2) POLICY DEVELOPMENT.—The Administrator of the Health Resources and Services Administration, the Director of the Centers for Disease Control and Prevention, and the Director of the National Institutes of Health shall coordinate and collaborate on recommendations for policy development at the Federal and State levels and with the private sector, including consumer, medical and other health and education professional-based organizations, with respect to newborn and infant hearing screening, evaluation and intervention programs and systems.

''(3) STATE EARLY DETECTION, DIAGNOSIS, AND INTERVENTION PROGRAMS AND SYSTEMS; DATA COLLECTION.—The Administrator of the Health Resources and Services Administration and the Director of the Centers for Disease Control and Prevention shall coordinate and collaborate in assisting States to establish newborn and infant hearing screening, evaluation and intervention programs and systems under subsection (a) and to develop a data collection system under subsection (b).

''(d) RULE OF CONSTRUCTION; RELIGIOUS ACCOMMODATION.—Nothing in this section shall be construed to preempt or prohibit any State law, including State laws which do not require the screening for hearing loss of newborn infants or young children of parents who object to the screening on the grounds that such screening conflicts with the parents' religious beliefs.

''(e) DEFINITIONS.—For purposes of this section:

''(1) The term 'audiologic evaluation' refers to procedures to assess the status of the auditory system; to establish the site of the auditory disorder; the type and degree of hearing loss, and the potential effects of hearing loss on communication; and to identify appropriate treatment and referral options. Referral options should include linkage to State coordinating agencies under part C of the Individuals with Disabilities Education Act or other appropriate agencies, medical evaluation, hearing aid/sensory aid assessment, audiologic rehabilitation treatment, national and local consumer, self-help, parent, and education organizations, and other family-centered services.

''(2) The terms 'audiologic rehabilitation' and 'audiologic intervention' refer to procedures, techniques, and technologies to facilitate the receptive and expressive communication abilities of a child with hearing loss.

''(3) The term 'early intervention' refers to providing appropriate services for the child with hearing loss, including nonmedical services, and ensuring that families of the child are provided comprehensive, consumer-oriented information about the full range of family support, training, information services, communication options and are given the opportunity to consider the full range of educational and program placements and options for their child.

''(4) The term 'medical evaluation by a physician' refers to key components including history, examination, and medical decision making focused on symptomatic and related body systems for the purpose of diagnosing the etiology of hearing loss and related physical conditions, and for identifying appropriate treatment and referral options.

''(5) The term 'medical intervention' refers to the process by which a physician provides medical diagnosis and direction for medical and/or surgical treatment options of hearing loss and/or related medical disorder associated with hearing loss.

''(6) The term 'newborn and infant hearing screening' refers to objective physiologic procedures to detect possible hearing loss and to identify newborns and infants who, after rescreening, require further audiologic and medical evaluations.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) STATEWIDE NEWBORN AND INFANT HEARING SCREENING, EVALUATION AND INTERVENTION PROGRAMS AND SYSTEMS.—For the purpose of carrying out subsection (a), there are authorized to be appropriated to the Health Resources and Services Administration such sums as may be necessary for fiscal year 2002.

''(2) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH; CENTERS FOR DISEASE CONTROL AND PREVENTION.—For the purpose of carrying out subsection (b)(1), there are authorized to be appropriated to the Centers for Disease Control and Prevention such sums as may be necessary for fiscal year 2002.

''(3) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH; NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS.—For the purpose of carrying out subsection (b)(2), there are authorized to be appropriated to the National Institute on Deafness and Other Communication Disorders such sums as may be necessary for fiscal year 2002.''.

TITLE VIII—CHILDREN AND EPILEPSY

SEC. 801. NATIONAL PUBLIC HEALTH CAMPAIGN ON EPILEPSY; SEIZURE DISORDER DEMONSTRATION PROJECTS IN MEDICALLY UNDERSERVED AREAS.

Subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 254b) is amended by adding at the end the following section:

"SEC. 330E. EPILEPSY; SEIZURE DISORDER.

''(a) NATIONAL PUBLIC HEALTH CAMPAIGN.—

''(1) IN GENERAL.—The Secretary shall develop and implement public health surveillance, education, research, and intervention strategies to improve the lives of persons with epilepsy, with a particular emphasis on children. Such projects may be carried out by the Secretary directly and through awards of grants or contracts to public or nonprofit private entities. The Secretary may directly or through such awards provide technical assistance with respect to the planning, development, and operation of such projects.

''(2) CERTAIN ACTIVITIES.—Activities under paragraph (1) shall include—

''(A) expanding current surveillance activities through existing monitoring systems and improving registries that maintain data on individuals with epilepsy, including children;

''(B) enhancing research activities on the diagnosis, treatment, and management of epilepsy;

''(C) implementing public and professional information and education programs regarding epilepsy, including initiatives which promote effective management of the disease through children's programs which are targeted to parents, schools, daycare providers, patients;

''(D) undertaking educational efforts with the media, providers of health care, schools and others regarding stigmas and secondary disabilities related to epilepsy and seizures, and its effects on youth;

''(E) utilizing and expanding partnerships with organizations with experience addressing the health and related needs of people with disabilities; and

''(F) other activities the Secretary deems appropriate.

''(3) COORDINATION OF ACTIVITIES.—The Secretary shall ensure that activities under this subsection are coordinated as appropriate with other agencies of the Public Health Service that carry out activities regarding epilepsy and seizure.

''(b) SEIZURE DISORDER; DEMONSTRATION PROJECTS IN MEDICALLY UNDERSERVED AREAS.—

''(1) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants for the purpose of carrying out demonstration projects to improve access to health and other services regarding seizures to encourage early detection and treatment in children and others residing in medically underserved areas.

''(2) APPLICATION FOR GRANT.—A grant may not be awarded under paragraph (1) unless an application therefore is submitted to the Secretary and the Secretary approves such application. Such application shall be submitted in such form and manner and shall contain such information as the Secretary may prescribe.

''(c) DEFINITIONS.—For purposes of this section:

''(1) The term ''epilepsy'' refers to a chronic and serious neurological condition characterized by excessive electrical discharges in the brain causing recurring seizures affecting all life activities. The Secretary may revise the definition of such term to the extent the Secretary determines necessary.

''(2) The term ''medically underserved'' has the meaning applicable under section 799B(6).

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE IX—SAFE MOTHERHOOD; INFANT HEALTH PROMOTION

Subtitle A—Safe Motherhood Prevention Research

SEC. 901. PREVENTION RESEARCH AND OTHER ACTIVITIES.

Part B of title III of the Public Health Service Act, as amended by section 601 of this Act, is amended by inserting after section 317J the following section:

''SAFE MOTHERHOOD

''SEC. 317K. (a) SURVEILLANCE.—

''(1) PURPOSE.—The purpose of this subsection is to develop surveillance systems at the local, State, and national level to better understand the burden of maternal complications and mortality and to decrease the disparities among population at risk of death and complications from pregnancy.

''(2) ACTIVITIES.—For the purpose described in paragraph (1), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, may carry out the following activities:

''(A) The Secretary may establish and implement a national surveillance program to identify and promote the investigation of deaths and severe complications that occur during pregnancy.

''(B) The Secretary may expand the Pregnancy Risk Assessment Monitoring System to provide surveillance and collect data in each State.

''(C) The Secretary may expand the Maternal and Child Health Epidemiology Program to provide technical support, financial assistance, or the time-limited assignment of senior epidemiologists to maternal and child health programs in each State.

''(b) PREVENTION RESEARCH.—

''(1) PURPOSE.—The purpose of this subsection is to provide the Secretary with the authority to further expand research concerning risk factors, prevention strategies, and the roles of the family, health care providers and the community in safe motherhood.

''(2) RESEARCH.—The Secretary may carry out activities to expand research relating to—

''(A) encouraging preconception counseling, especially for at risk populations such as diabetics;

''(B) the identification of critical components of prenatal delivery and postpartum care;

''(C) the identification of outreach and support services, such as folic acid education, that are available for pregnant women;

''(D) the identification of women who are at high risk for complications;

''(E) preventing preterm delivery;

''(F) preventing urinary tract infections;

''(G) preventing unnecessary caesarean sections;

''(H) an examination of the higher rates of maternal mortality among African American women;

''(I) an examination of the relationship between domestic violence and maternal complications and mortality;

''(J) preventing and reducing adverse health consequences that may result from smoking, alcohol and illegal drug use before, during and after pregnancy;

''(K) preventing infections that cause maternal and infant complications; and

''(L) other areas determined appropriate by the Secretary.

''(c) PREVENTION PROGRAMS.—

''(1) IN GENERAL.—The Secretary may carry out activities to promote safe motherhood, including—

''(A) public education campaigns on healthy pregnancies and the building of partnerships with outside organizations concerned about safe motherhood;

''(B) education programs for physicians, nurses and other health care providers; and

''(C) activities to promote community support services for pregnant women.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—Pregnant Women and Infants Health Promotion

SEC. 911. PROGRAMS REGARDING PRENATAL AND POSTNATAL HEALTH.

Part B of title III of the Public Health Service Act, as amended by section 901 of this Act, is amended by inserting after section 317K the following section:

''PRENATAL AND POSTNATAL HEALTH

''SEC. 317L. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out programs—

''(1) to collect, analyze, and make available data on prenatal smoking, alcohol and illegal drug use, including data on the implications of such activities and on the incidence and prevalence of such activities and their implications;

''(2) to conduct applied epidemiological research on the prevention of prenatal and postnatal smoking, alcohol and illegal drug use;

''(3) to support, conduct, and evaluate the effectiveness of educational and cessation programs; and

''(4) to provide information and education to the public on the prevention and implications of prenatal and postnatal smoking, alcohol and illegal drug use.

''(b) GRANTS.—In carrying out subsection (a), the Secretary may award grants to and enter into contracts with States, local governments, scientific and academic institutions, Federally qualified health centers, and other public and nonprofit entities, and may provide technical and consultative assistance to such entities.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE X— PEDIATRIC RESEARCH INITIATIVE

SEC. 1001. ESTABLISHMENT OF PEDIATRIC RESEARCH INITIATIVE.

Part B of title IV of the Public Health Service Act, as amended by section 101 of this Act, is amended by adding at the end the following:

''PEDIATRIC RESEARCH INITIATIVE

''SEC. 409D. (a) ESTABLISHMENT.—The Secretary shall establish within the Office of the Director of NIH a Pediatric Research Initiative (referred to in this section as the 'Initiative') to conduct and support research that is directly related to diseases, disorders, and other conditions in children. The Initiative shall be headed by the Director of NIH.

''(b) PURPOSE.—The purpose of the Initiative is to provide funds to enable the Director of NIH—

''(1) to increase support for pediatric biomedical research within the National Institutes of Health to realize the expanding opportunities for advancement in scientific investigations and care for children;

''(2) to enhance collaborative efforts among the Institutes to conduct and support multidisciplinary research in the areas that the Director deems most promising; and

''(3) in coordination with the Food and Drug Administration, to increase the development of adequate pediatric clinical trials and pediatric use information to promote the safer and more effective use of prescription drugs in the pediatric population.

''(c) DUTIES.—In carrying out subsection (b), the Director of NIH shall—

''(1) consult with the Director of the National Institute of Child Health and Human Development and the other national research institutes, in considering their requests for new or expanded pediatric research efforts, and consult with the Administrator of the Health Resources and Services Administration and other advisors as the Director determines to be appropriate;

''(2) have broad discretion in the allocation of any Initiative assistance among the Institutes, among types of grants, and between basic and clinical research so long as the assistance is directly related to the illnesses and conditions of children; and

''(3) be responsible for the oversight of any newly appropriated Initiative funds and annually report to Congress and the public on the extent of the total funds obligated to conduct or support pediatric research across the National Institutes of Health, including the specific support and research awards allocated through the Initiative.

''(d) AUTHORIZATION.—For the purpose of carrying out this section, there are authorized to be appropriated $50,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 through 2005.

''(e) TRANSFER OF FUNDS.—The Director of NIH may transfer amounts appropriated under this section to any of the Institutes for a fiscal year to carry out the purposes of the Initiative under this section.''.

SEC. 1002. INVESTMENT IN TOMORROW'S PEDIATRIC RESEARCHERS.

(a) IN GENERAL.—Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 921 of this Act, is amended by adding at the end the following:

''INVESTMENT IN TOMORROW'S PEDIATRIC RESEARCHERS

''SEC. 452G. (a) ENHANCED SUPPORT.—In order to ensure the future supply of researchers dedicated to the care and research needs of children, the Director of the Institute, after consultation with the Administrator of the Health Resources and Services Administration, shall support activities to provide for—

''(1) an increase in the number and size of institutional training grants to institutions supporting pediatric training; and

''(2) an increase in the number of career development awards for health professionals who intend to build careers in pediatric basic and clinical research.

''(b) AUTHORIZATION.—For the purpose of carrying out subsection (a), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

(b) PEDIATRIC RESEARCH LOAN REPAYMENT PROGRAM.—Part G of title IV of the Public Health Service Act (42 U.S.C. 288 et seq.) is amended by inserting after section 487E the following section:

''PEDIATRIC RESEARCH LOAN REPAYMENT PROGRAM

''SEC. 487F. (a) IN GENERAL.—The Secretary, in consultation with the Director of NIH, may establish a pediatric research loan repayment program. Through such program—

''(1) the Secretary shall enter into contracts with qualified health professionals under which such professionals will agree to conduct pediatric research, in consideration of the Federal government agreeing to repay, for each year of such service, not more than $35,000 of the principal and interest of the educational loans of such professionals; and

''(2) the Secretary shall, for the purpose of providing reimbursements for tax liability resulting from payments made under paragraph (1) on behalf of an individual, make payments, in addition to payments under such paragraph, to the individual in an amount equal to 39 percent of the total amount of loan repayments made for the taxable year involved.

''(b) APPLICATION OF OTHER PROVISIONS.—The provisions of sections 338B, 338C, and 338E shall, except as inconsistent with paragraph (1), apply to the program established under such paragraph to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established under subpart III of part D of title III.

''(c) FUNDING.—

''(1) IN GENERAL.—For the purpose of carrying out this section with respect to a national research institute the Secretary may reserve, from amounts appropriated for such institute for the fiscal year involved, such amounts as the Secretary determines to be appropriate.

''(2) AVAILABILITY OF FUNDS.—Amounts made available to carry out this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which such amounts were made available.''.

SEC. 1003. REVIEW OF REGULATIONS.

(a) REVIEW.—By not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall conduct a review of the regulations under subpart D of part 46 of title 45, Code of Federal Regulations, consider any modifications necessary to ensure the adequate and appropriate protection of children participating in research, and report the findings of the Secretary to Congress.

(b) AREAS OF REVIEW.—In conducting the review under subsection (a), the Secretary of Health and Human Services shall consider—

(1) the appropriateness of the regulations for children of differing ages and maturity levels, including legal status;

(2) the definition of ''minimal risk'' for a healthy child or for a child with an illness;

(3) the definitions of ''assent'' and ''permission'' for child clinical research participants and their parents or guardians and of ''adequate provisions'' for soliciting assent or permission in research as such definitions relate to the process of obtaining the agreement of children participating in research and the parents or guardians of such children;

(4) the definitions of ''direct benefit to the individual subjects'' and ''generalizable knowledge about the subject's disorder or condition'';

(5) whether payment (financial or otherwise) may be provided to a child or his or her parent or guardian for the participation of the child in research, and if so, the amount and type given;

(6) the expectations of child research participants and their parent or guardian for the direct benefits of the child's research involvement;

(7) safeguards for research involving children conducted in emergency situations with a waiver of informed assent;

(8) parent and child notification in instances in which the regulations have not been complied with;

(9) compliance with the regulations in effect on the date of enactment of this Act, the monitoring of such compliance, and enforcement actions for violations of such regulations; and

(10) the appropriateness of current practices for recruiting children for participation in research.

(c) CONSULTATION.—In conducting the review under subsection (a), the Secretary of Health and Human Services shall consult broadly with experts in the field, including pediatric pharmacologists, pediatricians, pediatric professional societies, bioethics experts, clinical investigators, institutional review boards, industry experts, appropriate Federal agencies, and children who have participated in research studies and the parents, guardians, or families of such children.

(d) CONSIDERATION OF ADDITIONAL PROVISIONS.—In conducting the review under subsection (a), the Secretary of Health and Human Services shall consider and, not later than 6 months after the date of enactment of this Act, report to Congress concerning—

(1) whether the Secretary should establish data and safety monitoring boards or other mechanisms to review adverse events associated with research involving children; and

(2) whether the institutional review board oversight of clinical trials involving children is adequate to protect children.

SEC. 1004. LONG-TERM CHILD DEVELOPMENT STUDY.

(a) PURPOSE.—It is the purpose of this section to authorize the National Institute of Child Health and Human Development to conduct a national longitudinal study of environmental influences (including physical, chemical, biological, and psychosocial) on children's health and development.

(b) IN GENERAL.—The Director of the National Institute of Child Health and Human Development shall establish a consortium of representatives from appropriate Federal agencies (including the Centers for Disease Control and Prevention, the Environmental Protection Agency) to—

(1) plan, develop, and implement a prospective cohort study, from birth to adulthood, to evaluate the effects of both chronic and intermittent exposures on child health and human development; and

(2) investigate basic mechanisms of developmental disorders and environmental factors, both risk and protective, that influence health and developmental processes.

(c) REQUIREMENT.—The study under subsection (b) shall—

(1) incorporate behavioral, emotional, educational, and contextual consequences to enable a complete assessment of the physical, chemical, biological and psychosocial environmental influences on children's well-being;

(2) gather data on environmental influences and outcomes on diverse populations of children, which may include the consideration of prenatal exposures;

(3) consider health disparities among children which may include the consideration of prenatal exposures.

(d) REPORT.—Beginning not later than 3 years after the date of enactment of this Act, and periodically thereafter for the duration of the study under this section, the Director of the National Institute of Child Health and Human Development shall prepare and submit to the appropriate committees of Congress a report on the implementation and findings made under the planning and feasibility study conducted under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $18,000,000 for fiscal year 2001, and such sums as may be necessary for each the fiscal years 2002 through 2005.

TITLE XI—CHILDHOOD MALIGNANCIES

SEC. 1101. PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION AND NATIONAL INSTITUTES OF HEALTH.

Part P of title III of the Public Health Service Act, as amended by section 702 of this Act, is amended by adding at the end the following section:

"SEC. 399N. CHILDHOOD MALIGNANCIES.

''(a) IN GENERAL.—The Secretary, acting as appropriate through the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health, shall study environmental and other risk factors for childhood cancers (including skeletal malignancies, leukemias, malignant tumors of the central nervous system, lymphomas, soft tissue sarcomas, and other malignant neoplasms) and carry out projects to improve outcomes among children with childhood cancers and resultant secondary conditions, including limb loss, anemia, rehabilitation, and palliative care. Such projects shall be carried out by the Secretary directly and through awards of grants or contracts.

''(b) CERTAIN ACTIVITIES.—Activities under subsection (a) include—

''(1) the expansion of current demographic data collection and population surveillance efforts to include childhood cancers nationally;

''(2) the development of a uniform reporting system under which treating physicians, hospitals, clinics, and states report the diagnosis of childhood cancers, including relevant associated epidemiological data; and

''(3) support for the National Limb Loss Information Center to address, in part, the primary and secondary needs of persons who experience childhood cancers in order to prevent or minimize the disabling nature of these cancers.

''(c) COORDINATION OF ACTIVITIES.—The Secretary shall assure that activities under this section are coordinated as appropriate with other agencies of the Public Health Service that carry out activities focused on childhood cancers and limb loss.

''(d) DEFINITION.—For purposes of this section, the term 'childhood cancer' refers to a spectrum of different malignancies that vary by histology, site of disease, origin, race, sex, and age. The Secretary may for purposes of this section revise the definition of such term to the extent determined by the Secretary to be appropriate.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XII—ADOPTION AWARENESS

Subtitle A—Infant Adoption Awareness

SEC. 1201. GRANTS REGARDING INFANT ADOPTION AWARENESS.

Subpart I of part D of title III of the Public Health Service Act, as amended by section 801 of this Act, is amended by adding at the end the following section:

"SEC. 330F. CERTAIN SERVICES FOR PREGNANT WOMEN.

''(a) INFANT ADOPTION AWARENESS.—

''(1) IN GENERAL.—The Secretary shall make grants to national, regional, or local adoption organizations for the purpose of developing and implementing programs to train the designated staff of eligible health centers in providing adoption information and referrals to pregnant women on an equal basis with all other courses of action included in nondirective counseling to pregnant women.

''(2) BEST-PRACTICES GUIDELINES.—

''(A) IN GENERAL.—A condition for the receipt of a grant under paragraph (1) is that the adoption organization involved agree that, in providing training under such paragraph, the organization will follow the guidelines developed under subparagraph (B).

''(B) PROCESS FOR DEVELOPMENT OF GUIDELINES.—

''(i) IN GENERAL.—The Secretary shall establish and supervise a process described in clause (ii) in which the participants are—

''(I) an appropriate number and variety of adoption organizations that, as a group, have expertise in all models of adoption practice and that represent all members of the adoption triad (birth mother, infant, and adoptive parent); and

''(II) affected public health entities.

''(ii) DESCRIPTION OF PROCESS.—The process referred to in clause (i) is a process in which the participants described in such clause collaborate to develop best-practices guidelines on the provision of adoption information and referrals to pregnant women on an equal basis with all other courses of action included in nondirective counseling to pregnant women.

''(iii) DATE CERTAIN FOR DEVELOPMENT.—The Secretary shall ensure that the guidelines described in clause (ii) are developed not later than 180 days after the date of the enactment of the Children's Health Act of 2000.

''(C) RELATION TO AUTHORITY FOR GRANTS.—The Secretary may not make any grant under paragraph (1) before the date on which the guidelines under subparagraph (B) are developed.

''(3) USE OF GRANT.—

''(A) IN GENERAL.—With respect to a grant under paragraph (1)—

''(i) an adoption organization may expend the grant to carry out the programs directly or through grants to or contracts with other adoption organizations;

''(ii) the purposes for which the adoption organization expends the grant may include the development of a training curriculum, consistent with the guidelines developed under paragraph (2)(B); and

''(iii) a condition for the receipt of the grant is that the adoption organization agree that, in providing training for the designated staff of eligible health centers, such organization will make reasonable efforts to ensure that the individuals who provide the training are individuals who are knowledgeable in all elements of the adoption process and are experienced in providing adoption information and referrals in the geographic areas in which the eligible health centers are located, and that the designated staff receive the training in such areas.

''(B) RULE OF CONSTRUCTION REGARDING TRAINING OF TRAINERS.—With respect to individuals who under a grant under paragraph (1) provide training for the designated staff of eligible health centers (referred to in this subparagraph as 'trainers'), subparagraph (A)(iii) may not be construed as establishing any limitation regarding the geographic area in which the trainers receive instruction in being such trainers. A trainer may receive such instruction in a different geographic area than the area in which the trainer trains (or will train) the designated staff of eligible health centers.

''(4) ADOPTION ORGANIZATIONS; ELIGIBLE HEALTH CENTERS; OTHER DEFINITIONS.—For purposes of this section:

''(A) The term 'adoption organization' means a national, regional, or local organization—

''(i) among whose primary purposes are adoption;

''(ii) that is knowledgeable in all elements of the adoption process and on providing adoption information and referrals to pregnant women; and

''(iii) that is a nonprofit private entity.

''(B) The term 'designated staff', with respect to an eligible health center, means staff of the center who provide pregnancy or adoption information and referrals (or will provide such information and referrals after receiving training under a grant under paragraph (1)).

''(C) The term 'eligible health centers' means public and nonprofit private entities that provide health services to pregnant women.

''(5) TRAINING FOR CERTAIN ELIGIBLE HEALTH CENTERS.—A condition for the receipt of a grant under paragraph (1) is that the adoption organization involved agree to make reasonable efforts to ensure that the eligible health centers with respect to which training under the grant is provided include—

''(A) eligible health centers that receive grants under section 1001 (relating to voluntary family planning projects);

''(B) eligible health centers that receive grants under section 330 (relating to community health centers, migrant health centers, and centers regarding homeless individuals and residents of public housing); and

''(C) eligible health centers that receive grants under this Act for the provision of services in schools.

''(6) PARTICIPATION OF CERTAIN ELIGIBLE HEALTH CLINICS.—In the case of eligible health centers that receive grants under section 330 or 1001:

''(A) Within a reasonable period after the Secretary begins making grants under paragraph (1), the Secretary shall provide eligible health centers with complete information about the training available from organizations receiving grants under such paragraph. The Secretary shall make reasonable efforts to encourage eligible health centers to arrange for designated staff to participate in such training. Such efforts shall affirm Federal requirements, if any, that the eligible health center provide nondirective counseling to pregnant women.

''(B) All costs of such centers in obtaining the training shall be reimbursed by the organization that provides the training, using grants under paragraph (1).

''(C) Not later than one year after the date of the enactment of the Children's Health Act of 2000, the Secretary shall submit to the appropriate committees of the Congress a report evaluating the extent to which adoption information and referral, upon request, are provided by eligible health centers. Within a reasonable time after training under this section is initiated, the Secretary shall submit to the appropriate committees of the Congress a report evaluating the extent to which adoption information and referral, upon request, are provided by eligible health centers in order to determine the effectiveness of such training and the extent to which such training complies with subsection (a)(1). In preparing the reports required by this subparagraph, the Secretary shall in no respect interpret the provisions of this section to allow any interference in the provider-patient relationship, any breach of patient confidentiality, or any monitoring or auditing of the counseling process or patient records which breaches patient confidentiality or reveals patient identity. The reports required by this subparagraph shall be conducted by the Secretary acting through the Administrator of the Health Resources and Services Administration and in collaboration with the Director of the Agency for Healthcare Research and Quality.

''(b) APPLICATION FOR GRANT.—The Secretary may make a grant under subsection (a) only if an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—Special Needs Adoption Awareness

SEC. 1211. SPECIAL NEEDS ADOPTION PROGRAMS; PUBLIC AWARENESS CAMPAIGN AND OTHER ACTIVITIES.

Subpart I of part D of title III of the Public Health Service Act, as amended by section 1201 of this Act, is amended by adding at the end the following section:

''SEC. 330G. SPECIAL NEEDS ADOPTION PROGRAMS; PUBLIC AWARENESS CAMPAIGN AND OTHER ACTIVITIES.

''(a) SPECIAL NEEDS ADOPTION AWARENESS CAMPAIGN.—

''(1) IN GENERAL.—The Secretary shall, through making grants to nonprofit private entities, provide for the planning, development, and carrying out of a national campaign to provide information to the public regarding the adoption of children with special needs.

''(2) INPUT ON PLANNING AND DEVELOPMENT.—In providing for the planning and development of the national campaign under paragraph (1), the Secretary shall provide for input from a number and variety of adoption organizations throughout the States in order that the full national diversity of interests among adoption organizations is represented in the planning and development of the campaign.

''(3) CERTAIN FEATURES.—With respect to the national campaign under paragraph (1):

''(A) The campaign shall be directed at various populations, taking into account as appropriate differences among geographic regions, and shall be carried out in the language and cultural context that is most appropriate to the population involved.

''(B) The means through which the campaign may be carried out include—

''(i) placing public service announcements on television, radio, and billboards; and

''(ii) providing information through means that the Secretary determines will reach individuals who are most likely to adopt children with special needs.

''(C) The campaign shall provide information on the subsidies and supports that are available to individuals regarding the adoption of children with special needs.

''(D) The Secretary may provide that the placement of public service announcements, and the dissemination of brochures and other materials, is subject to review by the Secretary.

''(4) MATCHING REQUIREMENT.—

''(A) IN GENERAL.—With respect to the costs of the activities to be carried out by an entity pursuant to paragraph (1), a condition for the receipt of a grant under such paragraph is that the entity agree to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than 25 percent of such costs.

''(B) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions under subparagraph (A) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.

''(b) NATIONAL RESOURCES PROGRAM.—The Secretary shall (directly or through grant or contract) carry out a program that, through toll-free telecommunications, makes available to the public information regarding the adoption of children with special needs. Such information shall include the following:

''(1) A list of national, State, and regional organizations that provide services regarding such adoptions, including exchanges and other information on communicating with the organizations. The list shall represent the full national diversity of adoption organizations.

''(2) Information beneficial to individuals who adopt such children, including lists of support groups for adoptive parents and other postadoptive services.

''(c) OTHER PROGRAMS.—With respect to the adoption of children with special needs, the Secretary shall make grants—

''(1) to provide assistance to support groups for adoptive parents, adopted children, and siblings of adopted children; and

''(2) to carry out studies to identify—

''(A) the barriers to completion of the adoption process; and

''(B) those components that lead to favorable long-term outcomes for families that adopt children with special needs.

''(d) APPLICATION FOR GRANT.—The Secretary may make an award of a grant or contract under this section only if an application for the award is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section.

''(e) FUNDING.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XIII—TRAUMATIC BRAIN INJURY

SEC. 1301. PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) IN GENERAL.—Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the implementation of a national education and awareness campaign regarding such injury (in conjunction with the program of the Secretary regarding health-status goals for 2010, commonly referred to as Healthy People 2010), including—

''(A) the national dissemination of information on—

''(i) incidence and prevalence; and

''(ii) information relating to traumatic brain injury and the sequelae of secondary conditions arising from traumatic brain injury upon discharge from hospitals and trauma centers; and

''(B) the provision of information in primary care settings, including emergency rooms and trauma centers, concerning the availability of State level services and resources.'';

(2) in subsection (d)—

(A) in the second sentence, by striking ''anoxia due to near drowning.'' and inserting ''anoxia due to trauma.''; and

(B) in the third sentence, by inserting before the period the following: '', after consultation with States and other appropriate public or nonprofit private entities''.

(b) NATIONAL REGISTRY.—Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 393A the following section:

''NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY REGISTRIES

''SEC. 393B. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to States or their designees to operate the State's traumatic brain injury registry, and to academic institutions to conduct applied research that will support the development of such registries, to collect data concerning—

''(1) demographic information about each traumatic brain injury;

''(2) information about the circumstances surrounding the injury event associated with each traumatic brain injury;

''(3) administrative information about the source of the collected information, dates of hospitalization and treatment, and the date of injury; and

''(4) information characterizing the clinical aspects of the traumatic brain injury, including the severity of the injury, outcomes of the injury, the types of treatments received, and the types of services utilized.''.

SEC. 1302. STUDY AND MONITOR INCIDENCE AND PREVALENCE.

Section 4 of Public Law 104–166 (42 U.S.C. 300d–61 note) is amended—

(1) in subsection (a)(1)(A)—

(A) by striking clause (i) and inserting the following:

''(i)(I) determine the incidence and prevalence of traumatic brain injury in all age groups in the general population of the United States, including institutional settings; and

''(II) determine appropriate methodological strategies to obtain data on the incidence and prevalence of mild traumatic brain injury and report to Congress concerning such within 18 months of the date of enactment of the Children's Health Act of 2000; and''; and

(B) in clause (ii), by striking '', if the Secretary determines that such a system is appropriate'';

(2) in subsection (a)(1)(B)(i), by inserting '', including return to work or school and community participation,'' after ''functioning''; and

(3) in subsection (d), to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 1303. PROGRAMS OF NATIONAL INSTITUTES OF HEALTH.

(a) INTERAGENCY PROGRAM.—Section 1261(d)(4) of the Public Health Service Act (42 U.S.C. 300d–61(d)(4)) is amended—

(1) in subparagraph (A), by striking ''degree of injury'' and inserting ''degree of brain injury'';

(2) in subparagraph (B), by striking ''acute injury'' and inserting ''acute brain injury''; and

(3) in subparagraph (D), by striking ''injury treatment'' and inserting ''brain injury treatment''.

(b) DEFINITION.—Section 1261(h)(4) of the Public Health Service Act (42 U.S.C. 300d–61(h)(4)) is amended—

(1) in the second sentence, by striking ''anoxia due to near drowning.'' and inserting ''anoxia due to trauma.''; and

(2) in the third sentence, by inserting before the period the following: '', after consultation with States and other appropriate public or nonprofit private entities''.

(c) RESEARCH ON COGNITIVE AND NEUROBEHAVIORAL DISORDERS ARISING FROM TRAUMATIC BRAIN INJURY.—Section 1261(d)(4) of the Public Health Service Act (42 U.S.C. 300d–61(d)(4)) is amended—

(1) in subparagraph (C), by striking ''and'' after the semicolon at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) carrying out subparagraphs (A) through (D) with respect to cognitive disorders and neurobehavioral consequences arising from traumatic brain injury, including the development, modification, and evaluation of therapies and programs of rehabilitation toward reaching or restoring normal capabilities in areas such as reading, comprehension, speech, reasoning, and deduction.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 1261 of the Public Health Service Act (42 U.S.C. 300d–61) is amended by adding at the end the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 1304. PROGRAMS OF HEALTH RESOURCES AND SERVICES ADMINISTRATION.

Section 1252 of the Public Health Service Act (42 U.S.C. 300d–51) is amended—

*(1) in the section heading by striking ''**DEMONSTRATION**'';*

(2) in subsection (a), by striking ''demonstration'';

(3) in subsection (b)(3)—

(A) in subparagraph (A)(iv), by striking ''representing traumatic brain injury survivors'' and inserting ''representing individuals with traumatic brain injury''; and

(B) in subparagraph (B), by striking ''who are survivors of'' and inserting ''with'';

(4) in subsection (c)—

(A) in paragraph (1), by striking '', in cash,''; and

(B) in paragraph (2), by amending the paragraph to read as follows:

''(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.'';

(5) by redesignating subsections (e) through (h) as subsections (g) through (j), respectively; and

(6) by inserting after subsection (d) the following subsections:

''(e) CONTINUATION OF PREVIOUSLY AWARDED DEMONSTRATION PROJECTS.—A State that received a grant under this section prior to the date of the enactment of the Children's Health Act of 2000 may compete for new project grants under this section after such date of enactment.

''(f) USE OF STATE GRANTS.—

''(1) COMMUNITY SERVICES AND SUPPORTS.—A State shall (directly or through awards of contracts to nonprofit private entities) use amounts received under a grant under this section for the following:

''(A) To develop, change, or enhance community-based service delivery systems that include timely access to comprehensive appropriate services and supports. Such service and supports—

''(i) shall promote full participation by individuals with brain injury and their families in decision making regarding the services and supports; and

''(ii) shall be designed for children and other individuals with traumatic brain injury.

''(B) To focus on outreach to underserved and inappropriately served individuals, such as individuals in institutional settings, individuals with low socioeconomic resources, individuals in rural communities, and individuals in culturally and linguistically diverse communities.

''(C) To award contracts to nonprofit entities for consumer or family service access training, consumer support, peer mentoring, and parent to parent programs.

''(D) To develop individual and family service coordination or case management systems.

''(E) To support other needs identified by the advisory board under subsection (b) for the State involved.

''(2) BEST PRACTICES.—

''(A) IN GENERAL.—State services and supports provided under a grant under this section shall reflect the best practices in the field of traumatic brain injury, shall be in compliance with title II of the Americans with Disabilities Act of 1990, and shall be supported by quality assurance measures as well as state-of-the-art health care and integrated community supports, regardless of the severity of injury.

''(B) DEMONSTRATION BY STATE AGENCY.—The State agency responsible for administering amounts received under a grant under this section shall demonstrate that it has obtained knowledge and expertise of traumatic brain injury and the unique needs associated with traumatic brain injury.

''(3) STATE CAPACITY BUILDING.—A State may use amounts received under a grant under this section to—

''(A) educate consumers and families;

''(B) train professionals in public and private sector financing (such as third party payers, State agencies, community-based providers, schools, and educators);

''(C) develop or improve case management or service coordination systems;

''(D) develop best practices in areas such as family or consumer support, return to work, housing or supportive living personal assistance services, assistive technology and devices, behavioral health services, substance abuse services, and traumatic brain injury treatment and rehabilitation;

''(E) tailor existing State systems to provide accommodations to the needs of individuals with brain injury (including systems administered by the State departments responsible for health, mental health, labor/employment, education, mental retardation/developmental disorders, transportation, and correctional systems);

''(F) improve data sets coordinated across systems and other needs identified by a State plan supported by its advisory council; and

''(G) develop capacity within targeted communities.'';

(5) in subsection (g) (as so redesignated), by striking ''agencies of the Public Health Service'' and inserting ''Federal agencies'';

(6) in subsection (i) (as redesignated by paragraph (3))—

(A) in the second sentence, by striking ''anoxia due to near drowning.'' and inserting ''anoxia due to trauma.''; and

(B) in the third sentence, by inserting before the period the following: '', after consultation with States and other appropriate public or nonprofit private entities''; and

(7) in subsection (j) (as so redesignated), by amending the subsection to read as follows:

''(j) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 1305. STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.

Part E of title XII of the Public Health Service Act (42 U.S.C. 300d–51 et seq.) is amended by adding at the end the following:

''SEC. 1253. STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.

''(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration (referred to in this section as the 'Administrator'), shall make grants to protection and advocacy systems for the purpose of enabling such systems to provide services to individuals with traumatic brain injury.

''(b) SERVICES PROVIDED.—Services provided under this section may include the provision of—

''(1) information, referrals, and advice;

''(2) individual and family advocacy;

''(3) legal representation; and

''(4) specific assistance in self-advocacy.

''(c) APPLICATION.—To be eligible to receive a grant under this section, a protection and advocacy system shall submit an application to the Administrator at such time, in such form and manner, and accompanied by such information and assurances as the Administrator may require.

''(d) APPROPRIATIONS LESS THAN $2,700,000.—

''(1) IN GENERAL.—With respect to any fiscal year in which the amount appropriated under subsection (i) to carry out this section is less than $2,700,000, the Administrator shall make grants from such amount to individual protection and advocacy systems within States to enable such systems to plan for, develop outreach strategies for, and carry out services authorized under this section for individuals with traumatic brain injury.

''(2) AMOUNT.—The amount of each grant provided under paragraph (1) shall be determined as set forth in paragraphs (2) and (3) of subsection (e).

''(e) APPROPRIATIONS OF $2,700,000 OR MORE.—

''(1) POPULATION BASIS.—Except as provided in paragraph (2), with respect to each fiscal year in which the amount appropriated under subsection (i) to carry out this section is $2,700,000 or more, the Administrator shall make a grant to a protection and advocacy system within each State.

''(2) AMOUNT.—The amount of a grant provided to a system under paragraph (1) shall be equal to an amount bearing the same ratio to the total amount appropriated for the fiscal year involved under subsection (i) as the population of the State in which the grantee is located bears to the population of all States.

''(3) MINIMUMS.—Subject to the availability of appropriations, the amount of a grant a protection and advocacy system under paragraph (1) for a fiscal year shall—

''(A) in the case of a protection and advocacy system located in American Samoa, Guam, the United States Virgin Islands, or the Common-

wealth of the Northern Mariana Islands, and the protection and advocacy system serving the American Indian consortium, not be less than $20,000; and

''(B) in the case of a protection and advocacy system in a State not described in subparagraph (A), not be less than $50,000.

''(4) INFLATION ADJUSTMENT.—For each fiscal year in which the total amount appropriated under subsection (i) to carry out this section is $5,000,000 or more, and such appropriated amount exceeds the total amount appropriated to carry out this section in the preceding fiscal year, the Administrator shall increase each of the minimum grants amount described in subparagraphs (A) and (B) of paragraph (3) by a percentage equal to the percentage increase in the total amount appropriated under subsection (i) to carry out this section between the preceding fiscal year and the fiscal year involved.

''(f) CARRYOVER.—Any amount paid to a protection and advocacy system that serves a State or the American Indian consortium for a fiscal year under this section that remains unobligated at the end of such fiscal year shall remain available to such system for obligation during the next fiscal year for the purposes for which such amount was originally provided.

''(g) DIRECT PAYMENT.—Notwithstanding any other provision of law, the Administrator shall pay directly to any protection and advocacy system that complies with the provisions of this section, the total amount of the grant for such system, unless the system provides otherwise for such payment.

''(h) ANNUAL REPORT.—Each protection and advocacy system that receives a payment under this section shall submit an annual report to the Administrator concerning the services provided to individuals with traumatic brain injury by such system.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2001, and such sums as may be necessary for each the fiscal years 2002 through 2005.

''(j) DEFINITIONS.—In this section:

''(1) AMERICAN INDIAN CONSORTIUM.—The term 'American Indian consortium' means a consortium established under part C of the Developmental Disabilities Assistance Bill of Rights Act (42 U.S.C. 6042 et seq.).

''(2) PROTECTION AND ADVOCACY SYSTEM.—The term 'protection and advocacy system' means a protection and advocacy system established under part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6042 et seq.).

''(3) STATE.—The term 'State', unless otherwise specified, means the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.''.

SEC. 1306. AUTHORIZATION OF APPROPRIATIONS FOR CERTAIN PROGRAMS.

Section 394A of the Public Health Service Act (42 U.S.C. 280b–3) is amended by striking ''and'' after ''1994'' and by inserting before the period the following: '', and such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XIV—CHILD CARE SAFETY AND HEALTH GRANTS

SEC. 1401. DEFINITIONS.

In this title:

(1) CHILD WITH A DISABILITY; INFANT OR TODDLER WITH A DISABILITY.—The terms ''child with a disability'' and ''infant or toddler with a disability'' have the meanings given the terms in sections 602 and 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1401 and 1431).

(2) ELIGIBLE CHILD CARE PROVIDER.—The term ''eligible child care provider'' means a provider of child care services for compensation, including a provider of care for a school-age child during non-school hours, that—

(A) is licensed, regulated, registered, or otherwise legally operating, under State and local law; and

(B) satisfies the State and local requirements, applicable to the child care services the provider provides.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(4) STATE.—The term ''State'' means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 1402. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $200,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year.

SEC. 1403. PROGRAMS.

The Secretary shall make allotments to eligible States under section 1404. The Secretary shall make the allotments to enable the States to establish programs to improve the health and safety of children receiving child care outside the home, by preventing illnesses and injuries associated with that care and promoting the health and well-being of children receiving that care.

SEC. 1404. AMOUNTS RESERVED; ALLOTMENTS.

(a) AMOUNTS RESERVED.—The Secretary shall reserve not more than ½ of 1 percent of the amount appropriated under section 1402 for each fiscal year to make allotments to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands to be allotted in accordance with their respective needs.

(b) STATE ALLOTMENTS.—

(1) GENERAL RULE.—From the amounts appropriated under section 1402 for each fiscal year and remaining after reservations are made under subsection (a), the Secretary shall allot to each State an amount equal to the sum of—

(A) an amount that bears the same ratio to 50 percent of such remainder as the product of the young child factor of the State and the allotment percentage of the State bears to the sum of the corresponding products for all States; and

(B) an amount that bears the same ratio to 50 percent of such remainder as the product of the school lunch factor of the State and the allotment percentage of the State bears to the sum of the corresponding products for all States.

(2) YOUNG CHILD FACTOR.—In this subsection, the term ''young child factor'' means the ratio of the number of children under 5 years of age in a State to the number of such children in all States, as provided by the most recent annual estimates of population in the States by the Census Bureau of the Department of Commerce.

(3) SCHOOL LUNCH FACTOR.—In this subsection, the term ''school lunch factor'' means the ratio of the number of children who are receiving free or reduced price lunches under the school lunch program established under the National School Lunch Act (42 U.S.C. 1751 et seq.) in the State to the number of such children in all States, as determined annually by the Department of Agriculture.

(4) ALLOTMENT PERCENTAGE.—

(A) IN GENERAL.—For purposes of this subsection, the allotment percentage for a State shall be determined by dividing the per capita income of all individuals in the United States, by the per capita income of all individuals in the State.

(B) LIMITATIONS.—If an allotment percentage determined under subparagraph (A) for a State—

(i) is more than 1.2 percent, the allotment percentage of the State shall be considered to be 1.2 percent; and

(ii) is less than 0.8 percent, the allotment percentage of the State shall be considered to be 0.8 percent.

(C) PER CAPITA INCOME.—For purposes of subparagraph (A), per capita income shall be—

(i) determined at 2-year intervals;

(ii) applied for the 2-year period beginning on October 1 of the first fiscal year beginning after the date such determination is made; and

(iii) equal to the average of the annual per capita incomes for the most recent period of 3 consecutive years for which satisfactory data are available from the Department of Commerce on the date such determination is made.

(c) DATA AND INFORMATION.—The Secretary shall obtain from each appropriate Federal agency, the most recent data and information necessary to determine the allotments provided for in subsection (b).

(d) DEFINITION.—In this section, the term ''State'' includes only the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 1405. STATE APPLICATIONS.

To be eligible to receive an allotment under section 1404, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall contain information assessing the needs of the State with regard to child care health and safety, the goals to be achieved through the program carried out by the State under this title, and the measures to be used to assess the progress made by the State toward achieving the goals.

SEC. 1406. USE OF FUNDS.

(a) IN GENERAL.—A State that receives an allotment under section 1404 shall use the funds made available through the allotment to carry out 2 or more activities consisting of—

(1) providing training and education to eligible child care providers on preventing injuries and illnesses in children, and promoting health-related practices;

(2) strengthening licensing, regulation, or registration standards for eligible child care providers;

(3) assisting eligible child care providers in meeting licensing, regulation, or registration standards, including rehabilitating the facilities of the providers, in order to bring the facilities into compliance with the standards;

(4) enforcing licensing, regulation, or registration standards for eligible child care providers, including holding increased unannounced inspections of the facilities of those providers;

(5) providing health consultants to provide advice to eligible child care providers;

(6) assisting eligible child care providers in enhancing the ability of the providers to serve children with disabilities and infants and toddlers with disabilities;

(7) conducting criminal background checks for eligible child care providers and other individuals who have contact with children in the facilities of the providers;

(8) providing information to parents on what factors to consider in choosing a safe and healthy child care setting; or

(9) assisting in improving the safety of transportation practices for children enrolled in child care programs with eligible child care providers.

(b) SUPPLEMENT, NOT SUPPLANT.—Funds appropriated pursuant to the authority of this title shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide services for eligible individuals.

SEC. 1407. REPORTS.

Each State that receives an allotment under section 1404 shall annually prepare and submit to the Secretary a report that describes—

(1) the activities carried out with funds made available through the allotment; and

(2) the progress made by the State toward achieving the goals described in the application submitted by the State under section 1405.

TITLE XV—HEALTHY START INITIATIVE

SEC. 1501. CONTINUATION OF HEALTHY START PROGRAM.

Subpart I of part D of title III of the Public Health Service Act, as amended by section 1211 of this Act, is amended by adding at the end the following section:

"SEC. 330H. HEALTHY START FOR INFANTS.

''(a) IN GENERAL.—

''(1) CONTINUATION AND EXPANSION OF PROGRAM.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, Maternal and Child Health Bureau, shall under authority of this section continue in effect the Healthy Start Initiative and may, during fiscal year 2001 and subsequent years, carry out such program on a national basis.

''(2) DEFINITION.—For purposes of paragraph (1), the term 'Healthy Start Initiative' is a reference to the program that, as an initiative to reduce the rate of infant mortality and improve perinatal outcomes, makes grants for project areas with high annual rates of infant mortality and that, prior to the effective date of this section, was a demonstration program carried out under section 301.

''(3) ADDITIONAL GRANTS.— Effective upon increased funding beyond fiscal year 1999 for such Initiative, additional grants may be made to States to assist communities with technical assistance, replication of successful projects, and State policy formation to reduce infant and maternal mortality and morbidity.

''(b) REQUIREMENTS FOR MAKING GRANTS.—In making grants under subsection (a), the Secretary shall require that applicants (in addition to meeting all eligibility criteria established by the Secretary) establish, for project areas under such subsection, community-based consortia of individuals and organizations (including agencies responsible for administering block grant programs under title V of the Social Security Act, consumers of project services, public health departments, hospitals, health centers under section 330, and other significant sources of health care services) that are appropriate for participation in projects under subsection (a).

''(c) COORDINATION.—Recipients of grants under subsection (a) shall coordinate their services and activities with the State agency or agencies that administer block grant programs under title V of the Social Security Act in order to promote cooperation, integration, and dissemination of information with Statewide systems and with other community services funded under the Maternal and Child Health Block Grant.

''(d) RULE OF CONSTRUCTION.—Except to the extent inconsistent with this section, this section may not be construed as affecting the authority of the Secretary to make modifications in the program carried out under subsection (a).

''(e) ADDITIONAL SERVICES FOR AT-RISK PREGNANT WOMEN AND INFANTS.—

''(1) IN GENERAL.—The Secretary may make grants to conduct and support research and to provide additional health care services for pregnant women and infants, including grants to increase access to prenatal care, genetic counseling, ultrasound services, and fetal or other surgery.

''(2) ELIGIBLE PROJECT AREA.—The Secretary may make a grant under paragraph (1) only if the geographic area in which services under the grant will be provided is a geographic area in which a project under subsection (a) is being carried out, and if the Secretary determines that the grant will add to or expand the level of health services available in such area to pregnant women and infants.

''(3) EVALUATION BY GENERAL ACCOUNTING OFFICE.—

''(A) IN GENERAL.—During fiscal year 2004, the Comptroller General of the United States shall conduct an evaluation of activities under grants under paragraph (1) in order to determine whether the activities have been effective in serving the needs of pregnant women with respect to services described in such paragraph. The evaluation shall include an analysis of whether such activities have been effective in reducing the disparity in health status between the general population and individuals who are members of racial or ethnic minority groups. Not later than January 10, 2004, the Comptroller General shall submit to the Committee on Commerce in the House of Representatives, and to the Committee on Health, Education, Labor, and Pensions in the Senate, a report describing the findings of the evaluation.

''(B) RELATION TO GRANTS REGARDING ADDITIONAL SERVICES FOR AT-RISK PREGNANT WOMEN AND INFANTS.—Before the date on which the evaluation under subparagraph (A) is submitted in accordance with such subparagraph—

''(i) the Secretary shall ensure that there are not more than five grantees under paragraph (1); and

''(ii) an entity is not eligible to receive grants under such paragraph unless the entity has substantial experience in providing the health services described in such paragraph.

''(f) FUNDING.—

''(1) GENERAL PROGRAM.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section (other than subsection (e)), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

''(B) ALLOCATIONS.—

''(i) PROGRAM ADMINISTRATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve up to 5 percent for coordination, dissemination, technical assistance, and data activities that are determined by the Secretary to be appropriate for carrying out the program under this section.

''(ii) EVALUATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve up to 1 percent for evaluations of projects carried out under subsection (a). Each such evaluation shall include a determination of whether such projects have been effective in reducing the disparity in health status between the general population and individuals who are members of racial or ethnic minority groups.

''(2) ADDITIONAL SERVICES FOR AT-RISK PREGNANT WOMEN AND INFANTS.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out subsection (e), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

''(B) ALLOCATION FOR COMMUNITY-BASED MOBILE HEALTH UNITS.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary shall make available not less than 10 percent for providing services under subsection (e) (including ultrasound services) through visits by mobile units to communities that are eligible for services under subsection (a).''.

TITLE XVI—ORAL HEALTH PROMOTION AND DISEASE PREVENTION

SEC. 1601. IDENTIFICATION OF INTERVENTIONS THAT REDUCE THE BURDEN AND TRANSMISSION OF ORAL, DENTAL, AND CRANIOFACIAL DISEASES IN HIGH RISK POPULATIONS; DEVELOPMENT OF APPROACHES FOR PEDIATRIC ORAL AND CRANIOFACIAL ASSESSMENT.

(a) IN GENERAL.—The Secretary of Health and Human Services, through the Maternal and Child Health Bureau, the Indian Health Service, and in consultation with the National Institutes of Health and the Centers for Disease Control and Prevention, shall—

(1) support community-based research that is designed to improve understanding of the etiology, pathogenesis, diagnosis, prevention, and treatment of pediatric oral, dental, craniofacial diseases and conditions and their sequelae in high risk populations;

(2) support demonstrations of preventive interventions in high risk populations including nutrition, parenting, and feeding techniques; and

(3) develop clinical approaches to assess individual patients for the risk of pediatric dental disease.

(b) COMPLIANCE WITH STATE PRACTICE LAWS.—Treatment and other services shall be provided pursuant to this section by licensed dental health professionals in accordance with State practice and licensing laws.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each the fiscal years 2001 through 2005.

SEC. 1602. ORAL HEALTH PROMOTION AND DISEASE PREVENTION.

Part B of title III of the Public Health Service Act, as amended by section 911 of this Act, is amended by inserting after section 317L the following section:

''ORAL HEALTH PROMOTION AND DISEASE PREVENTION

''SEC. 317M. (a) GRANTS TO INCREASE RESOURCES FOR COMMUNITY WATER FLUORIDATION.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to States and Indian tribes for the purpose of increasing the resources available for community water fluoridation.

''(2) USE OF FUNDS.—A State shall use amounts provided under a grant under paragraph (1)—

''(A) to purchase fluoridation equipment;

''(B) to train fluoridation engineers;

''(C) to develop educational materials on the benefits of fluoridation; or

''(D) to support the infrastructure necessary to monitor and maintain the quality of water fluoridation.

''(b) COMMUNITY WATER FLUORIDATION.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in collaboration with the Director of the Indian Health Service, shall establish a demonstration project that is designed to assist rural water systems in successfully implementing the water fluoridation guidelines of the Centers for Disease Control and Prevention that are entitled ''Engineering and Administrative Recommendations for Water Fluoridation, 1995'' (referred to in this subsection as the 'EARWF').

''(2) REQUIREMENTS.—

''(A) COLLABORATION.—In collaborating under paragraph (1), the Directors referred to in such paragraph shall ensure that technical assistance and training are provided to tribal programs located in each of the 12 areas of the Indian Health Service. The Director of the Indian Health Service shall provide coordination and administrative support to tribes under this section.

''(B) GENERAL USE OF FUNDS.—Amounts made available under paragraph (1) shall be used to assist small water systems in improving the effectiveness of water fluoridation and to meet the recommendations of the EARWF.

''(C) FLUORIDATION SPECIALISTS.—

''(i) IN GENERAL.—In carrying out this subsection, the Secretary shall provide for the establishment of fluoridation specialist engineering positions in each of the Dental Clinical and Preventive Support Centers through which technical assistance and training will be provided to tribal water operators, tribal utility operators and other Indian Health Service personnel working directly with fluoridation projects.

''(ii) LIAISON.—A fluoridation specialist shall serve as the principal technical liaison between the Indian Health Service and the Centers for Disease Control and Prevention with respect to engineering and fluoridation issues.

''(iii) CDC.—The Director of the Centers for Disease Control and Prevention shall appoint individuals to serve as the fluoridation specialists.

''(D) IMPLEMENTATION.—The project established under this subsection shall be planned, implemented and evaluated over the 5-year period beginning on the date on which funds are appropriated under this section and shall be designed to serve as a model for improving the effectiveness of water fluoridation systems of small rural communities.

''(3) EVALUATION.—In conducting the ongoing evaluation as provided for in paragraph (2)(D), the Secretary shall ensure that such evaluation includes—

''(A) the measurement of changes in water fluoridation compliance levels resulting from assistance provided under this section;

''(B) the identification of the administrative, technical and operational challenges that are unique to the fluoridation of small water systems;

''(C) the development of a practical model that may be easily utilized by other tribal, state, county or local governments in improving the quality of water fluoridation with emphasis on small water systems; and

''(D) the measurement of any increased percentage of Native Americans or Alaskan Natives who receive the benefits of optimally fluoridated water.

''(c) SCHOOL-BASED DENTAL SEALANT PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in collaboration with the Administrator of the Health Resources and Services Administration, may award grants to States and Indian tribes to provide for the development of school-based dental sealant programs to improve the access of children to sealants.

''(2) USE OF FUNDS.—A State shall use amounts received under a grant under paragraph (1) to provide funds to eligible school-based entities or to public elementary or secondary schools to enable such entities or schools to provide children with access to dental care and dental sealant services. Such services shall be provided by licensed dental health professionals in accordance with State practice licensing laws.

''(3) ELIGIBILITY.—To be eligible to receive funds under paragraph (1), an entity shall—

''(A) prepare and submit to the State an application at such time, in such manner and containing such information as the state may require; and

''(B) be a public elementary or secondary school—

''(i) that is located in an urban area in which and more than 50 percent of the student population is participating in federal or state free or reduced meal programs; or

''(ii) that is located in a rural area and, with respect to the school district in which the school is located, the district involved has a median income that is at or below 235 percent of the poverty line, as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

''(d) DEFINITIONS.—For purposes of this section, the term 'Indian tribe' means an Indian tribe or tribal organization as defined in section 4(b) and section 4(c) of the Indian Self-Determination and Education Assistance Act.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 1603. COORDINATED PROGRAM TO IMPROVE PEDIATRIC ORAL HEALTH.

Part B of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by adding at the end the following:

''COORDINATED PROGRAM TO IMPROVE PEDIATRIC ORAL HEALTH

''SEC. 320A. (a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish a program to fund innovative oral health activities that improve the oral health of children under 6 years of age who are eligible for services provided under a Federal health program, to increase the utilization of dental services by such children, and to decrease the incidence of early childhood and baby bottle tooth decay.

''(b) GRANTS.—The Secretary shall award grants to or enter into contracts with public or private nonprofit schools of dentistry or accredited dental training institutions or programs, community dental programs, and programs operated by the Indian Health Service (including federally recognized Indian tribes that receive medical services from the Indian Health Service, urban Indian health programs funded under title V of the Indian Health Care Improvement Act, and tribes that contract with the Indian Health Service pursuant to the Indian Self-Determination and Education Assistance Act) to enable such schools, institutions, and programs to develop programs of oral health promotion, to increase training of oral health services providers in accordance with State practice laws, or to increase the utilization of dental services by eligible children.

''(c) DISTRIBUTION.—In awarding grants under this section, the Secretary shall, to the extent practicable, ensure an equitable national geographic distribution of the grants, including areas of the United States where the incidence of early childhood caries is highest.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each the fiscal years 2001 through 2005.''.

TITLE XVII—VACCINE-RELATED PROGRAMS

Subtitle A—Vaccine Compensation Program

SEC. 1701. CONTENT OF PETITIONS.

(a) IN GENERAL.—Section 2111(c)(1)(D) of the Public Health Service Act (42 U.S.C. 300aa–11(c)(1)(D)) is amended by striking ''and'' at the end and inserting ''or (iii) suffered such illness, disability, injury, or condition from the vaccine which resulted in inpatient hospitalization and surgical intervention, and''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect upon the date of the enactment of this Act, including with respect to petitions under section 2111 of the Public Health Service Act that are pending on such date.

Subtitle B—Childhood Immunizations

SEC. 1711. CHILDHOOD IMMUNIZATIONS.

Section 317(j)(1) of the Public Health Service Act (42 U.S.C. 247b(j)(1)) is amended in the first sentence by striking ''1998'' and all that follows and inserting ''1998 through 2005.''.

TITLE XVIII—HEPATITIS C

SEC. 1801. SURVEILLANCE AND EDUCATION REGARDING HEPATITIS C.

Part B of title III of the Public Health Service Act, as amended by section 1602 of this Act, is amended by inserting after section 317M the following section:

''SURVEILLANCE AND EDUCATION REGARDING HEPATITIS C VIRUS

''SEC. 317N. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may (directly and through grants to public and nonprofit private entities) provide for programs to carry out the following:

''(1) To cooperate with the States in implementing a national system to determine the incidence of hepatitis C virus infection (in this section referred to as 'HCV infection') and to assist the States in determining the prevalence of such infection, including the reporting of chronic HCV cases.

''(2) To identify, counsel, and offer testing to individuals who are at risk of HCV infection as a result of receiving blood transfusions prior to July 1992, or as a result of other risk factors.

''(3) To provide appropriate referrals for counseling, testing, and medical treatment of individuals identified under paragraph (2) and to ensure, to the extent practicable, the provision of appropriate follow-up services.

''(4) To develop and disseminate public information and education programs for the detection and control of HCV infection, with priority given to high risk populations as determined by the Secretary.

''(5) To improve the education, training, and skills of health professionals in the detection and control of HCV infection, with priority given to pediatricians and other primary care physicians, and obstetricians and gynecologists.

''(b) LABORATORY PROCEDURES.—The Secretary may (directly and through grants to public and nonprofit private entities) carry out programs to provide for improvements in the quality of clinical-laboratory procedures regarding hepatitis C, including reducing variability in laboratory results on hepatitis C antibody and PCR testing.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XIX—NIH INITIATIVE ON AUTOIMMUNE DISEASES

SEC. 1901. AUTOIMMUNE DISEASES; INITIATIVE THROUGH DIRECTOR OF NATIONAL INSTITUTES OF HEALTH.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.), as amended by section 1001 of this Act, is amended by adding at the end the following:

''SEC. 409E. AUTOIMMUNE DISEASES.

''(a) EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES.—

''(1) IN GENERAL.—The Director of NIH shall expand, intensify, and coordinate research and other activities of the National Institutes of Health with respect to autoimmune diseases.

''(2) ALLOCATIONS BY DIRECTOR OF NIH.—With respect to amounts appropriated to carry out this section for a fiscal year, the Director of NIH shall allocate the amounts among the national research institutes that are carrying out paragraph (1).

''(3) DEFINITION.—The term 'autoimmune disease' includes, for purposes of this section such diseases or disorders with evidence of autoimmune pathogensis as the Secretary determines to be appropriate.

''(b) COORDINATING COMMITTEE.—

''(1) IN GENERAL.—The Secretary shall ensure that the Autoimmune Diseases Coordinating Committee (referred to in this section as the 'Coordinating Committee') coordinates activities across the National Institutes and with other Federal health programs and activities relating to such diseases.

''(2) COMPOSITION.—The Coordinating Committee shall be composed of the directors or their designees of each of the national research institutes involved in research with respect to autoimmune diseases and representatives of all other Federal departments and agencies whose programs involve health functions or responsibilities relevant to such diseases, including the Centers for Disease Control and Prevention and the Food and Drug Administration.

''(3) CHAIR.—

''(A) IN GENERAL.—With respect to autoimmune diseases, the Chair of the Committee shall serve as the principal advisor to the Secretary, the Assistant Secretary for Health, and the Director of NIH, and shall provide advice to the Director of the Centers for Disease Control and Prevention, the Commissioner of Food and Drugs, and other relevant agencies.

''(B) DIRECTOR OF NIH.—The Chair of the Committee shall be directly responsible to the Director of NIH.

''(c) PLAN FOR NIH ACTIVITIES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Coordinating Committee shall develop a plan for conducting and supporting research and education on autoimmune diseases through the national research institutes and shall periodically review and revise the plan. The plan shall—

''(A) provide for a broad range of research and education activities relating to biomedical, psychosocial, and rehabilitative issues, includ-

ing studies of the disproportionate impact of such diseases on women;

''(B) identify priorities among the programs and activities of the National Institutes of Health regarding such diseases; and

''(C) reflect input from a broad range of scientists, patients, and advocacy groups.

''(2) CERTAIN ELEMENTS OF PLAN.—The plan under paragraph (1) shall, with respect to autoimmune diseases, provide for the following as appropriate:

''(A) Research to determine the reasons underlying the incidence and prevalence of the diseases.

''(B) Basic research concerning the etiology and causes of the diseases.

''(C) Epidemiological studies to address the frequency and natural history of the diseases, including any differences among the sexes and among racial and ethnic groups.

''(D) The development of improved screening techniques.

''(E) Clinical research for the development and evaluation of new treatments, including new biological agents.

''(F) Information and education programs for health care professionals and the public.

''(3) IMPLEMENTATION OF PLAN.—The Director of NIH shall ensure that programs and activities of the National Institutes of Health regarding autoimmune diseases are implemented in accordance with the plan under paragraph (1).

''(d) REPORTS TO CONGRESS.—The Coordinating Committee under subsection (b)(1) shall biennially submit to the Committee on Commerce of the House of Representatives, and the Committee on Health, Education, Labor and Pensions of the Senate, a report that describes the research, education, and other activities on autoimmune diseases being conducted or supported through the national research institutes, and that in addition includes the following:

''(1) The plan under subsection (c)(1) (or revisions to the plan, as the case may be).

''(2) Provisions specifying the amounts expended by the National Institutes of Health with respect to each of the autoimmune diseases included in the plan.

''(3) Provisions identifying particular projects or types of projects that should in the future be considered by the national research institutes or other entities in the field of research on autoimmune diseases.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005. The authorization of appropriations established in the preceding sentence is in addition to any other authorization of appropriations that is available for conducting or supporting through the National Institutes of Health research and other activities with respect to autoimmune diseases.''.

TITLE XX—GRADUATE MEDICAL EDUCATION PROGRAMS IN CHILDREN'S HOSPITALS

SEC. 2001. PROVISIONS TO REVISE AND EXTEND PROGRAM.

(a) PAYMENTS.—Section 340E(a) of the Public Health Service Act (42 U.S.C. 256e(a)) is amended—

(1) by striking ''and 2001'' and inserting ''through 2005''; and

(2) by adding at the end the following: ''The Secretary shall promulgate regulations pursuant to the rulemaking requirements of title 5, United States Code, which shall govern payments made under this subpart.''.

(b) UPDATING RATES.—Section 340E(c)(2)(F) of the Public Health Service Act (42 U.S.C. 256e(c)(2)(F)) is amended by striking ''hospital's cost reporting period that begins during fiscal year 2000'' and inserting ''Federal fiscal year for which payments are made''.

(c) RESIDENT COUNT FOR INTERIM PAYMENTS.—Section 340E(e)(1) of the Public Health Service Act (42 U.S.C. 256e(e)(1)) is amended by adding at the end the following: ''Such interim payments to each individual hospital shall be based on the number of residents reported in the hospital's most recently filed medicare cost report prior to the application date for the Federal fiscal year for which the interim payment amounts are established. In the case of a hospital that does not report residents on a medicare cost report, such interim payments shall be based on the number of residents trained during the hospital's most recently completed medicare cost report filing period.''.

(d) WITHHOLDING.—Section 340E(e)(2) of the Public Health Service Act (42 U.S.C. 256e(e)(2)) is amended—

(1) by adding ''and indirect'' after ''direct'';

(2) by adding at the end the following: ''The Secretary shall withhold up to 25 percent from each interim installment for direct and indirect graduate medical education paid under paragraph (1) as necessary to ensure a hospital will not be overpaid on an interim basis.''.

(e) RECONCILIATION.—Section 340E(e)(3) of the Public Health Service Act (42 U.S.C. 256e(e)(3)) is amended to read as follows:

''(3) RECONCILIATION.—Prior to the end of each fiscal year, the Secretary shall determine any changes to the number of residents reported by a hospital in the application of the hospital for the current fiscal year to determine the final amount payable to the hospital for the current fiscal year for both direct expense and indirect expense amounts. Based on such determination, the Secretary shall recoup any overpayments made to pay any balance due to the extent possible. The final amount so determined shall be considered a final intermediary determination for the purposes of section 1878 of the Social Security Act and shall be subject to administrative and judicial review under that section in the same manner as the amount of payment under section 1186(d) of such Act is subject to review under such section.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 340E(f) of the Public Health Service Act (42 U.S.C. 256e(f)) is amended—

(1) in paragraph (1)(A)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) for each of the fiscal years 2002 through 2005, such sums as may be necessary.''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(C) for each of the fiscal years 2002 through 2005, such sums as may be necessary.''.

(g) DEFINITION OF CHILDREN'S HOSPITAL.—Section 340E(g)(2) of the Public Health Service Act (42 U.S.C. 256e(g)(2)) is amended by striking ''described in'' and all that follows and inserting the following: ''with a medicare payment agreement and which is excluded from the medicare inpatient prospective payment system pursuant to section 1886(d)(1)(B)(iii) of the Social Security Act and its accompanying regulations.''.

TITLE XXI—SPECIAL NEEDS OF CHILDREN REGARDING ORGAN TRANSPLANTATION

SEC. 2101. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK; AMENDMENTS REGARDING NEEDS OF CHILDREN.

(a) IN GENERAL.—Section 372(b)(2) of the Public Health Service Act (42 U.S.C. 274(b)(2)) is amended—

(1) in subparagraph (J), by striking ''and'' at the end;

(2) in each of subparagraphs (K) and (L), by striking the period and inserting a comma; and

(3) by adding at the end the following subparagraphs:

''(M) recognize the differences in health and in organ transplantation issues between children and adults throughout the system and adopt criteria, polices, and procedures that address the unique health care needs of children,

''(N) carry out studies and demonstration projects for the purpose of improving procedures for organ donation procurement and allocation, including but not limited to projects to examine and attempt to increase transplantation among populations with special needs, including children and individuals who are members of racial or ethnic minority groups, and among populations with limited access to transportation, and

''(O) provide that for purposes of this paragraph, the term 'children' refers to individuals who are under the age of 18.''.

(b) STUDY REGARDING IMMUNOSUPPRESSIVE DRUGS.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this subsection as the ''Secretary'') shall provide for a study to determine the costs of immunosuppressive drugs that are provided to children pursuant to organ transplants and to determine the extent to which health plans and health insurance cover such costs. The Secretary may carry out the study directly or through a grant to the Institute of Medicine (or other public or nonprofit private entity).

(2) RECOMMENDATIONS REGARDING CERTAIN ISSUES.—The Secretary shall ensure that, in addition to making determinations under paragraph (1), the study under such paragraph makes recommendations regarding the following issues:

(A) The costs of immunosuppressive drugs that are provided to children pursuant to organ transplants and to determine the extent to which health plans, health insurance and government programs cover such costs.

(B) The extent of denial of organs to be released for transplant by coroners and medical examiners.

(C) The special growth and developmental issues that children have pre- and post- organ transplantation.

(D) Other issues that are particular to the special health and transplantation needs of children.

(3) REPORT.—The Secretary shall ensure that, not later than December 31, 2001, the study under paragraph (1) is completed and a report describing the findings of the study is submitted to the Congress.

TITLE XXII—MUSCULAR DYSTROPHY RESEARCH

SEC. 2201. MUSCULAR DYSTROPHY RESEARCH.

Part B of title IV of the Public Health Service Act, as amended by section 1901 of this Act, is amended by adding at the end the following:

''MUSCULAR DYSTROPHY RESEARCH

''SEC. 409F. (a) COORDINATION OF ACTIVITIES.—The Director of NIH shall expand and increase coordination in the activities of the National Institutes of Health with respect to research on muscular dystrophies, including Duchenne muscular dystrophy.

''(b) ADMINISTRATION OF PROGRAM; COLLABORATION AMONG AGENCIES.—The Director of NIH shall carry out this section through the appropriate institutes, including the National Institute of Neurological Disorders and Stroke and in collaboration with any other agencies that the Director determines appropriate.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of the fiscal years 2001 through 2005. Amounts appropriated under this subsection shall be in addition to any other amounts appropriated for such purpose.''.

TITLE XXIII—CHILDREN AND TOURETTE SYNDROME AWARENESS

SEC. 2301. GRANTS REGARDING TOURETTE SYNDROME.

Part A of title XI of the Public Health Service Act is amended by adding at the end the following section:

''TOURETTE SYNDROME

''SEC. 1108. (a) IN GENERAL.—The Secretary shall develop and implement outreach programs to educate the public, health care providers, educators and community based organizations about the etiology, symptoms, diagnosis and treatment of Tourette Syndrome, with a particular emphasis on children with Tourette Syndrome. Such programs may be carried out by the Secretary directly and through awards of grants or contracts to public or nonprofit private entities.

''(b) CERTAIN ACTIVITIES.—Activities under subsection (a) shall include—

''(1) the production and translation of educational materials, including public service announcements;

''(2) the development of training material for health care providers, educators and community based organizations; and

''(3) outreach efforts directed at the misdiagnosis and underdiagnosis of Tourette Syndrome in children and in minority groups.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XXIV—CHILDHOOD OBESITY PREVENTION

SEC. 2401. PROGRAMS OPERATED THROUGH THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Title III of the Public Health Service Act (42 U.S.C. 241 et seq.), as amended by section 1101 of this Act, is amended by adding at the end the following part:

''PART Q—PROGRAMS TO IMPROVE THE HEALTH OF CHILDREN

''SEC. 399W. GRANTS TO PROMOTE CHILDHOOD NUTRITION AND PHYSICAL ACTIVITY.

''(a) IN GENERAL.—The Secretary, acting though the Director of the Centers for Disease Control and Prevention, shall award competitive grants to States and political subdivisions of States for the development and implementation of State and community-based intervention programs to promote good nutrition and physical activity in children and adolescents.

''(b) ELIGIBILITY.—To be eligible to receive a grant under this section a State or political subdivision of a State shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a plan that describes—

''(1) how the applicant proposes to develop a comprehensive program of school- and community-based approaches to encourage and promote good nutrition and appropriate levels of physical activity with respect to children or adolescents in local communities;

''(2) the manner in which the applicant shall coordinate with appropriate State and local authorities, such as State and local school departments, State departments of health, chronic disease directors, State directors of programs under section 17 of the Child Nutrition Act of 1966, 5-a-day coordinators, governors councils for physical activity and good nutrition, and State and local parks and recreation departments; and

''(3) the manner in which the applicant will evaluate the effectiveness of the program carried out under this section.

''(c) USE OF FUNDS.—A State or political subdivision of a State shall use amount received under a grant under this section to—

''(1) develop, implement, disseminate, and evaluate school- and community-based strategies in States to reduce inactivity and improve dietary choices among children and adolescents;

''(2) expand opportunities for physical activity programs in school- and community-based settings; and

''(3) develop, implement, and evaluate programs that promote good eating habits and physical activity including opportunities for children with cognitive and physical disabilities.

''(d) TECHNICAL ASSISTANCE.—The Secretary may set-aside an amount not to exceed 10 percent of the amount appropriated for a fiscal year under subsection (h) to permit the Director of the Centers for Disease Control and Prevention to—

''(1) provide States and political subdivisions of States with technical support in the development and implementation of programs under this section; and

''(2) disseminate information about effective strategies and interventions in preventing and treating obesity through the promotion of good nutrition and physical activity.

''(e) LIMITATION ON ADMINISTRATIVE COSTS.—Not to exceed 10 percent of the amount of a grant awarded to the State or political subdivision under subsection (a) for a fiscal year may be used by the State or political subdivision for administrative expenses.

''(f) TERM.—A grant awarded under subsection (a) shall be for a term of 3 years.

''(g) DEFINITION.—In this section, the term 'children and adolescents' means individuals who do not exceed 18 years of age.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.

''SEC. 399X. APPLIED RESEARCH PROGRAM.

''(a) IN GENERAL.—The Secretary, acting through the Centers for Disease Control and Prevention and in consultation with the Director of the National Institutes of Health, shall—

''(1) conduct research to better understand the relationship between physical activity, diet, and health and factors that influence health-related behaviors;

''(2) develop and evaluate strategies for the prevention and treatment of obesity to be used in community-based interventions and by health professionals;

''(3) develop and evaluate strategies for the prevention and treatment of eating disorders, such as anorexia and bulimia;

''(4) conduct research to establish the prevalence, consequences, and costs of childhood obesity and its effects in adulthood;

''(5) identify behaviors and risk factors that contribute to obesity;

''(6) evaluate materials and programs to provide nutrition education to parents and teachers of children in child care or pre-school and the food service staff of such child care and preschool entities; and

''(7) evaluate materials and programs that are designed to educate and encourage physical activity in child care and pre-school facilities.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.

''SEC. 399Y. EDUCATION CAMPAIGN.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, and in collaboration with national, State, and local partners, physical activity organizations, nutrition experts, and health professional organizations, shall develop a national public campaign to promote and educate children and their parents concerning—

''(1) the health risks associated with obesity, inactivity, and poor nutrition;

''(2) ways in which to incorporate physical activity into daily living; and

''(3) the benefits of good nutrition and strategies to improve eating habits.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.

''SEC. 399Z. HEALTH PROFESSIONAL EDUCATION AND TRAINING.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, in collaboration with the Administrator of the Health Resources and Services Administration and the heads of other agencies, and in consultation with appropriate health professional associations, shall develop and carry out a program to educate and train health professionals in effective strategies to—

''(1) better identify and assess patients with obesity or an eating disorder or patients at-risk of becoming obese or developing an eating disorder;

''(2) counsel, refer, or treat patients with obesity or an eating disorder; and

''(3) educate patients and their families about effective strategies to improve dietary habits and establish appropriate levels of physical activity.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XXV—EARLY DETECTION AND TREATMENT REGARDING CHILDHOOD LEAD POISONING

SEC. 2501. CENTERS FOR DISEASE CONTROL AND PREVENTION EFFORTS TO COMBAT CHILDHOOD LEAD POISONING.

(a) REQUIREMENTS FOR LEAD POISONING PREVENTION GRANTEES.—Section 317A of the Public Health Service Act (42 U.S.C. 247b–1) is amended—

(1) in subsection (d)—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following:

''(7) Assurances satisfactory to the Secretary that the applicant will ensure complete and consistent reporting of all blood lead test results from laboratories and health care providers to State and local health departments in accordance with guidelines of the Centers for Disease Control and Prevention for standardized reporting as described in subsection (m).''; and

(2) in subsection (j)(2)—

(A) in subparagraph (F) by striking ''(E)'' and inserting ''(F)'';

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

''(F) The number of grantees that have established systems to ensure mandatory reporting of all blood lead tests from laboratories and health care providers to State and local health departments.''.

(b) GUIDELINES FOR STANDARDIZED REPORTING.—Section 317A of the Public Health Service Act (42 U.S.C. 247b–1) is amended by adding at the end the following:

''(m) GUIDELINES FOR STANDARDIZED REPORTING.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall develop national guidelines for the uniform reporting of all blood lead test results to State and local health departments.''.

(c) DEVELOPMENT AND IMPLEMENTATION OF EFFECTIVE DATA MANAGEMENT BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.—

(1) IN GENERAL.—The Director of the Centers for Disease Control and Prevention shall—

(A) assist with the improvement of data linkages between State and local health departments and between State health departments and the Centers for Disease Control and Prevention;

(B) assist States with the development of flexible, comprehensive State-based data management systems for the surveillance of children with lead poisoning that have the capacity to contribute to a national data set;

(C) assist with the improvement of the ability of State-based data management systems and federally-funded means-tested public benefit programs (including the special supplemental food program for women, infants and children (WIC) under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) and the early head start program under section 645A of the Head Start Act (42 U.S.C. 9840a(h)) to respond to ad hoc inquiries and generate progress reports re-

garding the lead blood level screening of children enrolled in those programs;

(D) assist States with the establishment of a capacity for assessing how many children enrolled in the medicaid, WIC, early head start, and other federally-funded means-tested public benefit programs are being screened for lead poisoning at age-appropriate intervals;

(E) use data obtained as result of activities under this section to formulate or revise existing lead blood screening and case management policies; and

(F) establish performance measures for evaluating State and local implementation of the requirements and improvements described in subparagraphs (A) through (E).

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary for each the fiscal years 2001 through 2005.

(3) EFFECTIVE DATE.—This subsection takes effect on the date of enactment of this Act.

SEC. 2502. GRANTS FOR LEAD POISONING RELATED ACTIVITIES.

(a) IN GENERAL.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.), as amended by section 1801 of this Act, is amended by inserting after section 317N the following section:

''GRANTS FOR LEAD POISONING RELATED ACTIVITIES

''SEC. 317O. (a) AUTHORITY TO MAKE GRANTS.—

''(1) IN GENERAL.—The Secretary shall make grants to States to support public health activities in States and localities where data suggests that at least 5 percent of preschool-age children have an elevated blood lead level through—

''(A) effective, ongoing outreach and community education targeted to families most likely to be at risk for lead poisoning;

''(B) individual family education activities that are designed to reduce ongoing exposures to lead for children with elevated blood lead levels, including through home visits and coordination with other programs designed to identify and treat children at risk for lead poisoning; and

''(C) the development, coordination and implementation of community-based approaches for comprehensive lead poisoning prevention from surveillance to lead hazard control.

''(2) STATE MATCH.—A State is not eligible for a grant under this section unless the State agrees to expend (through State or local funds) $1 for every $2 provided under the grant to carry out the activities described in paragraph (1).

''(3) APPLICATION.—To be eligible to receive a grant under this section, a State shall submit an application to the Secretary in such form and manner and containing such information as the Secretary may require.

''(b) COORDINATION WITH OTHER CHILDREN'S PROGRAMS.—A State shall identify in the application for a grant under this section how the State will coordinate operations and activities under the grant with—

''(1) other programs operated in the State that serve children with elevated blood lead levels, including any such programs operated under titles V, XIX, or XXI of the Social Security Act; and

''(2) one or more of the following—

''(A) the child welfare and foster care and adoption assistance programs under parts B and E of title IV of such Act;

''(B) the head start program established under the Head Start Act (42 U.S.C. 9831 et seq.);

''(C) the program of assistance under the special supplemental nutrition program for women, infants and children (WIC) under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

''(D) local public and private elementary or secondary schools; or

''(E) public housing agencies, as defined in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).

''(c) PERFORMANCE MEASURES.—The Secretary shall establish needs indicators and performance measures to evaluate the activities carried out under grants awarded under this section. Such indicators shall be commensurate with national measures of maternal and child health programs and shall be developed in consultation with the Director of the Centers for Disease Control and Prevention.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

(b) CONFORMING AMENDMENT.—Section 340D(c)(1) of the Public Health Service Act (42 U.S.C. 256d(c)(1)) is amended by striking ''317E'' and inserting ''317F''.

SEC. 2503. TRAINING AND REPORTS BY THE HEALTH RESOURCES AND SERVICES ADMINISTRATION.

(a) TRAINING.—The Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration and in collaboration with the Administrator of the Health Care Financing Administration and the Director of the Centers for Disease Control and Prevention, shall conduct education and training programs for physicians and other health care providers regarding childhood lead poisoning, current screening and treatment recommendations and requirements, and the scientific, medical, and public health basis for those policies.

(b) REPORT.—The Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, annually shall report to Congress on the number of children who received services through health centers established under section 330 of the Public Health Service Act (42 U.S.C. 254b) and received a blood lead screening test during the prior fiscal year, noting the percentage that such children represent as compared to all children who received services through such health centers.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each the fiscal years 2001 through 2005.

SEC. 2504. SCREENINGS, REFERRALS, AND EDUCATION REGARDING LEAD POISONING.

Section 317A(l)(1) of the Public Health Service Act (42 U.S.C. 247b–1(l)(1)) is amended by striking ''1994'' and all that follows and inserting ''1994 through 2005.''.

TITLE XXVI—SCREENING FOR HERITABLE DISORDERS

SEC. 2601. PROGRAM TO IMPROVE THE ABILITY OF STATES TO PROVIDE NEWBORN AND CHILD SCREENING FOR HERITABLE DISORDERS.

Part A of title XI of the Public Health Service Act, as amended by section 2301 of this Act, is amended by adding at the end the following:

''SEC. 1109. IMPROVED NEWBORN AND CHILD SCREENING FOR HERITABLE DISORDERS.

''(a) IN GENERAL.—The Secretary shall award grants to eligible entities to enhance, improve or expand the ability of State and local public health agencies to provide screening, counseling or health care services to newborns and children having or at risk for heritable disorders.

''(b) USE OF FUNDS.—Amounts provided under a grant awarded under subsection (a) shall be used to—

''(1) establish, expand, or improve systems or programs to provide screening, counseling, testing or specialty services for newborns and children at risk for heritable disorders;

''(2) establish, expand, or improve programs or services to reduce mortality or morbidity from heritable disorders;

''(3) establish, expand, or improve systems or programs to provide information and counseling on available therapies for newborns and children with heritable disorders;

''(4) improve the access of medically underserved populations to screening, counseling, testing and specialty services for newborns and children having or at risk for heritable disorders; or

''(5) conduct such other activities as may be necessary to enable newborns and children having or at risk for heritable disorders to receive screening, counseling, testing or specialty services, regardless of income, race, color, religion, sex, national origin, age, or disability.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under subsection (a) an entity shall—

''(1) be a State or political subdivision of a State, or a consortium of 2 or more States or political subdivisions of States; and

''(2) prepare and submit to the Secretary an application that includes—

''(A) a plan to use amounts awarded under the grant to meet specific health status goals and objectives relative to heritable disorders, including attention to needs of medically underserved populations;

''(B) a plan for the collection of outcome data or other methods of evaluating the degree to which amounts awarded under this grant will be used to achieve the goals and objectives identified under subparagraph (A);

''(C) a plan for monitoring and ensuring the quality of services provided under the grant;

''(D) an assurance that amounts awarded under the grant will be used only to implement the approved plan for the State;

''(E) an assurance that the provision of services under the plan is coordinated with services provided under programs implemented in the State under titles V, XVIII, XIX, XX, or XXI of the Social Security Act (subject to Federal regulations applicable to such programs) so that the coverage of services under such titles is not substantially diminished by the use of granted funds; and

''(F) such other information determined by the Secretary to be necessary.

''(d) LIMITATION.—An eligible entity may not use amounts received under this section to—

''(1) provide cash payments to or on behalf of affected individuals;

''(2) provide inpatient services;

''(3) purchase land or make capital improvements to property; or

''(4) provide for proprietary research or training.

''(e) VOLUNTARY PARTICIPATION.—The participation by any individual in any program or portion thereof established or operated with funds received under this section shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, another Federal or State program.

''(f) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities of the type described in this section.

''(g) PUBLICATION.

''(1) IN GENERAL.—An application submitted under subsection (c)(2) shall be made public by the State in such a manner as to facilitate comment from any person, including through hearings and other methods used to facilitate comments from the public.

''(2) COMMENTS.—Comments received by the State after the publication described in paragraph (1) shall be addressed in the application submitted under subsection (c)(2).

''(h) TECHNICAL ASSISTANCE.—The Secretary shall provide to entities receiving grants under subsection (a) such technical assistance as may be necessary to ensure the quality of programs conducted under this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.

''SEC. 1110. EVALUATING THE EFFECTIVENESS OF NEWBORN AND CHILD SCREENING PROGRAMS.

''(a) IN GENERAL.—The Secretary shall award grants to eligible entities to provide for the con-

duct of demonstration programs to evaluate the effectiveness of screening, counseling or health care services in reducing the morbidity and mortality caused by heritable disorders in newborns and children.

''(b) DEMONSTRATION PROGRAMS.—A demonstration program conducted under a grant under this section shall be designed to evaluate and assess, within the jurisdiction of the entity receiving such grant—

''(1) the effectiveness of screening, counseling, testing or specialty services for newborns and children at risk for heritable disorders in reducing the morbidity and mortality associated with such disorders;

''(2) the effectiveness of screening, counseling, testing or specialty services in accurately and reliably diagnosing heritable disorders in newborns and children; or

''(3) the availability of screening, counseling, testing or specialty services for newborns and children at risk for heritable disorders.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under subsection (a) an entity shall be a State or political subdivision of a State, or a consortium of 2 or more States or political subdivisions of States.

"SEC. 1111. ADVISORY COMMITTEE ON HERITABLE DISORDERS IN NEWBORNS AND CHILDREN.

''(a) ESTABLISHMENT.—The Secretary shall establish an advisory committee to be known as the 'Advisory Committee on Heritable Disorders in Newborns and Children' (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—The Advisory Committee shall—

''(1) provide advice and recommendations to the Secretary concerning grants and projects awarded or funded under section 1109;

''(2) provide technical information to the Secretary for the development of policies and priorities for the administration of grants under section 1109; and

''(3) provide such recommendations, advice or information as may be necessary to enhance, expand or improve the ability of the Secretary to reduce the mortality or morbidity from heritable disorders.

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—The Secretary shall appoint not to exceed 15 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

''(2) REQUIRED MEMBERS.—The Secretary shall appoint to the Advisory Committee under paragraph (1)—

''(A) the Administrator of the Health Resources and Services Administration;

''(B) the Director of the Centers for Disease Control and Prevention;

''(C) the Director of the National Institutes of Health;

''(D) the Director of the Agency for Healthcare Research and Quality;

''(E) medical, technical, or scientific professionals with special expertise in heritable disorders, or in providing screening, counseling, testing or specialty services for newborns and children at risk for heritable disorders;

''(F) members of the public having special expertise about or concern with heritable disorders; and

''(G) representatives from such Federal agencies, public health constituencies, and medical professional societies as determined to be necessary by the Secretary, to fulfill the duties of the Advisory Committee, as established under subsection (b).''.

TITLE XXVII—PEDIATRIC RESEARCH PROTECTIONS

SEC. 2701. REQUIREMENT FOR ADDITIONAL PROTECTIONS FOR CHILDREN INVOLVED IN RESEARCH.

Notwithstanding any other provision of law, not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall require that all research involving children that is conducted, supported, or regulated by the Department of Health and Human Services be in compliance with subpart D of part 45 of title 46, Code of Federal Regulations.

TITLE XXVIII—MISCELLANEOUS PROVISIONS

SEC. 2801. REPORT REGARDING RESEARCH ON RARE DISEASES IN CHILDREN.

Not later than 180 days after the date of the enactment of this Act, the Director of the National Institutes of Health shall submit to the Congress a report on—

(1) the activities that, during fiscal year 2000, were conducted and supported by such Institutes with respect to rare diseases in children, including Friedreich's ataxia and Hutchinson-Gilford progeria syndrome; and

(2) the activities that are planned to be conducted and supported by such Institutes with respect to such diseases during the fiscal years 2001 through 2005.

SEC. 2802. STUDY ON METABOLIC DISORDERS.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall, in consultation with relevant experts or through the Institute of Medicine, study issues related to treatment of PKU and other metabolic disorders for children, adolescents, and adults, and mechanisms to assure access to effective treatment, including special diets, for children and others with PKU and other metabolic disorders. Such mechanisms shall be evidence-based and reflect the best scientific knowledge regarding effective treatment and prevention of disease progression.

(b) DISSEMINATION OF RESULTS.—Upon completion of the study referred to in subsection (a), the Secretary shall disseminate and otherwise make available the results of the study to interested groups and organizations, including insurance commissioners, employers, private insurers, health care professionals, State and local public health agencies, and State agencies that carry out the medicaid program under title XIX of the Social Security Act or the State children's health insurance program under title XXI of such Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2003.

TITLE XXIX—EFFECTIVE DATE

SEC. 2901. EFFECTIVE DATE.

This division and the amendments made by this division take effect October 1, 2000, or upon the date of the enactment of this Act, whichever occurs later.

DIVISION B—YOUTH DRUG AND MENTAL HEALTH SERVICES

SEC. 3001. SHORT TITLE.

This division may be cited as the ''Youth Drug and Mental Health Services Act''.

TITLE XXXI—PROVISIONS RELATING TO SERVICES FOR CHILDREN AND ADOLESCENTS

SEC. 3101. CHILDREN AND VIOLENCE.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

''PART G—PROJECTS FOR CHILDREN AND VIOLENCE

"SEC. 581. CHILDREN AND VIOLENCE.

''(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Education and the Attorney General, shall carry out directly or through grants, contracts or cooperative agreements with public entities a program to assist local communities in developing ways to assist children in dealing with violence.

''(b) ACTIVITIES.—Under the program under subsection (a), the Secretary may—

''(1) provide financial support to enable local communities to implement programs to foster the health and development of children;

''(2) provide technical assistance to local communities with respect to the development of programs described in paragraph (1);

''(3) provide assistance to local communities in the development of policies to address violence when and if it occurs;

''(4) assist in the creation of community partnerships among law enforcement, education systems and mental health and substance abuse service systems; and

''(5) establish mechanisms for children and adolescents to report incidents of violence or plans by other children or adolescents to commit violence.

''(c) REQUIREMENTS.—An application for a grant, contract or cooperative agreement under subsection (a) shall demonstrate that—

''(1) the applicant will use amounts received to create a partnership described in subsection (b)(4) to address issues of violence in schools;

''(2) the activities carried out by the applicant will provide a comprehensive method for addressing violence, that will include—

''(A) security;

''(B) educational reform;

''(C) the review and updating of school policies;

''(D) alcohol and drug abuse prevention and early intervention services;

''(E) mental health prevention and treatment services; and

''(F) early childhood development and psychosocial services; and

''(3) the applicant will use amounts received only for the services described in subparagraphs (D), (E), and (F) of paragraph (2).

''(d) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) will be distributed equitably among the regions of the country and among urban and rural areas.

''(e) DURATION OF AWARDS.—With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be made to the recipient may not exceed 5 years.

''(f) EVALUATION.—The Secretary shall conduct an evaluation of each project carried out under this section and shall disseminate the results of such evaluations to appropriate public and private entities.

''(g) INFORMATION AND EDUCATION.—The Secretary shall establish comprehensive information and education programs to disseminate the findings of the knowledge development and application under this section to the general public and to health care professionals.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $100,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.

"SEC. 582. GRANTS TO ADDRESS THE PROBLEMS OF PERSONS WHO EXPERIENCE VIOLENCE RELATED STRESS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts or cooperative agreements to public and nonprofit private entities, as well as to Indian tribes and tribal organizations, for the purpose of developing programs focusing on the behavioral and biological aspects of psychological trauma response and for developing knowledge with regard to evidence-based practices for treating psychiatric disorders of children and youth resulting from witnessing or experiencing a traumatic event.

''(b) PRIORITIES.—In awarding grants, contracts or cooperative agreements under subsection (a) related to the development of knowledge on evidence-based practices for treating disorders associated with psychological trauma, the Secretary shall give priority to mental health agencies and programs that have established clinical and basic research experience in the field of trauma-related mental disorders.

''(c) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) with respect to centers of excellence are distributed

equitably among the regions of the country and among urban and rural areas.

''(d) EVALUATION.—The Secretary, as part of the application process, shall require that each applicant for a grant, contract or cooperative agreement under subsection (a) submit a plan for the rigorous evaluation of the activities funded under the grant, contract or agreement, including both process and outcomes evaluation, and the submission of an evaluation at the end of the project period.

''(e) DURATION OF AWARDS.—With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be made to the recipient may not exceed 5 years. Such grants, contracts or agreements may be renewed.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $50,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.''.

SEC. 3102. EMERGENCY RESPONSE.

Section 501 of the Public Health Service Act (42 U.S.C. 290aa) is amended—

(1) by redesignating subsection (m) as subsection (o);

(2) by inserting after subsection (l) the following:

''(m) EMERGENCY RESPONSE.—

''(1) IN GENERAL.—Notwithstanding section 504 and except as provided in paragraph (2), the Secretary may use not to exceed 2.5 percent of all amounts appropriated under this title for a fiscal year to make noncompetitive grants, contracts or cooperative agreements to public entities to enable such entities to address emergency substance abuse or mental health needs in local communities.

''(2) EXCEPTIONS.—Amounts appropriated under part C shall not be subject to paragraph (1).

''(3) EMERGENCIES.—The Secretary shall establish criteria for determining that a substance abuse or mental health emergency exists and publish such criteria in the Federal Register prior to providing funds under this subsection.

''(n) LIMITATION ON THE USE OF CERTAIN INFORMATION.—No information, if an establishment or person supplying the information or described in it is identifiable, obtained in the course of activities undertaken or supported under section 505 may be used for any purpose other than the purpose for which it was supplied unless such establishment or person has consented (as determined under regulations of the Secretary) to its use for such other purpose. Such information may not be published or released in other form if the person who supplied the information or who is described in it is identifiable unless such person has consented (as determined under regulations of the Secretary) to its publication or release in other form.''; and

(3) in subsection (o) (as so redesignated), by striking ''1993'' and all that follows through the period and inserting ''2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 3103. HIGH RISK YOUTH REAUTHORIZATION.

Section 517(h) of the Public Health Service Act (42 U.S.C. 290bb–23(h)) is amended by striking ''$70,000,000'' and all that follows through ''1994'' and inserting ''such sums as may be necessary for each of the fiscal years 2001 through 2003''.

SEC. 3104. SUBSTANCE ABUSE TREATMENT SERVICES FOR CHILDREN AND ADOLESCENTS.

(a) SUBSTANCE ABUSE TREATMENT SERVICES.—Subpart 1 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb et seq.) is amended by adding at the end the following:

''SEC. 514. SUBSTANCE ABUSE TREATMENT SERVICES FOR CHILDREN AND ADOLESCENTS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to public and private nonprofit entities, including Native Alaskan entities and Indian tribes and tribal organizations, for the purpose of providing substance abuse treatment services for children and adolescents.

''(b) PRIORITY.—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall give priority to applicants who propose to—

''(1) apply evidenced-based and cost effective methods for the treatment of substance abuse among children and adolescents;

''(2) coordinate the provision of treatment services with other social service agencies in the community, including educational, juvenile justice, child welfare, and mental health agencies;

''(3) provide a continuum of integrated treatment services, including case management, for children and adolescents with substance abuse disorders and their families;

''(4) provide treatment that is gender-specific and culturally appropriate;

''(5) involve and work with families of children and adolescents receiving treatment;

''(6) provide aftercare services for children and adolescents and their families after completion of substance abuse treatment; and

''(7) address the relationship between substance abuse and violence.

''(c) DURATION OF GRANTS.—The Secretary shall award grants, contracts, or cooperative agreements under subsection (a) for periods not to exceed 5 fiscal years.

''(d) APPLICATION.—An entity desiring a grant, contract, or cooperative agreement under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(e) EVALUATION.—An entity that receives a grant, contract, or cooperative agreement under subsection (a) shall submit, in the application for such grant, contract, or cooperative agreement, a plan for the evaluation of any project undertaken with funds provided under this section. Such entity shall provide the Secretary with periodic evaluations of the progress of such project and such evaluation at the completion of such project as the Secretary determines to be appropriate.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $40,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.

''SEC. 514A. EARLY INTERVENTION SERVICES FOR CHILDREN AND ADOLESCENTS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to public and private nonprofit entities, including local educational agencies (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)), for the purpose of providing early intervention substance abuse services for children and adolescents.

''(b) PRIORITY.—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall give priority to applicants who demonstrate an ability to—

''(1) screen for and assess substance use and abuse by children and adolescents;

''(2) make appropriate referrals for children and adolescents who are in need of treatment for substance abuse;

''(3) provide early intervention services, including counseling and ancillary services, that are designed to meet the developmental needs of children and adolescents who are at risk for substance abuse; and

''(4) develop networks with the educational, juvenile justice, social services, and other agencies and organizations in the State or local community involved that will work to identify children and adolescents who are in need of substance abuse treatment services.

''(c) CONDITION.—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall ensure that such grants, contracts, or cooperative agreements are allocated, subject to the availability of qualified applicants, among the principal geographic regions of the United States, to Indian tribes and tribal organizations, and to urban and rural areas.

''(d) DURATION OF GRANTS.—The Secretary shall award grants, contracts, or cooperative agreements under subsection (a) for periods not to exceed 5 fiscal years.

''(e) APPLICATION.—An entity desiring a grant, contract, or cooperative agreement under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(f) EVALUATION.—An entity that receives a grant, contract, or cooperative agreement under subsection (a) shall submit, in the application for such grant, contract, or cooperative agreement, a plan for the evaluation of any project undertaken with funds provided under this section. Such entity shall provide the Secretary with periodic evaluations of the progress of such project and such evaluation at the completion of such project as the Secretary determines to be appropriate.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $20,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.''.

(b) YOUTH INTERAGENCY CENTERS.—Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.) is amended by adding the following:

''SEC. 520C. YOUTH INTERAGENCY RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE CENTERS.

''(a) PROGRAM AUTHORIZED.—The Secretary, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, and in consultation with the Administrator of the Office of Juvenile Justice and Delinquency Prevention, the Director of the Bureau of Justice Assistance and the Director of the National Institutes of Health, shall award grants or contracts to public or nonprofit private entities to establish not more than 4 research, training, and technical assistance centers to carry out the activities described in subsection (c).

''(b) APPLICATION.—A public or private nonprofit entity desiring a grant or contract under subsection (a) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(c) AUTHORIZED ACTIVITIES.—A center established under a grant or contract under subsection (a) shall—

''(1) provide training with respect to state-of-the-art mental health and justice-related services and successful mental health and substance abuse-justice collaborations that focus on children and adolescents, to public policymakers, law enforcement administrators, public defenders, police, probation officers, judges, parole officials, jail administrators and mental health and substance abuse providers and administrators;

''(2) engage in research and evaluations concerning State and local justice and mental health systems, including system redesign initiatives, and disseminate information concerning the results of such evaluations;

''(3) provide direct technical assistance, including assistance provided through toll-free telephone numbers, concerning issues such as how to accommodate individuals who are being processed through the courts under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), what types of mental health or substance abuse service approaches are effective within the judicial system, and how community-based mental health or substance abuse services can be more effective, including relevant regional, ethnic, and gender-related considerations; and

''(4) provide information, training, and technical assistance to State and local governmental

officials to enhance the capacity of such officials to provide appropriate services relating to mental health or substance abuse.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $4,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.''.

(c) PREVENTION OF ABUSE AND ADDICTION.—Subpart 2 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–21 et seq.) is amended by adding the following:

''SEC. 519E. PREVENTION OF METHAMPHETAMINE AND INHALANT ABUSE AND ADDICTION.

''(a) GRANTS.—The Director of the Center for Substance Abuse Prevention (referred to in this section as the 'Director') may make grants to and enter into contracts and cooperative agreements with public and nonprofit private entities to enable such entities—

''(1) to carry out school-based programs concerning the dangers of methamphetamine or inhalant abuse and addiction, using methods that are effective and evidence-based, including initiatives that give students the responsibility to create their own anti-drug abuse education programs for their schools; and

''(2) to carry out community-based methamphetamine or inhalant abuse and addiction prevention programs that are effective and evidence-based.

''(b) USE OF FUNDS.—Amounts made available under a grant, contract or cooperative agreement under subsection (a) shall be used for planning, establishing, or administering methamphetamine or inhalant prevention programs in accordance with subsection (c).

''(c) PREVENTION PROGRAMS AND ACTIVITIES.—

''(1) IN GENERAL.—Amounts provided under this section may be used—

''(A) to carry out school-based programs that are focused on those districts with high or increasing rates of methamphetamine or inhalant abuse and addiction and targeted at populations which are most at risk to start methamphetamine or inhalant abuse;

''(B) to carry out community-based prevention programs that are focused on those populations within the community that are most at-risk for methamphetamine or inhalant abuse and addiction;

''(C) to assist local government entities to conduct appropriate methamphetamine or inhalant prevention activities;

''(D) to train and educate State and local law enforcement officials, prevention and education officials, members of community anti-drug coalitions and parents on the signs of methamphetamine or inhalant abuse and addiction and the options for treatment and prevention;

''(E) for planning, administration, and educational activities related to the prevention of methamphetamine or inhalant abuse and addiction;

''(F) for the monitoring and evaluation of methamphetamine or inhalant prevention activities, and reporting and disseminating resulting information to the public; and

''(G) for targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies.

''(2) PRIORITY.—The Director shall give priority in making grants under this section to rural and urban areas that are experiencing a high rate or rapid increases in methamphetamine or inhalant abuse and addiction.

''(d) ANALYSES AND EVALUATION.—

''(1) IN GENERAL.—Up to $500,000 of the amount available in each fiscal year to carry out this section shall be made available to the Director, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective prevention programs for methamphetamine or inhalant abuse and addiction and the development of appropriate strategies for disseminating information about and implementing these programs.

''(2) ANNUAL REPORTS.—The Director shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and Committee on Appropriations of the House of Representatives, an annual report with the results of the analyses and evaluation under paragraph (1).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a), $10,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.''.

SEC. 3105. COMPREHENSIVE COMMUNITY SERVICES FOR CHILDREN WITH SERIOUS EMOTIONAL DISTURBANCE.

(a) MATCHING FUNDS.—Section 561(c)(1)(D) of the Public Health Service Act (42 U.S.C. 290ff(c)(1)(D)) is amended by striking ''fifth'' and inserting ''fifth and sixth''.

(b) FLEXIBILITY FOR INDIAN TRIBES AND TERRITORIES.—Section 562 of the Public Health Service Act (42 U.S.C. 290ff–1) is amended by adding at the end the following:

''(g) WAIVERS.—The Secretary may waive 1 or more of the requirements of subsection (c) for a public entity that is an Indian Tribe or tribal organization, or American Samoa, Guam, the Marshall Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, or the United States Virgin Islands if the Secretary determines, after peer review, that the system of care is family-centered and uses the least restrictive environment that is clinically appropriate.''.

(c) DURATION OF GRANTS.—Section 565(a) of the Public Health Service Act (42 U.S.C. 290ff–4(a)) is amended by striking ''5 fiscal'' and inserting ''6 fiscal''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 565(f)(1) of the Public Health Service Act (42 U.S.C. 290ff–4(f)(1)) is amended by striking ''1993'' and all that follows and inserting ''2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

(e) CURRENT GRANTEES.—

(1) IN GENERAL.—Entities with active grants under section 561 of the Public Health Service Act (42 U.S.C. 290ff) on the date of enactment of this Act shall be eligible to receive a 6th year of funding under the grant in an amount not to exceed the amount that such grantee received in the 5th year of funding under such grant. Such 6th year may be funded without requiring peer and Advisory Council review as required under section 504 of such Act (42 U.S.C. 290aa–3).

(2) LIMITATION.—Paragraph (1) shall apply with respect to a grantee only if the grantee agrees to comply with the provisions of section 561 as amended by subsection (a).

SEC. 3106. SERVICES FOR CHILDREN OF SUBSTANCE ABUSERS.

(a) ADMINISTRATION AND ACTIVITIES.—

(1) ADMINISTRATION.—Section 399D(a) of the Public Health Service Act (42 U.S.C. 280d(a)(1)) is amended—

(A) in paragraph (1), by striking ''Administrator'' and all that follows through ''Administration'' and insert ''Administrator of the Substance Abuse and Mental Health Services Administration''; and

(B) in paragraph (2), by striking ''Administrator of the Substance Abuse and Mental Health Services Administration'' and inserting ''Administrator of the Health Resources and Services Administration''.

(2) ACTIVITIES.—Section 399D(a)(1) of the Public Health Service Act (42 U.S.C. 280d(a)(1)) is amended—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting the following: ''through youth service agencies, family social services, child care providers, Head Start, schools and after-school programs, early childhood development programs, community-based family resource and support centers, the criminal justice system, health, substance abuse and mental health providers through screenings conducted during regular childhood examinations and other examinations, self and family member referrals, substance abuse treatment services, and other providers of services to children and families; and''; and

(C) by adding at the end the following:

''(D) to provide education and training to health, substance abuse and mental health professionals, and other providers of services to children and families through youth service agencies, family social services, child care, Head Start, schools and after-school programs, early childhood development programs, community-based family resource and support centers, the criminal justice system, and other providers of services to children and families.''.

(3) IDENTIFICATION OF CERTAIN CHILDREN.—Section 399D(a)(3)(A) of the Public Health Service Act (42 U.S.C. 280d(a)(3)(A)) is amended—

(A) in clause (i), by striking ''(i) the entity'' and inserting ''(i)(I) the entity'';

(B) in clause (ii)—

(i) by striking ''(ii) the entity'' and inserting ''(II) the entity''; and

(ii) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(ii) the entity will identify children who may be eligible for medical assistance under a State program under title XIX or XXI of the Social Security Act.''.

(b) SERVICES FOR CHILDREN.—Section 399D(b) of the Public Health Service Act (42 U.S.C. 280d(b)) is amended—

(1) in paragraph (1), by inserting ''alcohol and drug,'' after ''psychological,'';

(2) by striking paragraph (5) and inserting the following:

''(5) Developmentally and age-appropriate drug and alcohol early intervention, treatment and prevention services.''; and

(3) by inserting after paragraph (8), the following:

''Services shall be provided under paragraphs (2) through (8) by a public health nurse, social worker, or similar professional, or by a trained worker from the community who is supervised by a professional, or by an entity, where the professional or entity provides assurances that the professional or entity is licensed or certified by the State if required and is complying with applicable licensure or certification requirements.''.

(c) SERVICES FOR AFFECTED FAMILIES.—Section 399D(c) of the Public Health Service Act (42 U.S.C. 280d(c)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting before the colon the following: '', or by an entity, where the professional or entity provides assurances that the professional or entity is licensed or certified by the State if required and is complying with applicable licensure or certification requirements''; and

(B) by adding at the end the following:

''(D) Aggressive outreach to family members with substance abuse problems.

''(E) Inclusion of consumer in the development, implementation, and monitoring of Family Services Plan.'';

(2) in paragraph (2)—

(A) by striking subparagraph (A) and inserting the following:

''(A) Alcohol and drug treatment services, including screening and assessment, diagnosis, detoxification, individual, group and family counseling, relapse prevention, pharmacotherapy treatment, after-care services, and case management.'';

(B) in subparagraph (C), by striking '', including educational and career planning'' and inserting ''and counseling on the human immunodeficiency virus and acquired immune deficiency syndrome'';

(C) in subparagraph (D), by striking ''conflict and''; and

(D) in subparagraph (E), by striking ''Remedial'' and inserting ''Career planning and''; and

(3) in paragraph (3)(D), by inserting ''which include child abuse and neglect prevention techniques'' before the period.

(d) ELIGIBLE ENTITIES.—Section 399D(d) of the Public Health Service Act (42 U.S.C. 280d(d)) is amended—

(1) by striking the matter preceding paragraph (1) and inserting:

''(d) ELIGIBLE ENTITIES.—The Secretary shall distribute the grants through the following types of entities:'';

(2) in paragraph (1), by striking ''drug treatment'' and inserting ''drug early intervention, prevention or treatment; and

(3) in paragraph (2)—

(A) in subparagraph (A), by striking ''; and'' and inserting ''; or''; and

(B) in subparagraph (B), by inserting ''or pediatric health or mental health providers and family mental health providers'' before the period.

(e) SUBMISSION OF INFORMATION.—Section 399D(h) of the Public Health Service Act (42 U.S.C. 280d(h)) is amended—

(1) in paragraph (2)—

(A) by inserting ''including maternal and child health'' before ''mental'';

(B) by striking ''treatment programs''; and

(C) by striking ''and the State agency responsible for administering public maternal and child health services'' and inserting '', the State agency responsible for administering alcohol and drug programs, the State lead agency, and the State Interagency Coordinating Council under part H of the Individuals with Disabilities Education Act; and''; and

(2) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(f) REPORTS TO THE SECRETARY.—Section 399D(i)(6) of the Public Health Service Act (42 U.S.C. 280d(i)(6)) is amended—

(1) in subparagraph (B), by adding ''and'' at the end; and

(2) by striking subparagraphs (C), (D), and (E) and inserting the following:

''(C) the number of case workers or other professionals trained to identify and address substance abuse issues.''.

(g) EVALUATIONS.—Section 399D(l) of the Public Health Service Act (42 U.S.C. 280d(l)) is amended—

(1) in paragraph (3), by adding ''and'' at the end;

(2) in paragraph (4), by striking the semicolon and inserting the following: '', including increased participation in work or employment-related activities and decreased participation in welfare programs.''; and

(3) by striking paragraphs (5) and (6).

(h) REPORT TO CONGRESS.—Section 399D(m) of the Public Health Service Act (42 U.S.C. 280d(m)) is amended—

(1) in paragraph (2), by adding ''and'' at the end;

(2) in paragraph (3)—

(A) in subparagraph (A), by adding ''and'' at the end;

(B) in subparagraph (B), by striking the semicolon and inserting a period; and

(C) by striking subparagraphs (C), (D), and (E); and

(3) by striking paragraphs (4) and (5).

(i) DATA COLLECTION.—Section 399D(n) of the Public Health Service Act (42 U.S.C. 280d(n)) is amended by adding at the end the following: ''The periodic report shall include a quantitative estimate of the prevalence of alcohol and drug problems in families involved in the child welfare system, the barriers to treatment and prevention services facing these families, and policy recommendations for removing the identified barriers, including training for child welfare workers.''.

(j) DEFINITION.—Section 399D(o)(2)(B) of the Public Health Service Act (42 U.S.C. 280d(o)(2)(B)) is amended by striking ''dangerous''.

(k) AUTHORIZATION OF APPROPRIATIONS.—Section 399D(p) of the Public Health Service Act (42 U.S.C. 280d(p)) is amended to read as follows:

''(p) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $50,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.''.

(l) GRANTS FOR TRAINING AND CONFORMING AMENDMENTS.—Section 399D of the Public Health Service Act (42 U.S.C. 280d) is amended—

(1) by striking subsection (f);

(2) by striking subsection (k);

(3) by redesignating subsections (d), (e), (g), (h), (i), (j), (l), (m), (n), (o), and (p) as subsections (e) through (o), respectively;

(4) by inserting after subsection (c), the following:

''(d) TRAINING FOR PROVIDERS OF SERVICES TO CHILDREN AND FAMILIES.—The Secretary may make a grant under subsection (a) for the training of health, substance abuse and mental health professionals and other providers of services to children and families through youth service agencies, family social services, child care providers, Head Start, schools and after-school programs, early childhood development programs, community-based family resource centers, the criminal justice system, and other providers of services to children and families. Such training shall be to assist professionals in recognizing the drug and alcohol problems of their clients and to enhance their skills in identifying and understanding the nature of substance abuse, and obtaining substance abuse early intervention, prevention and treatment resources.'';

(5) in subsection (k)(2) (as so redesignated), by striking ''(h)'' and inserting ''(i)''; and

(6) in paragraphs (3)(E) and (5) of subsection (m) (as so redesignated), by striking ''(d)'' and inserting ''(e)''.

(m) TRANSFER AND REDESIGNATION.—Section 399D of the Public Health Service Act (42 U.S.C. 280d), as amended by this section—

(1) is transferred to title V;

(2) is redesignated as section 519; and

(3) is inserted after section 518.

(n) CONFORMING AMENDMENT.—Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by striking the heading of part L.

SEC. 3107. SERVICES FOR YOUTH OFFENDERS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3104(b), is further amended by adding at the end the following:

''SEC. 520D. SERVICES FOR YOUTH OFFENDERS.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Center for Mental Health Services, and in consultation with the Director of the Center for Substance Abuse Treatment, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, and the Director of the Special Education Programs, shall award grants on a competitive basis to State or local juvenile justice agencies to enable such agencies to provide aftercare services for youth offenders who have been discharged from facilities in the juvenile or criminal justice system and have serious emotional disturbances or are at risk of developing such disturbances.

''(b) USE OF FUNDS.—A State or local juvenile justice agency receiving a grant under subsection (a) shall use the amounts provided under the grant—

''(1) to develop a plan describing the manner in which the agency will provide services for each youth offender who has a serious emotional disturbance and has been detained or incarcerated in facilities within the juvenile or criminal justice system;

''(2) to provide a network of core or aftercare services or access to such services for each youth offender, including diagnostic and evaluation services, substance abuse treatment services, outpatient mental health care services, medication management services, intensive home-based therapy, intensive day treatment services, respite care, and therapeutic foster care;

''(3) to establish a program that coordinates with other State and local agencies providing recreational, social, educational, vocational, or operational services for youth, to enable the agency receiving a grant under this section to provide community-based system of care services for each youth offender that addresses the special needs of the youth and helps the youth access all of the aforementioned services; and

''(4) using not more than 20 percent of funds received, to provide planning and transition services as described in paragraph (3) for youth offenders while such youth are incarcerated or detained.

''(c) APPLICATION.—A State or local juvenile justice agency that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(d) REPORT.—Not later than 3 years after the date of enactment of this section and annually thereafter, the Secretary shall prepare and submit, to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Commerce of the House of Representatives, a report that describes the services provided pursuant to this section.

''(e) DEFINITIONS.—In this section:

''(1) SERIOUS EMOTIONAL DISTURBANCE.—The term 'serious emotional disturbance' with respect to a youth offender means an offender who currently, or at any time within the 1-year period ending on the day on which services are sought under this section, has a diagnosable mental, behavioral, or emotional disorder that functionally impairs the offender's life by substantially limiting the offender's role in family, school, or community activities, and interfering with the offender's ability to achieve or maintain 1 or more developmentally-appropriate social, behavior, cognitive, communicative, or adaptive skills.

''(2) COMMUNITY-BASED SYSTEM OF CARE.—The term 'community-based system of care' means the provision of services for the youth offender by various State or local agencies that in an interagency fashion or operating as a network addresses the recreational, social, educational, vocational, mental health, substance abuse, and operational needs of the youth offender.

''(3) YOUTH OFFENDER.—The term 'youth offender' means an individual who is 21 years of age or younger who has been discharged from a State or local juvenile or criminal justice system, except that if the individual is between the ages of 18 and 21 years, such individual has had contact with the State or local juvenile or criminal justice system prior to attaining 18 years of age and is under the jurisdiction of such a system at the time services are sought.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.''.

SEC. 3108. GRANTS FOR STRENGTHENING FAMILIES THROUGH COMMUNITY PARTNERSHIPS.

Subpart 2 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–21 et seq) is amended by adding at the end the following:

''SEC. 519A. GRANTS FOR STRENGTHENING FAMILIES.

''(a) PROGRAM AUTHORIZED.—The Secretary, acting through the Director of the Prevention Center, may make grants to public and nonprofit private entities to develop and implement model substance abuse prevention programs to provide early intervention and substance abuse prevention services for individuals of high-risk families and the communities in which such individuals reside.

''(b) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applicants that—

''(1) have proven experience in preventing substance abuse by individuals of high-risk families and reducing substance abuse in communities of such individuals;

''(2) have demonstrated the capacity to implement community-based partnership initiatives that are sensitive to the diverse backgrounds of individuals of high-risk families and the communities of such individuals;

''(3) have experience in providing technical assistance to support substance abuse prevention programs that are community-based;

''(4) have demonstrated the capacity to implement research-based substance abuse prevention strategies; and

''(5) have implemented programs that involve families, residents, community agencies, and institutions in the implementation and design of such programs.

''(c) DURATION OF GRANTS.—The Secretary shall award grants under subsection (a) for a period not to exceed 5 years.

''(d) USE OF FUNDS.—An applicant that is awarded a grant under subsection (a) shall—

''(1) in the first fiscal year that such funds are received under the grant, use such funds to develop a model substance abuse prevention program; and

''(2) in the fiscal year following the first fiscal year that such funds are received, use such funds to implement the program developed under paragraph (1) to provide early intervention and substance abuse prevention services to—

''(A) strengthen the environment of children of high risk families by targeting interventions at the families of such children and the communities in which such children reside;

''(B) strengthen protective factors, such as—

''(i) positive adult role models;

''(ii) messages that oppose substance abuse;

''(iii) community actions designed to reduce accessibility to and use of illegal substances; and

''(iv) willingness of individuals of families in which substance abuse occurs to seek treatment for substance abuse;

''(C) reduce family and community risks, such as family violence, alcohol or drug abuse, crime, and other behaviors that may effect healthy child development and increase the likelihood of substance abuse; and

''(D) build collaborative and formal partnerships between community agencies, institutions, and businesses to ensure that comprehensive high quality services are provided, such as early childhood education, health care, family support programs, parent education programs, and home visits for infants.

''(e) APPLICATION.—To be eligible to receive a grant under subsection (a), an applicant shall prepare and submit to the Secretary an application that—

''(1) describes a model substance abuse prevention program that such applicant will establish;

''(2) describes the manner in which the services described in subsection (d)(2) will be provided; and

''(3) describe in as much detail as possible the results that the entity expects to achieve in implementing such a program.

''(f) MATCHING FUNDING.—The Secretary may not make a grant to a entity under subsection (a) unless that entity agrees that, with respect to the costs to be incurred by the entity in carrying out the program for which the grant was awarded, the entity will make available non-Federal contributions in an amount that is not less than 40 percent of the amount provided under the grant.

''(g) REPORT TO SECRETARY.—An applicant that is awarded a grant under subsection (a) shall prepare and submit to the Secretary a report in such form and containing such information as the Secretary may require, including an assessment of the efficacy of the model substance abuse prevention program implemented by the applicant and the short, intermediate, and long term results of such program.

''(h) EVALUATIONS.—The Secretary shall conduct evaluations, based in part on the reports submitted under subsection (g), to determine the effectiveness of the programs funded under subsection (a) in reducing substance use in high-risk families and in making communities in which such families reside in stronger. The Secretary shall submit such evaluations to the appropriate committees of Congress.

''(i) HIGH-RISK FAMILIES.—In this section, the term 'high-risk family' means a family in which the individuals of such family are at a significant risk of using or abusing alcohol or any illegal substance.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $3,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 3109. PROGRAMS TO REDUCE UNDERAGE DRINKING.

Subpart 2 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–21 et seq), as amended by section 3108, is further amended by adding at the end the following:

''SEC. 519B. PROGRAMS TO REDUCE UNDERAGE DRINKING.

''(a) IN GENERAL.—The Secretary shall make awards of grants, cooperative agreements, or contracts to public and nonprofit private entities, including Indian tribes and tribal organizations, to enable such entities to develop plans for and to carry out school-based (including institutions of higher education) and community-based programs for the prevention of alcoholic-beverage consumption by individuals who have not attained the legal drinking age.

''(b) ELIGIBILITY REQUIREMENTS.—To be eligible to receive an award under subsection (a), an entity shall provide any assurances to the Secretary which the Secretary may require, including that the entity will—

''(1) annually report to the Secretary on the effectiveness of the prevention approaches implemented by the entity;

''(2) use science based and age appropriate approaches; and

''(3) involve local public health officials and community prevention program staff in the planning and implementation of the program.

''(c) EVALUATION.—The Secretary shall evaluate each project under subsection (a) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(d) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that awards will be distributed equitably among the regions of the country and among urban and rural areas.

''(e) DURATION OF AWARD.—With respect to an award under subsection (a), the period during which payments under such award are made to the recipient may not exceed 5 years. The preceding sentence may not be construed as establishing a limitation on the number of awards under such subsection that may be made to the recipient.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $25,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 3110. SERVICES FOR INDIVIDUALS WITH FETAL ALCOHOL SYNDROME.

Subpart 2 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–21 et seq), as amended by sections 3108 and 3109, is further amended by adding at the end the following:

''SEC. 519C. SERVICES FOR INDIVIDUALS WITH FETAL ALCOHOL SYNDROME.

''(a) IN GENERAL.—The Secretary shall make awards of grants, cooperative agreements, or contracts to public and nonprofit private entities, including Indian tribes and tribal organizations, to provide services to individuals diagnosed with fetal alcohol syndrome or alcohol-related birth defects.

''(b) USE OF FUNDS.—An award under subsection (a) may, subject to subsection (d), be used to—

''(1) screen and test individuals to determine the type and level of services needed;

''(2) develop a comprehensive plan for providing services to the individual;

''(3) provide mental health counseling;

''(4) provide substance abuse prevention services and treatment, if needed;

''(5) coordinate services with other social programs including social services, justice system, educational services, health services, mental health and substance abuse services, financial assistance programs, vocational services and housing assistance programs;

''(6) provide vocational services;

''(7) provide health counseling;

''(8) provide housing assistance;

''(9) parenting skills training;

''(10) overall case management;

''(11) supportive services for families of individuals with Fetal Alcohol Syndrome; and

''(12) provide other services and programs, to the extent authorized by the Secretary after consideration of recommendations made by the National Task Force on Fetal Alcohol Syndrome.

''(c) REQUIREMENTS.—To be eligible to receive an award under subsection (a), an applicant shall—

''(1) demonstrate that the program will be part of a coordinated, comprehensive system of care for such individuals;

''(2) demonstrate an established communication with other social programs in the community including social services, justice system, financial assistance programs, health services, educational services, mental health and substance abuse services, vocational services and housing assistance services;

''(3) show a history of working with individuals with fetal alcohol syndrome or alcohol-related birth defects;

''(4) provide assurance that the services will be provided in a culturally and linguistically appropriate manner; and

''(5) provide assurance that at the end of the 5-year award period, other mechanisms will be identified to meet the needs of the individuals and families served under such award.

''(d) RELATIONSHIP TO PAYMENTS UNDER OTHER PROGRAMS.—An award may be made under subsection (a) only if the applicant involved agrees that the award will not be expended to pay the expenses of providing any service under this section to an individual to the extent that payment has been made, or can reasonably be expected to be made, with respect to such expenses—

''(1) under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or

''(2) by an entity that provides health services on a prepaid basis.

''(e) DURATION OF AWARDS.—With respect to an award under subsection (a), the period during which payments under such award are made to the recipient may not exceed 5 years.

''(f) EVALUATION.—The Secretary shall evaluate each project carried out under subsection (a) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(g) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $25,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.

''(2) ALLOCATION.—Of the amounts appropriated under paragraph (1) for a fiscal year, not less than $300,000 shall, for purposes relating to fetal alcohol syndrome and alcohol-related birth defects, be made available for collaborative, coordinated interagency efforts with the National Institute on Alcohol Abuse and Alcoholism, the National Institute on Child Health

and Human Development, the Health Resources and Services Administration, the Agency for Healthcare Research and Quality, the Centers for Disease Control and Prevention, the Department of Education, and the Department of Justice.

"SEC. 519D. CENTERS OF EXCELLENCE ON SERVICES FOR INDIVIDUALS WITH FETAL ALCOHOL SYNDROME AND ALCOHOL-RELATED BIRTH DEFECTS AND TREATMENT FOR INDIVIDUALS WITH SUCH CONDITIONS AND THEIR FAMILIES.

''(a) IN GENERAL.—The Secretary shall make awards of grants, cooperative agreements, or contracts to public or nonprofit private entities for the purposes of establishing not more than 4 centers of excellence to study techniques for the prevention of fetal alcohol syndrome and alcohol-related birth defects and adaptations of innovative clinical interventions and service delivery improvements for the provision of comprehensive services to individuals with fetal alcohol syndrome or alcohol-related birth defects and their families and for providing training on such conditions.

''(b) USE OF FUNDS.—An award under subsection (a) may be used to—

''(1) study adaptations of innovative clinical interventions and service delivery improvements strategies for children and adults with fetal alcohol syndrome or alcohol-related birth defects and their families;

''(2) identify communities which have an exemplary comprehensive system of care for such individuals so that they can provide technical assistance to other communities attempting to set up such a system of care;

''(3) provide technical assistance to communities who do not have a comprehensive system of care for such individuals and their families;

''(4) train community leaders, mental health and substance abuse professionals, families, law enforcement personnel, judges, health professionals, persons working in financial assistance programs, social service personnel, child welfare professionals, and other service providers on the implications of fetal alcohol syndrome and alcohol-related birth defects, the early identification of and referral for such conditions;

''(5) develop innovative techniques for preventing alcohol use by women in child bearing years;

''(6) perform other functions, to the extent authorized by the Secretary after consideration of recommendations made by the National Task Force on Fetal Alcohol Syndrome.

''(c) REPORT.—

''(1) IN GENERAL.—A recipient of an award under subsection (a) shall at the end of the period of funding report to the Secretary on any innovative techniques that have been discovered for preventing alcohol use among women of child bearing years.

''(2) DISSEMINATION OF FINDINGS.—The Secretary shall upon receiving a report under paragraph (1) disseminate the findings to appropriate public and private entities.

''(d) DURATION OF AWARDS.—With respect to an award under subsection (a), the period during which payments under such award are made to the recipient may not exceed 5 years.

''(e) EVALUATION.—The Secretary shall evaluate each project carried out under subsection (a) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $5,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 3111. SUICIDE PREVENTION.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq), as amended by section 3107, is further amended by adding at the end the following:

"SEC. 520E. SUICIDE PREVENTION FOR CHILDREN AND ADOLESCENTS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to States, political subdivisions of States, Indian tribes, tribal organizations, public organizations, or private nonprofit organizations to establish programs to reduce suicide deaths in the United States among children and adolescents.

''(b) COLLABORATION.—In carrying out subsection (a), the Secretary shall ensure that activities under this section are coordinated among the Substance Abuse and Mental Health Services Administration, the relevant institutes at the National Institutes of Health, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, and the Administration on Children and Families.

''(c) REQUIREMENTS.—A State, political subdivision of a State, Indian tribe, tribal organization, public organization, or private nonprofit organization desiring a grant, contract, or cooperative agreement under this section shall demonstrate that the suicide prevention program such entity proposes will—

''(1) provide for the timely assessment, treatment, or referral for mental health or substance abuse services of children and adolescents at risk for suicide;

''(2) be based on best evidence-based, suicide prevention practices and strategies that are adapted to the local community;

''(3) integrate its suicide prevention program into the existing health care system in the community including primary health care, mental health services, and substance abuse services;

''(4) be integrated into other systems in the community that address the needs of children and adolescents including the educational system, juvenile justice system, welfare and child protection systems, and community youth support organizations;

''(5) use primary prevention methods to educate and raise awareness in the local community by disseminating evidence-based information about suicide prevention;

''(6) include suicide prevention, mental health, and related information and services for the families and friends of those who completed suicide, as needed;

''(7) provide linguistically appropriate and culturally competent services, as needed;

''(8) provide a plan for the evaluation of outcomes and activities at the local level, according to standards established by the Secretary, and agree to participate in a national evaluation; and

''(9) ensure that staff used in the program are trained in suicide prevention and that professionals involved in the system of care have received training in identifying persons at risk of suicide.

''(d) USE OF FUNDS.—Amounts provided under grants, contracts, or cooperative agreements under subsection (a) shall be used to supplement and not supplant other Federal, State, and local public funds that are expended to provide services for eligible individuals.

''(e) CONDITION.—An applicant for a grant, contract, or cooperative agreement under subsection (a) shall demonstrate to the Secretary that the applicant has the support of the local community and relevant public health officials.

''(f) SPECIAL POPULATIONS.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall ensure that such awards are made in a manner that will focus on the needs of communities or groups that experience high or rapidly rising rates of suicide.

''(g) APPLICATION.—A State, political subdivision of a State, Indian tribe, tribal organization, public organization, or private nonprofit organization receiving a grant, contract, or cooperative agreement under subsection (a) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Such application shall include a plan for the rigorous evaluation of activities funded under the grant, contract, or cooperative agreement, including a process and outcome evaluation.

''(h) DISTRIBUTION OF AWARDS.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall ensure that such awards are distributed among the geographical regions of the United States and between urban and rural settings.

''(i) EVALUATION.—A State, political subdivision of a State, Indian tribe, tribal organization, public organization, or private nonprofit organization receiving a grant, contract, or cooperative agreement under subsection (a) shall prepare and submit to the Secretary at the end of the program period, an evaluation of all activities funded under this section.

''(j) DISSEMINATION AND EDUCATION.—The Secretary shall ensure that findings derived from activities carried out under this section are disseminated to State, county and local governmental agencies and public and private nonprofit organizations active in promoting suicide prevention and family support activities.

''(k) DURATION OF PROJECTS.—With respect to a grant, contract, or cooperative agreement awarded under this section, the period during which payments under such award may be made to the recipient may not exceed 5 years.

''(l) STUDY.—Within 1 year after the date of enactment of this section, the Secretary shall, directly or by grant or contract, initiate a study to assemble and analyze data to identify—

''(1) unique profiles of children under 13 who attempt or complete suicide;

''(2) unique profiles of youths between ages 13 and 21 who attempt or complete suicide; and

''(3) a profile of services which might have been available to these groups and the use of these services by children and youths from paragraphs (1) and (2).

''(m) AUTHORIZATION OF APPROPRIATION.—

''(1) IN GENERAL.—For purposes of carrying out this section, there is authorized to be appropriated $75,000,000 for fiscal year 2001 and such sums as may be necessary for each of the fiscal years 2002 through 2003.

''(2) PROGRAM MANAGEMENT.—In carrying out this section, the Secretary shall use 1 percent of the amount appropriated under paragraph (1) for each fiscal year for managing programs under this section.''.

SEC. 3112. GENERAL PROVISIONS.

(a) DUTIES OF THE CENTER FOR SUBSTANCE ABUSE TREATMENT.—Section 507(b) of the Public Health Service Act (42 U.S.C. 290bb(b)) is amended—

(1) by redesignating paragraphs (2) through (12) as paragraphs (4) through (14), respectively;

(2) by inserting after paragraph (1), the following:

''(2) ensure that emphasis is placed on children and adolescents in the development of treatment programs;

''(3) collaborate with the Attorney General to develop programs to provide substance abuse treatment services to individuals who have had contact with the Justice system, especially adolescents;'';

(3) in paragraph (7) (as so redesignated), by striking ''services, and monitor'' and all that follows through ''1925'' and inserting ''services'';

(4) in paragraph (13) (as so redesignated), by striking ''treatment, including'' and all that follows through ''which shall'' and inserting ''treatment, which shall''; and

(5) in paragraph 14 (as so redesignated), by striking ''paragraph (11)'' and inserting ''paragraph (13)''.

(b) OFFICE FOR SUBSTANCE ABUSE PREVENTION.—Section 515(b) of the Public Health Service Act (42 U.S.C. 290bb–21(b)) is amended—

(1) by redesignating paragraphs (9) and (10) as (10) and (11);

(2) by inserting after paragraph (8), the following:

''(9) collaborate with the Attorney General of the Department of Justice to develop programs to prevent drug abuse among high risk youth;''; and

(3) in paragraph (10) (as so redesignated), by striking ''public concerning'' and inserting ''public, especially adolescent audiences, concerning''.

(c) DUTIES OF THE CENTER FOR MENTAL HEALTH SERVICES.—Section 520(b) of the Public Health Service Act (42 U.S.C. 290bb–3(b)) is amended—

(1) by redesignating paragraphs (3) through (14) as paragraphs (4) through (15), respectively;

(2) by inserting after paragraph (2), the following:

''(3) collaborate with the Department of Education and the Department of Justice to develop programs to assist local communities in addressing violence among children and adolescents;'';

(3) in paragraph (8) (as so redesignated), by striking ''programs authorized'' and all that follows through ''Programs'' and inserting ''programs under part C''; and

(4) in paragraph (9) (as so redesignated), by striking ''program and programs'' and all that follows through ''303'' and inserting ''programs''.

TITLE XXXII—PROVISIONS RELATING TO MENTAL HEALTH

SEC. 3201. PRIORITY MENTAL HEALTH NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

(a) IN GENERAL.—Section 520A of the Public Health Service Act (42 U.S.C. 290bb–32) is amended to read as follows:

''SEC. 520A. PRIORITY MENTAL HEALTH NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

''(a) PROJECTS.—The Secretary shall address priority mental health needs of regional and national significance (as determined under subsection (b)) through the provision of or through assistance for—

''(1) knowledge development and application projects for prevention, treatment, and rehabilitation, and the conduct or support of evaluations of such projects;

''(2) training and technical assistance programs;

''(3) targeted capacity response programs; and

''(4) systems change grants including statewide family network grants and client-oriented and consumer run self-help activities.

The Secretary may carry out the activities described in this subsection directly or through grants or cooperative agreements with States, political subdivisions of States, Indian tribes and tribal organizations, other public or private nonprofit entities.

''(b) PRIORITY MENTAL HEALTH NEEDS.—

''(1) DETERMINATION OF NEEDS.—Priority mental health needs of regional and national significance shall be determined by the Secretary in consultation with States and other interested groups. The Secretary shall meet with the States and interested groups on an annual basis to discuss program priorities.

''(2) SPECIAL CONSIDERATION.—In developing program priorities described in paragraph (1), the Secretary shall give special consideration to promoting the integration of mental health services into primary health care systems.

''(c) REQUIREMENTS.—

''(1) IN GENERAL.—Recipients of grants, contracts, and cooperative agreements under this section shall comply with information and application requirements determined appropriate by the Secretary.

''(2) DURATION OF AWARD.—With respect to a grant, contract, or cooperative agreement awarded under this section, the period during which payments under such award are made to the recipient may not exceed 5 years.

''(3) MATCHING FUNDS.—The Secretary may, for projects carried out under subsection (a), require that entities that apply for grants, contracts, or cooperative agreements under this section provide non-Federal matching funds, as determined appropriate by the Secretary, to ensure the institutional commitment of the entity to the projects funded under the grant, contract, or cooperative agreement. Such non-Federal matching funds may be provided directly or through donations from public or private entities and may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

''(4) MAINTENANCE OF EFFORT.—With respect to activities for which a grant, contract or cooperative agreement is awarded under this section, the Secretary may require that recipients for specific projects under subsection (a) agree to maintain expenditures of non-Federal amounts for such activities at a level that is not less than the level of such expenditures maintained by the entity for the fiscal year preceding the fiscal year for which the entity receives such a grant, contract, or cooperative agreement.

''(d) EVALUATION.—The Secretary shall evaluate each project carried out under subsection (a)(1) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(e) INFORMATION AND EDUCATION.—

''(1) IN GENERAL.—The Secretary shall establish information and education programs to disseminate and apply the findings of the knowledge development and application, training, and technical assistance programs, and targeted capacity response programs, under this section to the general public, to health care professionals, and to interested groups. The Secretary shall make every effort to provide linkages between the findings of supported projects and State agencies responsible for carrying out mental health services.

''(2) RURAL AND UNDERSERVED AREAS.—In disseminating information on evidence-based practices in the provision of children's mental health services under this subsection, the Secretary shall ensure that such information is distributed to rural and medically underserved areas.

''(f) AUTHORIZATION OF APPROPRIATION.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section, $300,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.

''(2) DATA INFRASTRUCTURE.—If amounts are not appropriated for a fiscal year to carry out section 1971 with respect to mental health, then the Secretary shall make available, from the amounts appropriated for such fiscal year under paragraph (1), an amount equal to the sum of $6,000,000 and 10 percent of all amounts appropriated for such fiscal year under such paragraph in excess of $100,000,000, to carry out such section 1971.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 303 of the Public Health Service Act (42 U.S.C. 242a) is repealed.

(2) Section 520B of the Public Health Service Act (42 U.S.C. 290bb–33) is repealed.

(3) Section 612 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 290aa–3 note) is repealed.

SEC. 3202. GRANTS FOR THE BENEFIT OF HOMELESS INDIVIDUALS.

Section 506 of the Public Health Service Act (42 U.S.C. 290aa–5) is amended to read as follows:

''SEC. 506. GRANTS FOR THE BENEFIT OF HOMELESS INDIVIDUALS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts and cooperative agreements to community-based public and private nonprofit entities for the purposes of providing mental health and substance abuse services for homeless individuals. In carrying out this section, the Secretary shall consult with the Interagency Council on the Homeless, established under section 201 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11311).

''(b) PREFERENCES.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall give a preference to—

''(1) entities that provide integrated primary health, substance abuse, and mental health services to homeless individuals;

''(2) entities that demonstrate effectiveness in serving runaway, homeless, and street youth;

''(3) entities that have experience in providing substance abuse and mental health services to homeless individuals;

''(4) entities that demonstrate experience in providing housing for individuals in treatment for or in recovery from mental illness or substance abuse; and

''(5) entities that demonstrate effectiveness in serving homeless veterans.

''(c) SERVICES FOR CERTAIN INDIVIDUALS.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall not—

''(1) prohibit the provision of services under such subsection to homeless individuals who are suffering from a substance abuse disorder and are not suffering from a mental health disorder; and

''(2) make payments under subsection (a) to any entity that has a policy of—

''(A) excluding individuals from mental health services due to the existence or suspicion of substance abuse; or

''(B) has a policy of excluding individuals from substance abuse services due to the existence or suspicion of mental illness.

''(d) TERM OF THE AWARDS.—No entity may receive a grant, contract, or cooperative agreement under subsection (a) for more than 5 years.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $50,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 3203. PROJECTS FOR ASSISTANCE IN TRANSITION FROM HOMELESSNESS.

(a) WAIVERS FOR TERRITORIES.—Section 522 of the Public Health Service Act (42 U.S.C. 290cc–22) is amended by adding at the end the following:

''(i) WAIVER FOR TERRITORIES.—With respect to the United States Virgin Islands, Guam, American Samoa, Palau, the Marshall Islands, and the Commonwealth of the Northern Mariana Islands, the Secretary may waive the provisions of this part that the Secretary determines to be appropriate.''.

(b) AUTHORIZATION OF APPROPRIATION.—Section 535(a) of the Public Health Service Act (42 U.S.C. 290cc–35(a)) is amended by striking ''1991 through 1994'' and inserting ''2001 through 2003''.

SEC. 3204. COMMUNITY MENTAL HEALTH SERVICES PERFORMANCE PARTNERSHIP BLOCK GRANT.

(a) CRITERIA FOR PLAN.—Section 1912(b) of the Public Health Service Act (42 U.S.C. 300x–2(b)) is amended by striking paragraphs (1) through (12) and inserting the following:

''(1) COMPREHENSIVE COMMUNITY-BASED MENTAL HEALTH SYSTEMS.—The plan provides for an organized community-based system of care for individuals with mental illness and describes available services and resources in a comprehensive system of care, including services for dually diagnosed individuals. The description of the system of care shall include health and mental health services, rehabilitation services, employment services, housing services, educational services, substance abuse services, medical and dental care, and other support services to be provided to individuals with Federal, State and local public and private resources to enable such individuals to function outside of inpatient or residential institutions to the maximum extent of their capabilities, including services to be provided by local school systems under the Individuals with Disabilities Education Act. The plan shall include a separate description of case management services and provide for activities leading to reduction of hospitalization.

''(2) MENTAL HEALTH SYSTEM DATA AND EPIDEMIOLOGY.—The plan contains an estimate of the

incidence and prevalence in the State of serious mental illness among adults and serious emotional disturbance among children and presents quantitative targets to be achieved in the implementation of the system described in paragraph (1).

''(3) CHILDREN'S SERVICES.—In the case of children with serious emotional disturbance, the plan—

''(A) subject to subparagraph (B), provides for a system of integrated social services, educational services, juvenile services, and substance abuse services that, together with health and mental health services, will be provided in order for such children to receive care appropriate for their multiple needs (such system to include services provided under the Individuals with Disabilities Education Act);

''(B) provides that the grant under section 1911 for the fiscal year involved will not be expended to provide any service under such system other than comprehensive community mental health services; and

''(C) provides for the establishment of a defined geographic area for the provision of the services of such system.

''(4) TARGETED SERVICES TO RURAL AND HOMELESS POPULATIONS.—The plan describes the State's outreach to and services for individuals who are homeless and how community-based services will be provided to individuals residing in rural areas.

''(5) MANAGEMENT SYSTEMS.—The plan describes the financial resources, staffing and training for mental health providers that is necessary to implement the plan, and provides for the training of providers of emergency health services regarding mental health. The plan further describes the manner in which the State intends to expend the grant under section 1911 for the fiscal year involved.

Except as provided for in paragraph (3), the State plan shall contain the information required under this subsection with respect to both adults with serious mental illness and children with serious emotional disturbance.''.

(b) REVIEW OF PLANNING COUNCIL OF STATE'S REPORT.—Section 1915(a) of the Public Health Service Act (42 U.S.C. 300x–4(a)) is amended—

(1) in paragraph (1), by inserting ''and the report of the State under section 1942(a) concerning the preceding fiscal year'' after ''to the grant''; and

(2) in paragraph (2), by inserting before the period ''and any comments concerning the annual report''.

(c) MAINTENANCE OF EFFORT.—Section 1915(b) of the Public Health Service Act (42 U.S.C. 300x–4(b)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1), the following:

''(2) EXCLUSION OF CERTAIN FUNDS.—The Secretary may exclude from the aggregate State expenditures under subsection (a), funds appropriated to the principle agency for authorized activities which are of a non-recurring nature and for a specific purpose.''.

(d) APPLICATION FOR GRANTS.—Section 1917(a)(1) of the Public Health Service Act (42 U.S.C. 300x–6(a)(1)) is amended to read as follows:

''(1) the plan is received by the Secretary not later than September 1 of the fiscal year prior to the fiscal year for which a State is seeking funds, and the report from the previous fiscal year as required under section 1941 is received by December 1 of the fiscal year of the grant;''.

(e) WAIVERS FOR TERRITORIES.—Section 1917(b) of the Public Health Service Act (42 U.S.C. 300x–6(b)) is amended by striking ''whose allotment under section 1911 for the fiscal year is the amount specified in section 1918(c)(2)(B)'' and inserting in its place ''except Puerto Rico''.

(f) AUTHORIZATION OF APPROPRIATION.—Section 1920 of the Public Health Service Act (42 U.S.C. 300x–9) is amended—

(1) in subsection (a), by striking ''$450,000,000'' and all that follows through the end and inserting ''$450,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''; and

(2) in subsection (b)(2), by striking ''section 505'' and inserting ''sections 505 and 1971''.

SEC. 3205. DETERMINATION OF ALLOTMENT.

Section 1918(b) of the Public Health Service Act (42 U.S.C. 300x–7(b)) is amended to read as follows:

''(b) MINIMUM ALLOTMENTS FOR STATES.—With respect to fiscal year 2000, and subsequent fiscal years, the amount of the allotment of a State under section 1911 shall not be less than the amount the State received under such section for fiscal year 1998.''.

SEC. 3206. PROTECTION AND ADVOCACY FOR MENTALLY ILL INDIVIDUALS ACT OF 1986.

(a) SHORT TITLE.—The first section of the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (Public Law 99–319) is amended to read as follows:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Protection and Advocacy for Individuals with Mental Illness Act'.''.

(b) DEFINITIONS.—Section 102 of the Protection and Advocacy for Individuals with Mental Illness Act (as amended by subsection (a)) (42 U.S.C. 10802) is amended—

(1) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting '', except as provided in section 104(d),'' after ''means'';

(B) in subparagraph (B)—

(i) by striking ''(i)'' who'' and inserting ''(i)(I) who'';

(ii) by redesignating clauses (ii) and (iii) as subclauses (II) and (III);

(iii) in subclause (III) (as so redesignated), by striking the period and inserting ''; or''; and

(iv) by adding at the end the following:

''(ii) who satisfies the requirements of subparagraph (A) and lives in a community setting, including their own home.''; and

(2) by adding at the end the following:

''(8) The term 'American Indian consortium' means a consortium established under part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6042 et seq.).''.

(c) USE OF ALLOTMENTS.—Section 104 of the Protection and Advocacy for Individuals with Mental Illness Act (as amended by subsection (a)) (42 U.S.C. 10804) is amended by adding at the end the following:

''(d) The definition of 'individual with a mental illness' contained in section 102(4)(B)(iii) shall apply, and thus an eligible system may use its allotment under this title to provide representation to such individuals, only if the total allotment under this title for any fiscal year is $30,000,000 or more, and in such case, an eligible system must give priority to representing persons with mental illness as defined in subparagraphs (A) and (B)(i) of section 102(4).''.

(d) MINIMUM AMOUNT.—Paragraph (2) of section 112(a) of the Protection and Advocacy for Individuals with Mental Illness Act (as amended by subsection (a)) (42 U.S.C. 10822(a)(2)) is amended to read as follows:

''(2)(A) The minimum amount of the allotment of an eligible system shall be the product (rounded to the nearest $100) of the appropriate base amount determined under subparagraph (B) and the factor specified in subparagraph (C).

''(B) For purposes of subparagraph (A), the appropriate base amount—

''(i) for American Samoa, Guam, the Marshall Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, and the Virgin Islands, is $139,300; and

''(ii) for any other State, is $260,000.

''(C) The factor specified in this subparagraph is the ratio of the amount appropriated under section 117 for the fiscal year for which the allotment is being made to the amount appropriated under such section for fiscal year 1995.

''(D) If the total amount appropriated for a fiscal year is at least $25,000,000, the Secretary shall make an allotment in accordance with subparagraph (A) to the eligible system serving the American Indian consortium.''.

(e) TECHNICAL AMENDMENTS.—Section 112(a) of the Protection and Advocacy for Individuals with Mental Illness Act (as amended by subsection (a)) (42 U.S.C. 10822(a)) is amended—

(1) in paragraph (1)(B), by striking ''Trust Territory of the Pacific Islands'' and inserting ''Marshall Islands, the Federated States of Micronesia, the Republic of Palau''; and

(2) by striking paragraph (3).

(f) REAUTHORIZATION.—Section 117 of the Protection and Advocacy for Individuals with Mental Illness Act (as amended by subsection (a)) (42 U.S.C. 10827) is amended by striking ''1995'' and inserting ''2003''.

SEC. 3207. REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN FACILITIES.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

''PART H—REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN FACILITIES

''SEC. 591. REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN FACILITIES.

''(a) IN GENERAL.—A public or private general hospital, nursing facility, intermediate care facility, or other health care facility, that receives support in any form from any program supported in whole or in part with funds appropriated to any Federal department or agency shall protect and promote the rights of each resident of the facility, including the right to be free from physical or mental abuse, corporal punishment, and any restraints or involuntary seclusions imposed for purposes of discipline or convenience.

''(b) REQUIREMENTS.—Restraints and seclusion may only be imposed on a resident of a facility described in subsection (a) if—

''(1) the restraints or seclusion are imposed to ensure the physical safety of the resident, a staff member, or others; and

''(2) the restraints or seclusion are imposed only upon the written order of a physician, or other licensed practitioner permitted by the State and the facility to order such restraint or seclusion, that specifies the duration and circumstances under which the restraints are to be used (except in emergency circumstances specified by the Secretary until such an order could reasonably be obtained).

''(c) CURRENT LAW.—This part shall not be construed to affect or impede any Federal or State law or regulations that provide greater protections than this part regarding seclusion and restraint.

''(d) DEFINITIONS.—In this section:

''(1) RESTRAINTS.—The term 'restraints' means—

''(A) any physical restraint that is a mechanical or personal restriction that immobilizes or reduces the ability of an individual to move his or her arms, legs, or head freely, not including devices, such as orthopedically prescribed devices, surgical dressings or bandages, protective helmets, or any other methods that involves the physical holding of a resident for the purpose of conducting routine physical examinations or tests or to protect the resident from falling out of bed or to permit the resident to participate in activities without the risk of physical harm to the resident (such term does not include a physical escort); and

''(B) a drug or medication that is used as a restraint to control behavior or restrict the resident's freedom of movement that is not a standard treatment for the resident's medical or psychiatric condition.

''(2) SECLUSION.—The term 'seclusion' means a behavior control technique involving locked isolation. Such term does not include a time out.

''(3) PHYSICAL ESCORT.—The term 'physical escort' means the temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a resident who is acting out to walk to a safe location.

''(4) TIME OUT.—The term 'time out' means a behavior management technique that is part of an approved treatment program and may involve the separation of the resident from the group, in a non-locked setting, for the purpose of calming. Time out is not seclusion.

"SEC. 592. REPORTING REQUIREMENT.

''(a) IN GENERAL.— Each facility to which the Protection and Advocacy for Mentally Ill Individuals Act of 1986 applies shall notify the appropriate agency, as determined by the Secretary, of each death that occurs at each such facility while a patient is restrained or in seclusion, of each death occurring within 24 hours after the patient has been removed from restraints and seclusion, or where it is reasonable to assume that a patient's death is a result of such seclusion or restraint. A notification under this section shall include the name of the resident and shall be provided not later than 7 days after the date of the death of the individual involved.

''(b) FACILITY.—In this section, the term 'facility' has the meaning given the term 'facilities' in section 102(3) of the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10802(3)).''.

"SEC. 593. REGULATIONS AND ENFORCEMENT.

''(a) TRAINING.—Not later than 1 year after the date of enactment of this part, the Secretary, after consultation with appropriate State and local protection and advocacy organizations, physicians, facilities, and other health care professionals and patients, shall promulgate regulations that require facilities to which the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10801 et seq.) applies, to meet the requirements of subsection (b).

''(b) REQUIREMENTS.—The regulations promulgated under subsection (a) shall require that—

''(1) facilities described in subsection (a) ensure that there is an adequate number of qualified professional and supportive staff to evaluate patients, formulate written individualized, comprehensive treatment plans, and to provide active treatment measures;

''(2) appropriate training be provided for the staff of such facilities in the use of restraints and any alternatives to the use of restraints; and

''(3) such facilities provide complete and accurate notification of deaths, as required under section 592(a).

''(c) ENFORCEMENT.—A facility to which this part applies that fails to comply with any requirement of this part, including a failure to provide appropriate training, shall not be eligible for participation in any program supported in whole or in part by funds appropriated to any Federal department or agency.''.

SEC. 3208. REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN NON-MEDICAL, COMMUNITY-BASED FACILITIES FOR CHILDREN AND YOUTH.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.), as amended by section 3207, is further amended by adding at the end the following:

"PART I—REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN NON-MEDICAL, COMMUNITY-BASED FACILITIES FOR CHILDREN AND YOUTH

"SEC. 595. REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN NON-MEDICAL, COMMUNITY-BASED FACILITIES FOR CHILDREN AND YOUTH.

''(a) PROTECTION OF RIGHTS.—

''(1) IN GENERAL.—A public or private non-medical, community-based facility for children and youth (as defined in regulations to be promulgated by the Secretary) that receives support in any form from any program supported in whole or in part with funds appropriated under this Act shall protect and promote the rights of each resident of the facility, including the right to be free from physical or mental abuse, corporal punishment, and any restraints or involuntary seclusions imposed for purposes of discipline or convenience.

''(2) NONAPPLICABILITY.—Notwithstanding this part, a facility that provides inpatient psychiatric treatment services for individuals under the age of 21, as authorized and defined in subsections (a)(16) and (h) of section 1905 of the Social Security Act, shall comply with the requirements of part H.

''(3) APPLICABILITY OF MEDICAID PROVISIONS.—A non-medical, community-based facility for children and youth funded under the medicaid program under title XIX of the Social Security Act shall continue to meet all existing requirements for participation in such program that are not affected by this part.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—Physical restraints and seclusion may only be imposed on a resident of a facility described in subsection (a) if—

''(A) the restraints or seclusion are imposed only in emergency circumstances and only to ensure the immediate physical safety of the resident, a staff member, or others and less restrictive interventions have been determined to be ineffective; and

''(B) the restraints or seclusion are imposed only by an individual trained and certified, by a State-recognized body (as defined in regulation promulgated by the Secretary) and pursuant to a process determined appropriate by the State and approved by the Secretary, in the prevention and use of physical restraint and seclusion, including the needs and behaviors of the population served, relationship building, alternatives to restraint and seclusion, de-escalation methods, avoiding power struggles, thresholds for restraints and seclusion, the physiological and psychological impact of restraint and seclusion, monitoring physical signs of distress and obtaining medical assistance, legal issues, position asphyxia, escape and evasion techniques, time limits, the process for obtaining approval for continued restraints, procedures to address problematic restraints, documentation, processing with children, and follow-up with staff, and investigation of injuries and complaints.

''(2) INTERIM PROCEDURES RELATING TO TRAINING AND CERTIFICATION.—

''(A) IN GENERAL.—Until such time as the State develops a process to assure the proper training and certification of facility personnel in the skills and competencies referred in paragraph (1)(B), the facility involved shall develop and implement an interim procedure that meets the requirements of subparagraph (B).

''(B) REQUIREMENTS.—A procedure developed under subparagraph (A) shall—

''(i) ensure that a supervisory or senior staff person with training in restraint and seclusion who is competent to conduct a face-to-face assessment (as defined in regulations promulgated by the Secretary), will assess the mental and physical well-being of the child or youth being restrained or secluded and assure that the restraint or seclusion is being done in a safe manner;

''(ii) ensure that the assessment required under clause (i) take place as soon as practicable, but in no case later than 1 hour after the initiation of the restraint or seclusion; and

''(iii) ensure that the supervisory or senior staff person continues to monitor the situation for the duration of the restraint and seclusion.

''(3) LIMITATIONS.—

''(A) IN GENERAL.—The use of a drug or medication that is used as a restraint to control behavior or restrict the resident's freedom of movement that is not a standard treatment for the resident's medical or psychiatric condition in nonmedical community-based facilities for children and youth described in subsection (a)(1) is prohibited.

''(B) PROHIBITION.—The use of mechanical restraints in non-medical, community-based facilities for children and youth described in subsection (a)(1) is prohibited.

''(C) LIMITATION.—A non-medical, community-based facility for children and youth described in subsection (a)(1) may only use seclusion when a staff member is continuously face-to-face monitoring the resident and when strong licensing or accreditation and internal controls are in place.

''(c) RULE OF CONSTRUCTION.—

''(1) IN GENERAL.—Nothing in this section shall be construed as prohibiting the use of restraints for medical immobilization, adaptive support, or medical protection.

''(2) CURRENT LAW.—This part shall not be construed to affect or impede any Federal or State law or regulations that provide greater protections than this part regarding seclusion and restraint.

''(d) DEFINITIONS.—In this section:

''(1) MECHANICAL RESTRAINT.—The term 'mechanical restraint' means the use of devices as a means of restricting a resident's freedom of movement.

''(2) PHYSICAL ESCORT.—The term 'physical escort' means the temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a resident who is acting out to walk to a safe location.

''(3) PHYSICAL RESTRAINT.—The term 'physical restraint' means a personal restriction that immobilizes or reduces the ability of an individual to move his or her arms, legs, or head freely. Such term does not include a physical escort.

''(4) SECLUSION.—The term 'seclusion' means a behavior control technique involving locked isolation. Such term does not include a time out.

''(5) TIME OUT.—The term 'time out' means a behavior management technique that is part of an approved treatment program and may involve the separation of the resident from the group, in a non-locked setting, for the purpose of calming. Time out is not seclusion.

"SEC. 595A. REPORTING REQUIREMENT.

''Each facility to which this part applies shall notify the appropriate State licensing or regulatory agency, as determined by the Secretary—

''(1) of each death that occurs at each such facility. A notification under this section shall include the name of the resident and shall be provided not later than 24 hours after the time of the individuals death; and

''(2) of the use of seclusion or restraints in accordance with regulations promulgated by the Secretary, in consultation with the States.

"SEC. 595B. REGULATIONS AND ENFORCEMENT.

''(a) TRAINING.—Not later than 6 months after the date of enactment of this part, the Secretary, after consultation with appropriate State, local, public and private protection and advocacy organizations, health care professionals, social workers, facilities, and patients, shall promulgate regulations that—

''(1) require States that license non-medical, community-based residential facilities for children and youth to develop licensing rules and monitoring requirements concerning behavior management practice that will ensure compliance with Federal regulations and to meet the requirements of subsection (b);

''(2) require States to develop and implement such licensing rules and monitoring requirements within 1 year after the promulgation of the regulations referred to in the matter preceding paragraph (1); and

''(3) support the development of national guidelines and standards on the quality, quantity, orientation and training, required under this part, as well as the certification or licensure of those staff responsible for the implementation of behavioral intervention concepts and techniques.

''(b) REQUIREMENTS.—The regulations promulgated under subsection (a) shall require—

''(1) that facilities described in subsection (a) ensure that there is an adequate number of

qualified professional and supportive staff to evaluate residents, formulate written individualized, comprehensive treatment plans, and to provide active treatment measures;

''(2) the provision of appropriate training and certification of the staff of such facilities in the prevention and use of physical restraint and seclusion, including the needs and behaviors of the population served, relationship building, alternatives to restraint, de-escalation methods, avoiding power struggles, thresholds for restraints, the physiological impact of restraint and seclusion, monitoring physical signs of distress and obtaining medical assistance, legal issues, position asphyxia, escape and evasion techniques, time limits for the use of restraint and seclusion, the process for obtaining approval for continued restraints and seclusion, procedures to address problematic restraints, documentation, processing with children, and follow-up with staff, and investigation of injuries and complaints; and

''(3) that such facilities provide complete and accurate notification of deaths, as required under section 595A(1).

''(c) ENFORCEMENT.—A State to which this part applies that fails to comply with any requirement of this part, including a failure to provide appropriate training and certification, shall not be eligible for participation in any program supported in whole or in part by funds appropriated under this Act.''.

SEC. 3209. EMERGENCY MENTAL HEALTH CENTERS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3111, is further amended by adding at the end the following:

''SEC. 520F. GRANTS FOR EMERGENCY MENTAL HEALTH CENTERS.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to States, political subdivisions of States, Indian tribes, and tribal organizations to support the designation of hospitals and health centers as Emergency Mental Health Centers.

''(b) HEALTH CENTER.—In this section, the term 'health center' has the meaning given such term in section 330, and includes community health centers and community mental health centers.

''(c) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that such grants awarded under subsection (a) are equitably distributed among the geographical regions of the United States, between urban and rural populations, and between different settings of care including health centers, mental health centers, hospitals, and other psychiatric units or facilities.

''(d) APPLICATION.—A State, political subdivision of a State, Indian tribe, or tribal organization that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a plan for the rigorous evaluation of activities carried out with funds received under this section.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—A State, political subdivision of a State, Indian tribe, or tribal organization receiving a grant under subsection (a) shall use funds from such grant to establish or designate hospitals and health centers as Emergency Mental Health Centers.

''(2) EMERGENCY MENTAL HEALTH CENTERS.—Such Emergency Mental Health Centers described in paragraph (1)—

''(A) shall—

''(i) serve as a central receiving point in the community for individuals who may be in need of emergency mental health services;

''(ii) purchase, if needed, any equipment necessary to evaluate, diagnose and stabilize an individual with a mental illness;

''(iii) provide training, if needed, to the medical personnel staffing the Emergency Mental Health Center to evaluate, diagnose, stabilize, and treat an individual with a mental illness; and

''(iv) provide any treatment that is necessary for an individual with a mental illness or a referral for such individual to another facility where such treatment may be received; and

''(B) may establish and train a mobile crisis intervention team to respond to mental health emergencies within the community.

''(f) EVALUATION.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant under subsection (a) shall prepare and submit an evaluation to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including an evaluation of activities carried out with funds received under this section and a process and outcomes evaluation.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $25,000,000 for fiscal year 2001 and such sums as may be necessary for each of the fiscal years 2002 through 2003.''.

SEC. 3210. GRANTS FOR JAIL DIVERSION PROGRAMS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3209, is further amended by adding at the end the following:

''SEC. 520G. GRANTS FOR JAIL DIVERSION PROGRAMS.

''(a) PROGRAM AUTHORIZED.—The Secretary shall make up to 125 grants to States, political subdivisions of States, Indian tribes, and tribal organizations, acting directly or through agreements with other public or nonprofit entities, to develop and implement programs to divert individuals with a mental illness from the criminal justice system to community-based services.

''(b) ADMINISTRATION.—

''(1) CONSULTATION.—The Secretary shall consult with the Attorney General and any other appropriate officials in carrying out this section.

''(2) REGULATORY AUTHORITY.—The Secretary shall issue regulations and guidelines necessary to carry out this section, including methodologies and outcome measures for evaluating programs carried out by States, political subdivisions of States, Indian tribes, and tribal organizations receiving grants under subsection (a).

''(c) APPLICATIONS.—

''(1) IN GENERAL.—To receive a grant under subsection (a), the chief executive of a State, chief executive of a subdivision of a State, Indian tribe or tribal organization shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary shall reasonably require.

''(2) CONTENT.—Such application shall—

''(A) contain an assurance that—

''(i) community-based mental health services will be available for the individuals who are diverted from the criminal justice system, and that such services are based on the best known practices, reflect current research findings, include case management, assertive community treatment, medication management and access, integrated mental health and co-occurring substance abuse treatment, and psychiatric rehabilitation, and will be coordinated with social services, including life skills training, housing placement, vocational training, education job placement, and health care;

''(ii) there has been relevant interagency collaboration between the appropriate criminal justice, mental health, and substance abuse systems; and

''(iii) the Federal support provided will be used to supplement, and not supplant, State, local, Indian tribe, or tribal organization sources of funding that would otherwise be available;

''(B) demonstrate that the diversion program will be integrated with an existing system of care for those with mental illness;

''(C) explain the applicant's inability to fund the program adequately without Federal assistance;

''(D) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support; and

''(E) describe methodology and outcome measures that will be used in evaluating the program.

''(d) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant under subsection (a) may use funds received under such grant to—

''(1) integrate the diversion program into the existing system of care;

''(2) create or expand community-based mental health and co-occurring mental illness and substance abuse services to accommodate the diversion program;

''(3) train professionals involved in the system of care, and law enforcement officers, attorneys, and judges; and

''(4) provide community outreach and crisis intervention.

''(e) FEDERAL SHARE.—

''(1) IN GENERAL.—The Secretary shall pay to a State, political subdivision of a State, Indian tribe, or tribal organization receiving a grant under subsection (a) the Federal share of the cost of activities described in the application.

''(2) FEDERAL SHARE.—The Federal share of a grant made under this section shall not exceed 75 percent of the total cost of the program carried out by the State, political subdivision of a State, Indian tribe, or tribal organization. Such share shall be used for new expenses of the program carried out by such State, political subdivision of a State, Indian tribe, or tribal organization.

''(3) NON-FEDERAL SHARE.—The non-Federal share of payments made under this section may be made in cash or in kind fairly evaluated, including planned equipment or services. The Secretary may waive the requirement of matching contributions.

''(f) GEOGRAPHIC DISTRIBUTION.—The Secretary shall ensure that such grants awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(g) TRAINING AND TECHNICAL ASSISTANCE.—Training and technical assistance may be provided by the Secretary to assist a State, political subdivision of a State, Indian tribe, or tribal organization receiving a grant under subsection (a) in establishing and operating a diversion program.

''(h) EVALUATIONS.—The programs described in subsection (a) shall be evaluated not less than 1 time in every 12-month period using the methodology and outcome measures identified in the grant application.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2003.''.

SEC. 3211. IMPROVING OUTCOMES FOR CHILDREN AND ADOLESCENTS THROUGH SERVICES INTEGRATION BETWEEN CHILD WELFARE AND MENTAL HEALTH SERVICES.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3210, is further amended by adding at the end the following:

''SEC. 520H. IMPROVING OUTCOMES FOR CHILDREN AND ADOLESCENTS THROUGH SERVICES INTEGRATION BETWEEN CHILD WELFARE AND MENTAL HEALTH SERVICES.

''(a) IN GENERAL.—The Secretary shall award grants, contracts or cooperative agreements to States, political subdivisions of States, Indian tribes, and tribal organizations to provide integrated child welfare and mental health services

for children and adolescents under 19 years of age in the child welfare system or at risk for becoming part of the system, and parents or caregivers with a mental illness or a mental illness and a co-occurring substance abuse disorder.

''(b) DURATION.—With respect to a grant, contract or cooperative agreement awarded under this section, the period during which payments under such award are made to the recipient may not exceed 5 years.

''(c) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive an award under subsection (a), a State, political subdivision of a State, Indian tribe, or tribal organization shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(2) CONTENT.—An application submitted under paragraph (1) shall—

''(A) describe the program to be funded under the grant, contract or cooperative agreement;

''(B) explain how such program reflects best practices in the provision of child welfare and mental health services; and

''(C) provide assurances that—

''(i) persons providing services under the grant, contract or cooperative agreement are adequately trained to provide such services; and

''(ii) the services will be provided in accordance with subsection (d).

''(d) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant, contract, or cooperative agreement under subsection (a) shall use amounts made available through such grant, contract or cooperative agreement to—

''(1) provide family-centered, comprehensive, and coordinated child welfare and mental health services, including prevention, early intervention and treatment services for children and adolescents, and for their parents or caregivers;

''(2) ensure a single point of access for such coordinated services;

''(3) provide integrated mental health and substance abuse treatment for children, adolescents, and parents or caregivers with a mental illness and a co-occurring substance abuse disorder;

''(4) provide training for the child welfare, mental health and substance abuse professionals who will participate in the program carried out under this section;

''(5) provide technical assistance to child welfare and mental health agencies;

''(6) develop cooperative efforts with other service entities in the community, including education, social services, juvenile justice, and primary health care agencies;

''(7) coordinate services with services provided under the medicaid program and the State Children's Health Insurance Program under titles XIX and XXI of the Social Security Act;

''(8) provide linguistically appropriate and culturally competent services; and

''(9) evaluate the effectiveness and cost-efficiency of the integrated services that measure the level of coordination, outcome measures for parents or caregivers with a mental illness or a mental illness and a co-occurring substance abuse disorder, and outcome measures for children.

''(e) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that grants, contracts, and cooperative agreements awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(f) EVALUATION.—The Secretary shall evaluate each program carried out by a State, political subdivision of a State, Indian tribe, or tribal organization under subsection (a) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.''.

SEC. 3212. GRANTS FOR THE INTEGRATED TREATMENT OF SERIOUS MENTAL ILLNESS AND CO-OCCURRING SUBSTANCE ABUSE.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3211, is further amended by adding at the end the following:

"SEC. 520I. GRANTS FOR THE INTEGRATED TREATMENT OF SERIOUS MENTAL ILLNESS AND CO-OCCURRING SUBSTANCE ABUSE.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to States, political subdivisions of States, Indian tribes, tribal organizations, and private nonprofit organizations for the development or expansion of programs to provide integrated treatment services for individuals with a serious mental illness and a co-occurring substance abuse disorder.

''(b) PRIORITY.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall give priority to applicants that emphasize the provision of services for individuals with a serious mental illness and a co-occurring substance abuse disorder who—

''(1) have a history of interactions with law enforcement or the criminal justice system;

''(2) have recently been released from incarceration;

''(3) have a history of unsuccessful treatment in either an inpatient or outpatient setting;

''(4) have never followed through with outpatient services despite repeated referrals; or

''(5) are homeless.

''(c) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that receives a grant, contract, or cooperative agreement under subsection (a) shall use funds received under such grant—

''(1) to provide fully integrated services rather than serial or parallel services;

''(2) to employ staff that are cross-trained in the diagnosis and treatment of both serious mental illness and substance abuse;

''(3) to provide integrated mental health and substance abuse services at the same location;

''(4) to provide services that are linguistically appropriate and culturally competent;

''(5) to provide at least 10 programs for integrated treatment of both mental illness and substance abuse at sites that previously provided only mental health services or only substance abuse services; and

''(6) to provide services in coordination with other existing public and private community programs.

''(d) CONDITION.—The Secretary shall ensure that a State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that receives a grant, contract, or cooperative agreement under subsection (a) maintains the level of effort necessary to sustain existing mental health and substance abuse programs for other populations served by mental health systems in the community.

''(e) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that grants, contracts, or cooperative agreements awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(f) DURATION.—The Secretary shall award grants, contract, or cooperative agreements under this subsection for a period of not more than 5 years.

''(g) APPLICATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that desires a grant, contract, or cooperative agreement under this subsection shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall include a plan for the rigorous evaluation of activities funded with an award under such subsection, including a process and outcomes evaluation.

''(h) EVALUATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that receives a grant, contract, or cooperative agreement under this subsection shall prepare and submit a plan for the rigorous evaluation of the program funded under such grant, contract, or agreement, including both process and outcomes evaluation, and the submission of an evaluation at the end of the project period.

''(i) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to carry out this subsection $40,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2003.''.

SEC. 3213. TRAINING GRANTS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3212, is further amended by adding at the end the following:

"SEC. 520J. TRAINING GRANTS.

''(a) IN GENERAL.—The Secretary shall award grants in accordance with the provisions of this section.

''(b) MENTAL ILLNESS AWARENESS TRAINING GRANTS.—

''(1) IN GENERAL.—The Secretary shall award grants to States, political subdivisions of States, Indian tribes, tribal organizations, and nonprofit private entities to train teachers and other relevant school personnel to recognize symptoms of childhood and adolescent mental disorders, to refer family members to the appropriate mental health services if necessary, to train emergency services personnel to identify and appropriately respond to persons with a mental illness, and to provide education to such teachers and personnel regarding resources that are available in the community for individuals with a mental illness.

''(2) EMERGENCY SERVICES PERSONNEL.—In this subsection, the term 'Kemergency services personnel' includes paramedics, firefighters, and emergency medical technicians.

''(3) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that such grants awarded under this subsection are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(4) APPLICATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or nonprofit private entity that desires a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a plan for the rigorous evaluation of activities that are carried out with funds received under a grant under this subsection.

''(5) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, tribal organization, or nonprofit private entity receiving a grant under this subsection shall use funds from such grant to—

''(A) train teachers and other relevant school personnel to recognize symptoms of childhood and adolescent mental disorders and appropriately respond;

''(B) train emergency services personnel to identify and appropriately respond to persons with a mental illness; and

''(C) provide education to such teachers and personnel regarding resources that are available in the community for individuals with a mental illness.

''(6) EVALUATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or nonprofit private entity that receives a grant under this subsection shall prepare and submit an evaluation to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including an evaluation of activities carried out with

funds received under the grant under this subsection and a process and outcome evaluation.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection, $25,000,000 for fiscal year 2001 and such sums as may be necessary for each of fiscal years 2002 through 2003.''.

TITLE XXXIII—PROVISIONS RELATING TO SUBSTANCE ABUSE

SEC. 3301. PRIORITY SUBSTANCE ABUSE TREATMENT NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

(a) RESIDENTIAL TREATMENT PROGRAMS FOR PREGNANT AND POSTPARTUM WOMEN.—Section 508(r) of the Public Health Service Act (42 U.S.C. 290bb–1(r)) is amended to read as follows:

''(r) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary to fiscal years 2001 through 2003.''.

(b) PRIORITY SUBSTANCE ABUSE TREATMENT.—Section 509 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended to read as follows:

"SEC. 509. PRIORITY SUBSTANCE ABUSE TREATMENT NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

''(a) PROJECTS.—The Secretary shall address priority substance abuse treatment needs of regional and national significance (as determined under subsection (b)) through the provision of or through assistance for—

''(1) knowledge development and application projects for treatment and rehabilitation and the conduct or support of evaluations of such projects;

''(2) training and technical assistance; and

''(3) targeted capacity response programs.

The Secretary may carry out the activities described in this section directly or through grants or cooperative agreements with States, political subdivisions of States, Indian tribes and tribal organizations, other public or nonprofit private entities.

''(b) PRIORITY SUBSTANCE ABUSE TREATMENT NEEDS.—

''(1) IN GENERAL.—Priority substance abuse treatment needs of regional and national significance shall be determined by the Secretary after consultation with States and other interested groups. The Secretary shall meet with the States and interested groups on an annual basis to discuss program priorities.

''(2) SPECIAL CONSIDERATION.—In developing program priorities under paragraph (1), the Secretary shall give special consideration to promoting the integration of substance abuse treatment services into primary health care systems.

''(c) REQUIREMENTS.—

''(1) IN GENERAL.—Recipients of grants, contracts, or cooperative agreements under this section shall comply with information and application requirements determined appropriate by the Secretary.

''(2) DURATION OF AWARD.—With respect to a grant, contract, or cooperative agreement awarded under this section, the period during which payments under such award are made to the recipient may not exceed 5 years.

''(3) MATCHING FUNDS.—The Secretary may, for projects carried out under subsection (a), require that entities that apply for grants, contracts, or cooperative agreements under that project provide non-Federal matching funds, as determined appropriate by the Secretary, to ensure the institutional commitment of the entity to the projects funded under the grant, contract, or cooperative agreement. Such non-Federal matching funds may be provided directly or through donations from public or private entities and may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

''(4) MAINTENANCE OF EFFORT.—With respect to activities for which a grant, contract, or cooperative agreement is awarded under this section, the Secretary may require that recipients for specific projects under subsection (a) agree to maintain expenditures of non-Federal amounts for such activities at a level that is not less than the level of such expenditures maintained by the entity for the fiscal year preceding the fiscal year for which the entity receives such a grant, contract, or cooperative agreement.

''(d) EVALUATION.—The Secretary shall evaluate each project carried out under subsection (a)(1) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(e) INFORMATION AND EDUCATION.—The Secretary shall establish comprehensive information and education programs to disseminate and apply the findings of the knowledge development and application, training and technical assistance programs, and targeted capacity response programs under this section to the general public, to health professionals and other interested groups. The Secretary shall make every effort to provide linkages between the findings of supported projects and State agencies responsible for carrying out substance abuse prevention and treatment programs.

''(f) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated to carry out this section, $300,000,000 for fiscal year 2001 and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

(c) CONFORMING AMENDMENTS.—The following sections of the Public Health Service Act are repealed:

(1) Section 510 (42 U.S.C. 290bb–3).

(2) Section 511 (42 U.S.C. 290bb–4).

(3) Section 512 (42 U.S.C. 290bb–5).

(4) Section 571 (42 U.S.C. 290gg).

SEC. 3302. PRIORITY SUBSTANCE ABUSE PREVENTION NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

(a) IN GENERAL.—Section 516 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended to read as follows:

"SEC. 516. PRIORITY SUBSTANCE ABUSE PREVENTION NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

''(a) PROJECTS.—The Secretary shall address priority substance abuse prevention needs of regional and national significance (as determined under subsection (b)) through the provision of or through assistance for—

''(1) knowledge development and application projects for prevention and the conduct or support of evaluations of such projects;

''(2) training and technical assistance; and

''(3) targeted capacity response programs.

The Secretary may carry out the activities described in this section directly or through grants or cooperative agreements with States, political subdivisions of States, Indian tribes and tribal organizations, or other public or nonprofit private entities.

''(b) PRIORITY SUBSTANCE ABUSE PREVENTION NEEDS.—

''(1) IN GENERAL.—Priority substance abuse prevention needs of regional and national significance shall be determined by the Secretary in consultation with the States and other interested groups. The Secretary shall meet with the States and interested groups on an annual basis to discuss program priorities.

''(2) SPECIAL CONSIDERATION.—In developing program priorities under paragraph (1), the Secretary shall give special consideration to—

''(A) applying the most promising strategies and research-based primary prevention approaches; and

''(B) promoting the integration of substance abuse prevention information and activities into primary health care systems.

''(c) REQUIREMENTS.—

''(1) IN GENERAL.—Recipients of grants, contracts, and cooperative agreements under this section shall comply with information and application requirements determined appropriate by the Secretary.

''(2) DURATION OF AWARD.—With respect to a grant, contract, or cooperative agreement awarded under this section, the period during which payments under such award are made to the recipient may not exceed 5 years.

''(3) MATCHING FUNDS.—The Secretary may, for projects carried out under subsection (a), require that entities that apply for grants, contracts, or cooperative agreements under that project provide non-Federal matching funds, as determined appropriate by the Secretary, to ensure the institutional commitment of the entity to the projects funded under the grant, contract, or cooperative agreement. Such non-Federal matching funds may be provided directly or through donations from public or private entities and may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

''(4) MAINTENANCE OF EFFORT.—With respect to activities for which a grant, contract, or cooperative agreement is awarded under this section, the Secretary may require that recipients for specific projects under subsection (a) agree to maintain expenditures of non-Federal amounts for such activities at a level that is not less than the level of such expenditures maintained by the entity for the fiscal year preceding the fiscal year for which the entity receives such a grant, contract, or cooperative agreement.

''(d) EVALUATION.—The Secretary shall evaluate each project carried out under subsection (a)(1) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(e) INFORMATION AND EDUCATION.—The Secretary shall establish comprehensive information and education programs to disseminate the findings of the knowledge development and application, training and technical assistance programs, and targeted capacity response programs under this section to the general public and to health professionals. The Secretary shall make every effort to provide linkages between the findings of supported projects and State agencies responsible for carrying out substance abuse prevention and treatment programs.

''(f) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated to carry out this section, $300,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

(b) CONFORMING AMENDMENTS.—Section 518 of the Public Health Service Act (42 U.S.C. 290bb–24) is repealed.

SEC. 3303. SUBSTANCE ABUSE PREVENTION AND TREATMENT PERFORMANCE PARTNERSHIP BLOCK GRANT.

(a) ALLOCATION REGARDING ALCOHOL AND OTHER DRUGS.—Section 1922 of the Public Health Service Act (42 U.S.C. 300x–22) is amended by—

(1) striking subsection (a); and

(2) redesignating subsections (b) and (c) as subsections (a) and (b).

(b) GROUP HOMES FOR RECOVERING SUBSTANCE ABUSERS.—Section 1925(a) of the Public Health Service Act (42 U.S.C. 300x–25(a)) is amended by striking ''For fiscal year 1993'' and all that follows through the colon and inserting the following: ''A State, using funds available under section 1921, may establish and maintain the ongoing operation of a revolving fund in accordance with this section to support group homes for recovering substance abusers as follows:''.

(c) MAINTENANCE OF EFFORT.—Section 1930 of the Public Health Service Act (42 U.S.C. 300x–30) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d) respectively; and

(2) by inserting after subsection (a), the following:

''(b) EXCLUSION OF CERTAIN FUNDS.—The Secretary may exclude from the aggregate State expenditures under subsection (a), funds appropriated to the principle agency for authorized activities which are of a non-recurring nature and for a specific purpose.''.

(d) APPLICATIONS FOR GRANTS.—Section 1932(a)(1) of the Public Health Service Act (42 U.S.C. 300x–32(a)(1)) is amended to read as follows:

''(1) the application is received by the Secretary not later than October 1 of the fiscal year for which the State is seeking funds;''.

(e) WAIVER FOR TERRITORIES.—Section 1932(c) of the Public Health Service Act (42 U.S.C. 300x–32(c)) is amended by striking ''whose allotment under section 1921 for the fiscal year is the amount specified in section 1933(c)(2)(B)'' and inserting ''except Puerto Rico''.

(f) WAIVER AUTHORITY FOR CERTAIN REQUIREMENTS.—

(1) IN GENERAL.—Section 1932 of the Public Health Service Act (42 U.S.C. 300x–32) is amended by adding at the end the following:

''(e) WAIVER AUTHORITY FOR CERTAIN REQUIREMENTS.—

''(1) IN GENERAL.—Upon the request of a State, the Secretary may waive the requirements of all or part of the sections described in paragraph (2) using objective criteria established by the Secretary by regulation after consultation with the States and other interested parties including consumers and providers.

''(2) SECTIONS.—The sections described in paragraph (1) are sections 1922(c), 1923, 1924 and 1928.

''(3) DATE CERTAIN FOR ACTING UPON REQUEST.—The Secretary shall approve or deny a request for a waiver under paragraph (1) and inform the State of that decision not later than 120 days after the date on which the request and all the information needed to support the request are submitted.

''(4) ANNUAL REPORTING REQUIREMENT.—The Secretary shall annually report to the general public on the States that receive a waiver under this subsection.''.

(2) CONFORMING AMENDMENTS.—Effective upon the publication of the regulations developed in accordance with section 1932(e)(1) of the Public Health Service Act (42 U.S.C. 300x–32(d))—

(A) section 1922(c) of the Public Health Service Act (42 U.S.C. 300x–22(c)) is amended by—

(i) striking paragraph (2); and

(ii) redesignating paragraph (3) as paragraph (2); and

(B) section 1928(d) of the Public Health Service Act (42 U.S.C. 300x–28(d)) is repealed.

(g) AUTHORIZATION OF APPROPRIATION.—Section 1935 of the Public Health Service Act (42 U.S.C. 300x–35) is amended—

(1) in subsection (a), by striking ''$1,500,000,000'' and all that follows through the end and inserting ''$2,000,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.'';

(2) in subsection (b)(1), by striking ''section 505'' and inserting ''sections 505 and 1971'';

(3) in subsection (b)(2), by striking ''1949(a)'' and inserting ''1948(a)''; and

(4) in subsection (b), by adding at the end the following:

''(3) CORE DATA SET.—A State that receives a new grant, contract, or cooperative agreement from amounts available to the Secretary under paragraph (1), for the purposes of improving the data collection, analysis and reporting capabilities of the State, shall be required, as a condition of receipt of funds, to collect, analyze, and report to the Secretary for each fiscal year subsequent to receiving such funds a core data set to be determined by the Secretary in conjunction with the States.''.

SEC. 3304. DETERMINATION OF ALLOTMENTS.

Section 1933(b) of the Public Health Service Act (42 U.S.C. 300x–33(b)) is amended to read as follows:

''(b) MINIMUM ALLOTMENTS FOR STATES.—

''(1) IN GENERAL.—With respect to fiscal year 2000, and each subsequent fiscal year, the amount of the allotment of a State under section 1921 shall not be less than the amount the State received under such section for the previous fiscal year increased by an amount equal to 30.65 percent of the percentage by which the aggregate amount allotted to all States for such fiscal year exceeds the aggregate amount allotted to all States for the previous fiscal year.

''(2) LIMITATIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a State shall not receive an allotment under section 1921 for a fiscal year in an amount that is less than an amount equal to 0.375 percent of the amount appropriated under section 1935(a) for such fiscal year.

''(B) EXCEPTION.—In applying subparagraph (A), the Secretary shall ensure that no State receives an increase in its allotment under section 1921 for a fiscal year (as compared to the amount allotted to the State in the prior fiscal year) that is in excess of an amount equal to 300 percent of the percentage by which the amount appropriated under section 1935(a) for such fiscal year exceeds the amount appropriated for the prior fiscal year.

''(3) DECREASE IN OR EQUAL APPROPRIATIONS.—If the amount appropriated under section 1935(a) for a fiscal year is equal to or less than the amount appropriated under such section for the prior fiscal year, the amount of the State allotment under section 1921 shall be equal to the amount that the State received under section 1921 in the prior fiscal year decreased by the percentage by which the amount appropriated for such fiscal year is less than the amount appropriated or such section for the prior fiscal year.''.

SEC. 3305. NONDISCRIMINATION AND INSTITUTIONAL SAFEGUARDS FOR RELIGIOUS PROVIDERS.

Subpart III of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–51 et seq.) is amended by adding at the end the following:

''SEC. 1955. SERVICES PROVIDED BY NONGOVERNMENTAL ORGANIZATIONS.

''(a) PURPOSES.—The purposes of this section are—

''(1) to prohibit discrimination against nongovernmental organizations and certain individuals on the basis of religion in the distribution of government funds to provide substance abuse services under this title and title V, and the receipt of services under such titles; and

''(2) to allow the organizations to accept the funds to provide the services to the individuals without impairing the religious character of the organizations or the religious freedom of the individuals.

''(b) RELIGIOUS ORGANIZATIONS INCLUDED AS NONGOVERNMENTAL PROVIDERS.—

''(1) IN GENERAL.—A State may administer and provide substance abuse services under any program under this title or title V through grants, contracts, or cooperative agreements to provide assistance to beneficiaries under such titles with nongovernmental organizations.

''(2) REQUIREMENT.—A State that elects to utilize nongovernmental organizations as provided for under paragraph (1) shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide services under substance abuse programs under this title or title V, so long as the programs under such titles are implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution. Neither the Federal Government nor a State or local government receiving funds under such programs shall discriminate against an organization that provides services under, or applies to provide services under, such programs, on the basis that the organization has a religious character.

''(c) RELIGIOUS CHARACTER AND INDEPENDENCE.—

''(1) IN GENERAL.—A religious organization that provides services under any substance abuse program under this title or title V shall retain its independence from Federal, State, and local governments, including such organization's control over the definition, development, practice, and expression of its religious beliefs.

''(2) ADDITIONAL SAFEGUARDS.—Neither the Federal Government nor a State or local government shall require a religious organization—

''(A) to alter its form of internal governance; or

''(B) to remove religious art, icons, scripture, or other symbols;

in order to be eligible to provide services under any substance abuse program under this title or title V.

''(d) EMPLOYMENT PRACTICES.—

''(1) SUBSTANCE ABUSE.—A religious organization that provides services under any substance abuse program under this title or title V may require that its employees providing services under such program adhere to rules forbidding the use of drugs or alcohol.

''(2) TITLE VII EXEMPTION.—The exemption of a religious organization provided under section 702 or 703(e)(2) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1, 2000e–2(e)(2)) regarding employment practices shall not be affected by the religious organization's provision of services under, or receipt of funds from, any substance abuse program under this title or title V.

''(e) RIGHTS OF BENEFICIARIES OF ASSISTANCE.—

''(1) IN GENERAL.—If an individual described in paragraph (3) has an objection to the religious character of the organization from which the individual receives, or would receive, services funded under any substance abuse program under this title or title V, the appropriate Federal, State, or local governmental entity shall provide to such individual (if otherwise eligible for such services) within a reasonable period of time after the date of such objection, services that—

''(A) are from an alternative provider that is accessible to the individual; and

''(B) have a value that is not less than the value of the services that the individual would have received from such organization.

''(2) NOTICE.—The appropriate Federal, State, or local governmental entity shall ensure that notice is provided to individuals described in paragraph (3) of the rights of such individuals under this section.

''(3) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is an individual who receives or applies for services under any substance abuse program under this title or title V.

''(f) NONDISCRIMINATION AGAINST BENEFICIARIES.—A religious organization providing services through a grant, contract, or cooperative agreement under any substance abuse program under this title or title V shall not discriminate, in carrying out such program, against an individual described in subsection (e)(3) on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice.

''(g) FISCAL ACCOUNTABILITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any religious organization providing services under any substance abuse program under this title or title V shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds provided under such program.

''(2) LIMITED AUDIT.—Such organization shall segregate government funds provided under such substance abuse program into a separate account. Only the government funds shall be subject to audit by the government.

''(h) COMPLIANCE.—Any party that seeks to enforce such party's rights under this section may assert a civil action for injunctive relief exclusively in an appropriate Federal or State court against the entity, agency or official that allegedly commits such violation.

''(i) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.—No funds provided through a grant or contract to a religious organization to provide services under any substance abuse program under this title or title V shall be expended for sectarian worship, instruction, or proselytization.

''(j) EFFECT ON STATE AND LOCAL FUNDS.—If a State or local government contributes State or local funds to carry out any substance abuse program under this title or title V, the State or local government may segregate the State or local funds from the Federal funds provided to carry out the program or may commingle the State or local funds with the Federal funds. If the State or local government commingles the

State or local funds, the provisions of this section shall apply to the commingled funds in the same manner, and to the same extent, as the provisions apply to the Federal funds.

''(k) TREATMENT OF INTERMEDIATE CONTRACTORS.—If a nongovernmental organization (referred to in this subsection as an 'intermediate organization'), acting under a contract or other agreement with the Federal Government or a State or local government, is given the authority under the contract or agreement to select nongovernmental organizations to provide services under any substance abuse program under this title or title V, the intermediate organization shall have the same duties under this section as the government but shall retain all other rights of a nongovernmental organization under this section.''.

SEC. 3306. ALCOHOL AND DRUG PREVENTION OR TREATMENT SERVICES FOR INDIANS AND NATIVE ALASKANS.

Part A of title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

"SEC. 506A. ALCOHOL AND DRUG PREVENTION OR TREATMENT SERVICES FOR INDIANS AND NATIVE ALASKANS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to public and private nonprofit entities, including Native Alaskan entities and Indian tribes and tribal organizations, for the purpose of providing alcohol and drug prevention or treatment services for Indians and Native Alaskans.

''(b) PRIORITY.—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall give priority to applicants that—

''(1) propose to provide alcohol and drug prevention or treatment services on reservations;

''(2) propose to employ culturally-appropriate approaches, as determined by the Secretary, in providing such services; and

''(3) have provided prevention or treatment services to Native Alaskan entities and Indian tribes and tribal organizations for at least 1 year prior to applying for a grant under this section.

''(c) DURATION.—The Secretary shall award grants, contracts, or cooperative agreements under subsection (a) for a period not to exceed 5 years.

''(d) APPLICATION.—An entity desiring a grant, contract, or cooperative agreement under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(e) EVALUATION.—An entity that receives a grant, contract, or cooperative agreement under subsection (a) shall submit, in the application for such grant, a plan for the evaluation of any project undertaken with funds provided under this section. Such entity shall provide the Secretary with periodic evaluations of the progress of such project and such evaluation at the completion of such project as the Secretary determines to be appropriate. The final evaluation submitted by such entity shall include a recommendation as to whether such project shall continue.

''(f) REPORT.—Not later than 3 years after the date of enactment of this section and annually thereafter, the Secretary shall prepare and submit, to the Committee on Health, Education, Labor, and Pensions of the Senate, a report describing the services provided pursuant to this section.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $15,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.

SEC. 3307. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established a commission to be known as the Commission on Indian and Native Alaskan Health Care that shall examine the health concerns of Indians and Native Alaskans who reside on reservations and tribal lands (hereafter in this section referred to as the 'Commission').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission established under subsection (a) shall consist of—

(A) the Secretary;

(B) 15 members who are experts in the health care field and issues that the Commission is established to examine; and

(C) the Director of the Indian Health Service and the Commissioner of Indian Affairs, who shall be nonvoting members.

(2) APPOINTING AUTHORITY.—Of the 15 members of the Commission described in paragraph (1)(B)—

(A) 2 shall be appointed by the Speaker of the House of Representatives;

(B) 2 shall be appointed by the Minority Leader of the House of Representatives;

(C) 2 shall be appointed by the Majority Leader of the Senate;

(D) 2 shall be appointed by the Minority Leader of the Senate; and

(E) 7 shall be appointed by the Secretary.

(3) LIMITATION.—Not fewer than 10 of the members appointed to the Commission shall be Indians or Native Alaskans.

(4) CHAIRPERSON.—The Secretary shall serve as the Chairperson of the Commission.

(5) EXPERTS.—The Commission may seek the expertise of any expert in the health care field to carry out its duties.

(c) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filed in the same manner as the original appointment.

(d) DUTIES OF THE COMMISSION.—The Commission shall—

(1) study the health concerns of Indians and Native Alaskans; and

(2) prepare the reports described in subsection (i).

(e) POWERS OF THE COMMISSION.—

(1) HEARINGS.—The Commission may hold such hearings, including hearings on reservations, sit and act at such times and places, take such testimony, and receive such information as the Commission considers advisable to carry out the purpose for which the Commission was established.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the purpose for which the Commission was established. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(f) COMPENSATION OF MEMBERS.—

(1) IN GENERAL.—Except as provided in subparagraph (B), each member of the Commission may be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time), during which that member is engaged in the actual performance of the duties of the Commission.

(2) LIMITATION.—Members of the Commission who are officers or employees of the United States shall receive no additional pay on account of their service on the Commission.

(g) TRAVEL EXPENSES OF MEMBERS.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under section 5703 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(h) COMMISSION PERSONNEL MATTERS.—

(1) IN GENERAL.—The Secretary, in accordance with rules established by the Commission, may select and appoint a staff director and other personnel necessary to enable the Commission to carry out its duties.

(2) COMPENSATION OF PERSONNEL.—The Secretary, in accordance with rules established by the Commission, may set the amount of compensation to be paid to the staff director and any other personnel that serve the Commission.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and the detail shall be without interruption or loss of civil service status or privilege.

(4) CONSULTANT SERVICES.—The Chairperson of the Commission is authorized to procure the temporary and intermittent services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of such title.

(i) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of the Youth Drug and Mental Health Services Act, the Secretary shall prepare and submit, to the Committee on Health, Education, Labor, and Pensions of the Senate, a report that shall—

(A) detail the health problems faced by Indians and Native Alaskans who reside on reservations;

(B) examine and explain the causes of such problems;

(C) describe the health care services available to Indians and Native Alaskans who reside on reservations and the adequacy of such services;

(D) identify the reasons for the provision of inadequate health care services for Indians and Native Alaskans who reside on reservations, including the availability of resources;

(E) develop measures for tracking the health status of Indians and Native Americans who reside on reservations; and

(F) make recommendations for improvements in the health care services provided for Indians and Native Alaskans who reside on reservations, including recommendations for legislative change.

(2) EXCEPTION.—In addition to the report required under paragraph (1), not later than 2 years after the date of enactment of the Youth Drug and Mental Health Services Act, the Secretary shall prepare and submit, to the Committee on Health, Education, Labor, and Pensions of the Senate, a report that describes any alcohol and drug abuse among Indians and Native Alaskans who reside on reservations.

(j) PERMANENT COMMISSION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.

TITLE XXXIV—PROVISIONS RELATING TO FLEXIBILITY AND ACCOUNTABILITY

SEC. 3401. GENERAL AUTHORITIES AND PEER REVIEW.

(a) GENERAL AUTHORITIES.—Paragraph (1) of section 501(e) of the Public Health Service Act (42 U.S.C. 290aa(e)) is amended to read as follows:

''(1) IN GENERAL.—There may be in the Administration an Associate Administrator for Alcohol Prevention and Treatment Policy to whom the Administrator may delegate the functions of promoting, monitoring, and evaluating service programs for the prevention and treatment of alcoholism and alcohol abuse within the Center for Substance Abuse Prevention, the Center for Substance Abuse Treatment and the Center for Mental Health Services, and coordinating such programs among the Centers, and among the Centers and other public and private entities. The Associate Administrator also may ensure that alcohol prevention, education, and policy strategies are integrated into all programs of the Centers that address substance abuse prevention, education, and policy, and that the Center for Substance Abuse Prevention addresses the Healthy People 2010 goals and the National Dietary Guidelines of the Department of Health

and Human Services and the Department of Agriculture related to alcohol consumption.''.

(b) PEER REVIEW.—Section 504 of the Public Health Service (42 U.S.C. 290aa–3) is amended as follows:

"SEC. 504. PEER REVIEW.

''(a) IN GENERAL.—The Secretary, after consultation with the Administrator, shall require appropriate peer review of grants, cooperative agreements, and contracts to be administered through the agency which exceed the simple acquisition threshold as defined in section 4(11) of the Office of Federal Procurement Policy Act.

''(b) MEMBERS.—The members of any peer review group established under subsection (a) shall be individuals who by virtue of their training or experience are eminently qualified to perform the review functions of the group. Not more than ¼ of the members of any such peer review group shall be officers or employees of the United States.

''(c) ADVISORY COUNCIL REVIEW.—If the direct cost of a grant or cooperative agreement (described in subsection (a)) exceeds the simple acquisition threshold as defined by section 4(11) of the Office of Federal Procurement Policy Act, the Secretary may make such a grant or cooperative agreement only if such grant or cooperative agreement is recommended—

''(1) after peer review required under subsection (a); and

''(2) by the appropriate advisory council.

''(d) CONDITIONS.—The Secretary may establish limited exceptions to the limitations contained in this section regarding participation of Federal employees and advisory council approval. The circumstances under which the Secretary may make such an exception shall be made public.''.

SEC. 3402. ADVISORY COUNCILS.

Section 502(e) of the Public Health Service Act (42 U.S.C. 290aa–1(e)) is amended in the first sentence by striking ''3 times'' and inserting ''2 times''.

SEC. 3403. GENERAL PROVISIONS FOR THE PERFORMANCE PARTNERSHIP BLOCK GRANTS.

(a) PLANS FOR PERFORMANCE PARTNERSHIPS.—Section 1949 of the Public Health Service Act (42 U.S.C. 300x–59) is amended as follows:

"SEC. 1949. PLANS FOR PERFORMANCE PARTNERSHIPS.

''(a) DEVELOPMENT.—The Secretary in conjunction with States and other interested groups shall develop separate plans for the programs authorized under subparts I and II for creating more flexibility for States and accountability based on outcome and other performance measures. The plans shall each include—

''(1) a description of the flexibility that would be given to the States under the plan;

''(2) the common set of performance measures that would be used for accountability, including measures that would be used for the program under subpart II for pregnant addicts, HIV transmission, tuberculosis, and those with a co-occurring substance abuse and mental disorders, and for programs under subpart I for children with serious emotional disturbance and adults with serious mental illness and for individuals with co-occurring mental health and substance abuse disorders;

''(3) the definitions for the data elements to be used under the plan;

''(4) the obstacles to implementation of the plan and the manner in which such obstacles would be resolved;

''(5) the resources needed to implement the performance partnerships under the plan; and

''(6) an implementation strategy complete with recommendations for any necessary legislation.

''(b) SUBMISSION.—Not later than 2 years after the date of enactment of this Act, the plans developed under subsection (a) shall be submitted to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Commerce of the House of Representatives.

''(c) INFORMATION.—As the elements of the plans described in subsection (a) are developed, States are encouraged to provide information to the Secretary on a voluntary basis.

''(d) PARTICIPANTS.—The Secretary shall include among those interested groups that participate in the development of the plan consumers of mental health or substance abuse services, providers, representatives of political divisions of States, and representatives of racial and ethnic groups including Native Americans.''.

(b) AVAILABILITY TO STATES OF GRANT PROGRAMS.—Section 1952 of the Public Health Service Act (42 U.S.C. 300x–62) is amended as follows:

"SEC. 1952. AVAILABILITY TO STATES OF GRANT PAYMENTS.

''Any amounts paid to a State for a fiscal year under section 1911 or 1921 shall be available for obligation and expenditure until the end of the fiscal year following the fiscal year for which the amounts were paid.''.

SEC. 3404. DATA INFRASTRUCTURE PROJECTS.

Part C of title XIX of the Public Health Service Act (42 U.S.C. 300y et seq.) is amended—

(1) by striking the headings for part C and subpart I and inserting the following:

"PART C—CERTAIN PROGRAMS REGARDING MENTAL HEALTH AND SUBSTANCE ABUSE

"Subpart I—Data Infrastructure Development";

(2) by striking section 1971 (42 U.S.C. 300y) and inserting the following:

"SEC. 1971. DATA INFRASTRUCTURE DEVELOPMENT.

''(a) IN GENERAL.—The Secretary may make grants to, and enter into contracts or cooperative agreements with States for the purpose of developing and operating mental health or substance abuse data collection, analysis, and reporting systems with regard to performance measures including capacity, process, and outcomes measures.

''(b) PROJECTS.—The Secretary shall establish criteria to ensure that services will be available under this section to States that have a fundamental basis for the collection, analysis, and reporting of mental health and substance abuse performance measures and States that do not have such basis. The Secretary will establish criteria for determining whether a State has a fundamental basis for the collection, analysis, and reporting of data.

''(c) CONDITION OF RECEIPT OF FUNDS.—As a condition of the receipt of an award under this section a State shall agree to collect, analyze, and report to the Secretary within 2 years of the date of the award on a core set of performance measures to be determined by the Secretary in conjunction with the States.

''(d) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—With respect to the costs of the program to be carried out under subsection (a) by a State, the Secretary may make an award under such subsection only if the applicant agrees to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than 50 percent of such costs.

''(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.

''(e) DURATION OF SUPPORT.—The period during which payments may be made for a project under subsection (a) may be not less than 3 years nor more than 5 years.

''(f) AUTHORIZATION OF APPROPRIATION.—

''(1) IN GENERAL.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001, 2002 and 2003.

''(2) ALLOCATION.—Of the amounts appropriated under paragraph (1) for a fiscal year, 50 percent shall be expended to support data infrastructure development for mental health and 50 percent shall be expended to support data infrastructure development for substance abuse.''.

SEC. 3405. REPEAL OF OBSOLETE ADDICT REFERRAL PROVISIONS.

(a) REPEAL OF OBSOLETE PUBLIC HEALTH SERVICE ACT AUTHORITIES.—Part E of title III (42 U.S.C. 257 et seq.) is repealed.

(b) REPEAL OF OBSOLETE NARA AUTHORITIES.—Titles III and IV of the Narcotic Addict Rehabilitation Act of 1966 (Public Law 89–793) are repealed.

(c) REPEAL OF OBSOLETE TITLE 28 AUTHORITIES.—

(1) IN GENERAL.—Chapter 175 of title 28, United States Code, is repealed.

(2) TABLE OF CONTENTS.—The table of contents to part VI of title 28, United States Code, is amended by striking the items relating to chapter 175.

SEC. 3406. INDIVIDUALS WITH CO-OCCURRING DISORDERS.

The Public Health Service Act is amended by inserting after section 503 (42 U.S.C. 290aa–2) the following:

"SEC. 503A. REPORT ON INDIVIDUALS WITH CO-OCCURRING MENTAL ILLNESS AND SUBSTANCE ABUSE DISORDERS.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Secretary shall, after consultation with organizations representing States, mental health and substance abuse treatment providers, prevention specialists, individuals receiving treatment services, and family members of such individuals, prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Commerce of the House of Representatives, a report on prevention and treatment services for individuals who have co-occurring mental illness and substance abuse disorders.

''(b) REPORT CONTENT.—The report under subsection (a) shall be based on data collected from existing Federal and State surveys regarding the treatment of co-occurring mental illness and substance abuse disorders and shall include—

''(1) a summary of the manner in which individuals with co-occurring disorders are receiving treatment, including the most up-to-date information available regarding the number of children and adults with co-occurring mental illness and substance abuse disorders and the manner in which funds provided under sections 1911 and 1921 are being utilized, including the number of such children and adults served with such funds;

''(2) a summary of improvements necessary to ensure that individuals with co-occurring mental illness and substance abuse disorders receive the services they need;

''(3) a summary of practices for preventing substance abuse among individuals who have a mental illness and are at risk of having or acquiring a substance abuse disorder; and

''(4) a summary of evidenced-based practices for treating individuals with co-occurring mental illness and substance abuse disorders and recommendations for implementing such practices.

''(c) FUNDS FOR REPORT.—The Secretary may obligate funds to carry out this section with such appropriations as are available.''.

SEC. 3407. SERVICES FOR INDIVIDUALS WITH CO-OCCURRING DISORDERS.

Subpart III of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–51 et seq.) (as amended by section 3305) is further amended by adding at the end the following:

"SEC. 1956. SERVICES FOR INDIVIDUALS WITH CO-OCCURRING DISORDERS.

''States may use funds available for treatment under sections 1911 and 1921 to treat persons with co-occurring substance abuse and mental

disorders as long as funds available under such sections are used for the purposes for which they were authorized by law and can be tracked for accounting purposes.''.

TITLE XXXV—WAIVER AUTHORITY FOR PHYSICIANS WHO DISPENSE OR PRESCRIBE CERTAIN NARCOTIC DRUGS FOR MAINTENANCE TREATMENT OR DETOXIFICATION TREATMENT

SEC. 3501. SHORT TITLE.

This title may be cited as the ''Drug Addiction Treatment Act of 2000''.

SEC. 3502. AMENDMENT TO CONTROLLED SUBSTANCES ACT.

(a) IN GENERAL.—Section 303(g) of the Controlled Substances Act (21 U.S.C. 823(g)) is amended—

(1) in paragraph (2), by striking ''(A) security'' and inserting ''(i) security'', and by striking ''(B) the maintenance'' and inserting ''(ii) the maintenance'';

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(3) by inserting ''(1)'' after ''(g)'';

(4) by striking ''Practitioners who dispense'' and inserting ''Except as provided in paragraph (2), practitioners who dispense''; and

(5) by adding at the end the following paragraph:

''(2)(A) Subject to subparagraphs (D) and (J), the requirements of paragraph (1) are waived in the case of the dispensing (including the prescribing), by a practitioner, of narcotic drugs in schedule III, IV, or V or combinations of such drugs if the practitioner meets the conditions specified in subparagraph (B) and the narcotic drugs or combinations of such drugs meet the conditions specified in subparagraph (C).

''(B) For purposes of subparagraph (A), the conditions specified in this subparagraph with respect to a practitioner are that, before the initial dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs to patients for maintenance or detoxification treatment, the practitioner submit to the Secretary a notification of the intent of the practitioner to begin dispensing the drugs or combinations for such purpose, and that the notification contain the following certifications by the practitioner:

''(i) The practitioner is a qualifying physician (as defined in subparagraph (G)).

''(ii) With respect to patients to whom the practitioner will provide such drugs or combinations of drugs, the practitioner has the capacity to refer the patients for appropriate counseling and other appropriate ancillary services.

''(iii) In any case in which the practitioner is not in a group practice, the total number of such patients of the practitioner at any one time will not exceed the applicable number. For purposes of this clause, the applicable number is 30, except that the Secretary may by regulation change such total number.

''(iv) In any case in which the practitioner is in a group practice, the total number of such patients of the group practice at any one time will not exceed the applicable number. For purposes of this clause, the applicable number is 30, except that the Secretary may by regulation change such total number, and the Secretary for such purposes may by regulation establish different categories on the basis of the number of practitioners in a group practice and establish for the various categories different numerical limitations on the number of such patients that the group practice may have.

''(C) For purposes of subparagraph (A), the conditions specified in this subparagraph with respect to narcotic drugs in schedule III, IV, or V or combinations of such drugs are as follows:

''(i) The drugs or combinations of drugs have, under the Federal Food, Drug, and Cosmetic Act or section 351 of the Public Health Service Act, been approved for use in maintenance or detoxification treatment.

''(ii) The drugs or combinations of drugs have not been the subject of an adverse determination. For purposes of this clause, an adverse determination is a determination published in the Federal Register and made by the Secretary, after consultation with the Attorney General, that the use of the drugs or combinations of drugs for maintenance or detoxification treatment requires additional standards respecting the qualifications of practitioners to provide such treatment, or requires standards respecting the quantities of the drugs that may be provided for unsupervised use.

''(D)(i) A waiver under subparagraph (A) with respect to a practitioner is not in effect unless (in addition to conditions under subparagraphs (B) and (C)) the following conditions are met:

''(I) The notification under subparagraph (B) is in writing and states the name of the practitioner.

''(II) The notification identifies the registration issued for the practitioner pursuant to subsection (f).

''(III) If the practitioner is a member of a group practice, the notification states the names of the other practitioners in the practice and identifies the registrations issued for the other practitioners pursuant to subsection (f).

''(ii) Upon receiving a notification under subparagraph (B), the Attorney General shall assign the practitioner involved an identification number under this paragraph for inclusion with the registration issued for the practitioner pursuant to subsection (f). The identification number so assigned shall be appropriate to preserve the confidentiality of patients for whom the practitioner has dispensed narcotic drugs under a waiver under subparagraph (A).

''(iii) Not later than 45 days after the date on which the Secretary receives a notification under subparagraph (B), the Secretary shall make a determination of whether the practitioner involved meets all requirements for a waiver under subparagraph (B). If the Secretary fails to make such determination by the end of the such 45-day period, the Attorney General shall assign the physician an identification number described in clause (ii) at the end of such period.

''(E)(i) If a practitioner is not registered under paragraph (1) and, in violation of the conditions specified in subparagraphs (B) through (D), dispenses narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance treatment or detoxification treatment, the Attorney General may, for purposes of section 304(a)(4), consider the practitioner to have committed an act that renders the registration of the practitioner pursuant to subsection (f) to be inconsistent with the public interest.

''(ii)(I) Upon the expiration of 45 days from the date on which the Secretary receives a notification under subparagraph (B), a practitioner who in good faith submits a notification under subparagraph (B) and reasonably believes that the conditions specified in subparagraphs (B) through (D) have been met shall, in dispensing narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance treatment or detoxification treatment, be considered to have a waiver under subparagraph (A) until notified otherwise by the Secretary, except that such a practitioner may commence to prescribe or dispense such narcotic drugs for such purposes prior to the expiration of such 45-day period if it facilitates the treatment of an individual patient and both the Secretary and the Attorney General are notified by the practitioner of the intent to commence prescribing or dispensing such narcotic drugs.

''(II) For purposes of subclause (I), the publication in the Federal Register of an adverse determination by the Secretary pursuant to subparagraph (C)(ii) shall (with respect to the narcotic drug or combination involved) be considered to be a notification provided by the Secretary to practitioners, effective upon the expiration of the 30-day period beginning on the date on which the adverse determination is so published.

''(F)(i) With respect to the dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs to patients for maintenance or detoxification treatment, a practitioner may, in his or her discretion, dispense such drugs or combinations for such treatment under a registration under paragraph (1) or a waiver under subparagraph (A) (subject to meeting the applicable conditions).

''(ii) This paragraph may not be construed as having any legal effect on the conditions for obtaining a registration under paragraph (1), including with respect to the number of patients who may be served under such a registration.

''(G) For purposes of this paragraph:

''(i) The term 'group practice' has the meaning given such term in section 1877(h)(4) of the Social Security Act.

''(ii) The term 'qualifying physician' means a physician who is licensed under State law and who meets one or more of the following conditions:

''(I) The physician holds a subspecialty board certification in addiction psychiatry from the American Board of Medical Specialties.

''(II) The physician holds an addiction certification from the American Society of Addiction Medicine.

''(III) The physician holds a subspecialty board certification in addiction medicine from the American Osteopathic Association.

''(IV) The physician has, with respect to the treatment and management of opiate-dependent patients, completed not less than eight hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) that is provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, or any other organization that the Secretary determines is appropriate for purposes of this subclause.

''(V) The physician has participated as an investigator in one or more clinical trials leading to the approval of a narcotic drug in schedule III, IV, or V for maintenance or detoxification treatment, as demonstrated by a statement submitted to the Secretary by the sponsor of such approved drug.

''(VI) The physician has such other training or experience as the State medical licensing board (of the State in which the physician will provide maintenance or detoxification treatment) considers to demonstrate the ability of the physician to treat and manage opiate-dependent patients.

''(VII) The physician has such other training or experience as the Secretary considers to demonstrate the ability of the physician to treat and manage opiate-dependent patients. Any criteria of the Secretary under this subclause shall be established by regulation. Any such criteria are effective only for 3 years after the date on which the criteria are promulgated, but may be extended for such additional discrete 3-year periods as the Secretary considers appropriate for purposes of this subclause. Such an extension of criteria may only be effectuated through a statement published in the Federal Register by the Secretary during the 30-day period preceding the end of the 3-year period involved.

''(H)(i) In consultation with the Administrator of the Drug Enforcement Administration, the Administrator of the Substance Abuse and Mental Health Services Administration, the Director of the National Institute on Drug Abuse, and the Commissioner of Food and Drugs, the Secretary shall issue regulations (through notice and comment rulemaking) or issue practice guidelines to address the following:

''(I) Approval of additional credentialing bodies and the responsibilities of additional credentialing bodies.

''(II) Additional exemptions from the requirements of this paragraph and any regulations under this paragraph.

Nothing in such regulations or practice guidelines may authorize any Federal official or em-

ployee to exercise supervision or control over the practice of medicine or the manner in which medical services are provided.

''(ii) Not later than 120 days after the date of the enactment of the Drug Addiction Treatment Act of 2000, the Secretary shall issue a treatment improvement protocol containing best practice guidelines for the treatment and maintenance of opiate-dependent patients. The Secretary shall develop the protocol in consultation with the Director of the National Institute on Drug Abuse, the Administrator of the Drug Enforcement Administration, the Commissioner of Food and Drugs, the Administrator of the Substance Abuse and Mental Health Services Administration and other substance abuse disorder professionals. The protocol shall be guided by science.

''(I) During the 3-year period beginning on the date of the enactment of the Drug Addiction Treatment Act of 2000, a State may not preclude a practitioner from dispensing or prescribing drugs in schedule III, IV, or V, or combinations of such drugs, to patients for maintenance or detoxification treatment in accordance with this paragraph unless, before the expiration of that 3-year period, the State enacts a law prohibiting a practitioner from dispensing such drugs or combinations of drug.

''(J)(i) This paragraph takes effect on the date of the enactment of the Drug Addiction Treatment Act of 2000, and remains in effect thereafter except as provided in clause (iii) (relating to a decision by the Secretary or the Attorney General that this paragraph should not remain in effect).

''(ii) For purposes relating to clause (iii), the Secretary and the Attorney General may, during the 3-year period beginning on the date of the enactment of the Drug Addiction Treatment Act of 2000, make determinations in accordance with the following:

''(I) The Secretary may make a determination of whether treatments provided under waivers under subparagraph (A) have been effective forms of maintenance treatment and detoxification treatment in clinical settings; may make a determination of whether such waivers have significantly increased (relative to the beginning of such period) the availability of maintenance treatment and detoxification treatment; and may make a determination of whether such waivers have adverse consequences for the public health.

''(II) The Attorney General may make a determination of the extent to which there have been violations of the numerical limitations established under subparagraph (B) for the number of individuals to whom a practitioner may provide treatment; may make a determination of whether waivers under subparagraph (A) have increased (relative to the beginning of such period) the extent to which narcotic drugs in schedule III, IV, or V or combinations of such drugs are being dispensed or possessed in violation of this Act; and may make a determination of whether such waivers have adverse consequences for the public health.

''(iii) If, before the expiration of the period specified in clause (ii), the Secretary or the Attorney General publishes in the Federal Register a decision, made on the basis of determinations under such clause, that this paragraph should not remain in effect, this paragraph ceases to be in effect 60 days after the date on which the decision is so published. The Secretary shall in making any such decision consult with the Attorney General, and shall in publishing the decision in the Federal Register include any comments received from the Attorney General for inclusion in the publication. The Attorney General shall in making any such decision consult with the Secretary, and shall in publishing the decision in the Federal Register include any comments received from the Secretary for inclusion in the publication.''.

(b) CONFORMING AMENDMENTS.—Section 304 of the Controlled Substances Act (21 U.S.C. 824) is amended—

(1) in subsection (a), in the matter after and below paragraph (5), by striking ''section 303(g)'' each place such term appears and inserting ''section 303(g)(1)''; and

(2) in subsection (d), by striking ''section 303(g)'' and inserting ''section 303(g)(1)''.

(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—For the purpose of assisting the Secretary of Health and Human Services with the additional duties established for the Secretary pursuant to the amendments made by this section, there are authorized to be appropriated, in addition to other authorizations of appropriations that are available for such purpose, such sums as may be necessary for each of fiscal years 2001 through 2003.

TITLE XXXVI—METHAMPHETAMINE AND OTHER CONTROLLED SUBSTANCES

SEC. 3601. SHORT TITLE.

This title may be cited as the ''Methamphetamine Anti-Proliferation Act of 2000''.

Subtitle A—Methamphetamine Production, Trafficking, and Abuse

PART I—CRIMINAL PENALTIES

SEC. 3611. ENHANCED PUNISHMENT OF AMPHETAMINE LABORATORY OPERATORS.

(a) AMENDMENT TO FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines in accordance with this section with respect to any offense relating to the manufacture, importation, exportation, or trafficking in amphetamine (including an attempt or conspiracy to do any of the foregoing) in violation of—

(1) the Controlled Substances Act (21 U.S.C. 801 et seq.);

(2) the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.); or

(3) the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.).

(b) GENERAL REQUIREMENT.—In carrying out this section, the United States Sentencing Commission shall, with respect to each offense described in subsection (a) relating to amphetamine—

(1) review and amend its guidelines to provide for increased penalties such that those penalties are comparable to the base offense level for methamphetamine; and

(2) take any other action the Commission considers necessary to carry out this subsection.

(c) ADDITIONAL REQUIREMENTS.—In carrying out this section, the United States Sentencing Commission shall ensure that the sentencing guidelines for offenders convicted of offenses described in subsection (a) reflect the heinous nature of such offenses, the need for aggressive law enforcement action to fight such offenses, and the extreme dangers associated with unlawful activity involving amphetamines, including—

(1) the rapidly growing incidence of amphetamine abuse and the threat to public safety that such abuse poses;

(2) the high risk of amphetamine addiction;

(3) the increased risk of violence associated with amphetamine trafficking and abuse; and

(4) the recent increase in the illegal importation of amphetamine and precursor chemicals.

(d) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Commission shall promulgate amendments pursuant to this section as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.

SEC. 3612. ENHANCED PUNISHMENT OF AMPHETAMINE OR METHAMPHETAMINE LABORATORY OPERATORS.

(a) FEDERAL SENTENCING GUIDELINES.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines in accordance with paragraph (2) with respect to any offense relating to the manufacture, attempt to manufacture, or conspiracy to manufacture amphetamine or methamphetamine in violation of—

(A) the Controlled Substances Act (21 U.S.C. 801 et seq.);

(B) the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.); or

(C) the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.).

(2) REQUIREMENTS.—In carrying out this paragraph, the United States Sentencing Commission shall—

(A) if the offense created a substantial risk of harm to human life (other than a life described in subparagraph (B)) or the environment, increase the base offense level for the offense—

(i) by not less than 3 offense levels above the applicable level in effect on the date of enactment of this Act; or

(ii) if the resulting base offense level after an increase under clause (i) would be less than level 27, to not less than level 27; or

(B) if the offense created a substantial risk of harm to the life of a minor or incompetent, increase the base offense level for the offense—

(i) by not less than 6 offense levels above the applicable level in effect on the date of enactment of this Act; or

(ii) if the resulting base offense level after an increase under clause (i) would be less than level 30, to not less than level 30.

(3) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Commission shall promulgate amendments pursuant to this subsection as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.

(b) EFFECTIVE DATE.—The amendments made pursuant to this section shall apply with respect to any offense occurring on or after the date that is 60 days after the date of enactment of this Act.

SEC. 3613. MANDATORY RESTITUTION FOR VIOLATIONS OF CONTROLLED SUBSTANCES ACT AND CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT RELATING TO AMPHETAMINE AND METHAMPHETAMINE.

(a) MANDATORY RESTITUTION.—Section 413(q) of the Controlled Substances Act (21 U.S.C. 853(q)) is amended—

(1) in the matter preceding paragraph (1), by striking ''may'' and inserting ''shall'';

(2) by inserting ''amphetamine or'' before ''methamphetamine'' each place it appears;

(3) in paragraph (2)—

(A) by inserting '', the State or local government concerned, or both the United States and the State or local government concerned'' after ''United States'' the first place it appears; and

(B) by inserting ''or the State or local government concerned, as the case may be,'' after ''United States'' the second place it appears; and

(4) in paragraph (3), by striking ''section 3663 of title 18, United States Code'' and inserting ''section 3663A of title 18, United States Code''.

(b) DEPOSIT OF AMOUNTS IN DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.—Section 524(c)(4) of title 28, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

(3) by adding at the end the following:

''(D) all amounts collected—

''(i) by the United States pursuant to a reimbursement order under paragraph (2) of section 413(q) of the Controlled Substances Act (21 U.S.C. 853(q)); and

''(ii) pursuant to a restitution order under paragraph (1) or (3) of section 413(q) of the Controlled Substances Act for injuries to the United States.''.

(c) CLARIFICATION OF CERTAIN ORDERS OF RESTITUTION.—Section 3663(c)(2)(B) of title 18, United States Code, is amended by inserting ''which may be'' after ''the fine''.

(d) EXPANSION OF APPLICABILITY OF MANDATORY RESTITUTION.—Section 3663A(c)(1)(A)(ii) of title 18, United States Code, is amended by inserting ''or under section 416(a) of the Controlled Substances Act (21 U.S.C. 856(a)),'' after ''under this title,''.

(e) TREATMENT OF ILLICIT SUBSTANCE MANUFACTURING OPERATIONS AS CRIMES AGAINST PROPERTY.—Section 416 of the Controlled Substances Act (21 U.S.C. 856) is amended by adding at the end the following new subsection:

''(c) A violation of subsection (a) shall be considered an offense against property for purposes of section 3663A(c)(1)(A)(ii) of title 18, United States Code.''.

SEC. 3614. METHAMPHETAMINE PARAPHERNALIA.

Section 422(d) of the Controlled Substances Act (21 U.S.C. 863(d)) is amended in the matter preceding paragraph (1) by inserting ''methamphetamine,'' after ''PCP,''.

PART II—ENHANCED LAW ENFORCEMENT

SEC. 3621. ENVIRONMENTAL HAZARDS ASSOCIATED WITH ILLEGAL MANUFACTURE OF AMPHETAMINE AND METHAMPHETAMINE.

(a) USE OF AMOUNTS OR DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.—Section 524(c)(1)(E) of title 28, United States Code, is amended—

(1) by inserting ''(i) for'' before ''disbursements'';

(2) by inserting ''and'' after the semicolon; and

(3) by adding at the end the following:

''(ii) for payment for—

''(I) costs incurred by or on behalf of the Department of Justice in connection with the removal, for purposes of Federal forfeiture and disposition, of any hazardous substance or pollutant or contaminant associated with the illegal manufacture of amphetamine or methamphetamine; and

''(II) costs incurred by or on behalf of a State or local government in connection with such removal in any case in which such State or local government has assisted in a Federal prosecution relating to amphetamine or methamphetamine, to the extent such costs exceed equitable sharing payments made to such State or local government in such case;''.

(b) GRANTS UNDER DRUG CONTROL AND SYSTEM IMPROVEMENT GRANT PROGRAM.—Section 501(b)(3) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(b)(3)) is amended by inserting before the semicolon the following: ''and to remove any hazardous substance or pollutant or contaminant associated with the illegal manufacture of amphetamine or methamphetamine''.

(c) AMOUNTS SUPPLEMENT AND NOT SUPPLANT.—

(1) ASSETS FORFEITURE FUND.—Any amounts made available from the Department of Justice Assets Forfeiture Fund in a fiscal year by reason of the amendment made by subsection (a) shall supplement, and not supplant, any other amounts made available to the Department of Justice in such fiscal year from other sources for payment of costs described in section 524(c)(1)(E)(ii) of title 28, United States Code, as so amended.

(2) GRANT PROGRAM.—Any amounts made available in a fiscal year under the grant program under section 501(b)(3) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(b)(3)) for the removal of hazardous substances or pollutants or contaminants associated with the illegal manufacture of amphetamine or methamphetamine by reason of the amendment made by subsection (b) shall supplement, and not supplant, any other amounts made available in such fiscal year from other sources for such removal.

SEC. 3622. REDUCTION IN RETAIL SALES TRANSACTION THRESHOLD FOR NON-SAFE HARBOR PRODUCTS CONTAINING PSEUDOEPHEDRINE OR PHENYLPROPANOLAMINE.

(a) REDUCTION IN TRANSACTION THRESHOLD.—Section 102(39)(A)(iv)(II) of the Controlled Substances Act (21 U.S.C. 802(39)(A)(iv)(II)) is amended—

(1) by striking ''24 grams'' both places it appears and inserting ''9 grams''; and

(2) by inserting before the semicolon at the end the following: ''and sold in package sizes of not more than 3 grams of pseudoephedrine base or 3 grams of phenylpropanolamine base''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 1 year after the date of enactment of this Act.

SEC. 3623. TRAINING FOR DRUG ENFORCEMENT ADMINISTRATION AND STATE AND LOCAL LAW ENFORCEMENT PERSONNEL RELATING TO CLANDESTINE LABORATORIES.

(a) IN GENERAL.—

(1) REQUIREMENT.—The Administrator of the Drug Enforcement Administration shall carry out the programs described in subsection (b) with respect to the law enforcement personnel of States and localities determined by the Administrator to have significant levels of methamphetamine-related or amphetamine-related crime or projected by the Administrator to have the potential for such levels of crime in the future.

(2) DURATION.—The duration of any program under that subsection may not exceed 3 years.

(b) COVERED PROGRAMS.—The programs described in this subsection are as follows:

(1) ADVANCED MOBILE CLANDESTINE LABORATORY TRAINING TEAMS.—A program of advanced mobile clandestine laboratory training teams, which shall provide information and training to State and local law enforcement personnel in techniques utilized in conducting undercover investigations and conspiracy cases, and other information designed to assist in the investigation of the illegal manufacturing and trafficking of amphetamine and methamphetamine.

(2) BASIC CLANDESTINE LABORATORY CERTIFICATION TRAINING.—A program of basic clandestine laboratory certification training, which shall provide information and training—

(A) to Drug Enforcement Administration personnel and State and local law enforcement personnel for purposes of enabling such personnel to meet any certification requirements under law with respect to the handling of wastes created by illegal amphetamine and methamphetamine laboratories; and

(B) to State and local law enforcement personnel for purposes of enabling such personnel to provide the information and training covered by subparagraph (A) to other State and local law enforcement personnel.

(3) CLANDESTINE LABORATORY RECERTIFICATION AND AWARENESS TRAINING.—A program of clandestine laboratory recertification and awareness training, which shall provide information and training to State and local law enforcement personnel for purposes of enabling such personnel to provide recertification and awareness training relating to clandestine laboratories to additional State and local law enforcement personnel.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2000, 2001, and 2002 amounts as follows:

(1) $1,500,000 to carry out the program described in subsection (b)(1).

(2) $3,000,000 to carry out the program described in subsection (b)(2).

(3) $1,000,000 to carry out the program described in subsection (b)(3).

SEC. 3624. COMBATING METHAMPHETAMINE AND AMPHETAMINE IN HIGH INTENSITY DRUG TRAFFICKING AREAS.

(a) IN GENERAL.—

(1) IN GENERAL.—The Director of National Drug Control Policy shall use amounts available under this section to combat the trafficking of methamphetamine and amphetamine in areas designated by the Director as high intensity drug trafficking areas.

(2) ACTIVITIES.—In meeting the requirement in paragraph (1), the Director shall transfer funds to appropriate Federal, State, and local governmental agencies for employing additional Federal law enforcement personnel, or facilitating the employment of additional State and local law enforcement personnel, including agents, investigators, prosecutors, laboratory technicians, chemists, investigative assistants, and drug-prevention specialists.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

(1) $15,000,000 for fiscal year 2000; and

(2) such sums as may be necessary for each of fiscal years 2001 through 2004.

(c) APPORTIONMENT OF FUNDS.—

(1) FACTORS IN APPORTIONMENT.—The Director shall apportion amounts appropriated for a fiscal year pursuant to the authorization of appropriations in subsection (b) for activities under subsection (a) among and within areas designated by the Director as high intensity drug trafficking areas based on the following factors:

(A) The number of methamphetamine manufacturing facilities and amphetamine manufacturing facilities discovered by Federal, State, or local law enforcement officials in the previous fiscal year.

(B) The number of methamphetamine prosecutions and amphetamine prosecutions in Federal, State, or local courts in the previous fiscal year.

(C) The number of methamphetamine arrests and amphetamine arrests by Federal, State, or local law enforcement officials in the previous fiscal year.

(D) The amounts of methamphetamine, amphetamine, or listed chemicals (as that term is defined in section 102(33) of the Controlled Substances Act (21 U.S.C. 802(33)) seized by Federal, State, or local law enforcement officials in the previous fiscal year.

(E) Intelligence and predictive data from the Drug Enforcement Administration and the Department of Health and Human Services showing patterns and trends in abuse, trafficking, and transportation in methamphetamine, amphetamine, and listed chemicals (as that term is so defined).

(2) CERTIFICATION.—Before the Director apportions any funds under this subsection to a high intensity drug trafficking area, the Director shall certify that the law enforcement entities responsible for clandestine methamphetamine and amphetamine laboratory seizures in that area are providing laboratory seizure data to the national clandestine laboratory database at the El Paso Intelligence Center.

(d) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 5 percent of the amount appropriated in a fiscal year pursuant to the authorization of appropriations for that fiscal year in subsection (b) may be available in that fiscal year for administrative costs associated with activities under subsection (a).

SEC. 3625. COMBATING AMPHETAMINE AND METHAMPHETAMINE MANUFACTURING AND TRAFFICKING.

(a) ACTIVITIES.—In order to combat the illegal manufacturing and trafficking in amphetamine and methamphetamine, the Administrator of the Drug Enforcement Administration may—

(1) assist State and local law enforcement in small and mid-sized communities in all phases of investigations related to such manufacturing and trafficking, including assistance with foreign-language interpretation;

(2) staff additional regional enforcement and mobile enforcement teams related to such manufacturing and trafficking;

(3) establish additional resident offices and posts of duty to assist State and local law enforcement in rural areas in combating such manufacturing and trafficking;

(4) provide the Special Operations Division of the Administration with additional agents and staff to collect, evaluate, interpret, and disseminate critical intelligence targeting the command and control operations of major amphetamine and methamphetamine manufacturing and trafficking organizations;

(5) enhance the investigative and related functions of the Chemical Control Program of the Administration to implement more fully the provisions of the Comprehensive Methamphetamine Control Act of 1996 (Public Law 104–237);

(6) design an effective means of requiring an accurate accounting of the import and export of list I chemicals, and coordinate investigations relating to the diversion of such chemicals;

(7) develop a computer infrastructure sufficient to receive, process, analyze, and redistribute time-sensitive enforcement information from suspicious order reporting to field offices of the Administration and other law enforcement and regulatory agencies, including the continuing development of the Suspicious Order Reporting and Tracking System (SORTS) and the Chemical Transaction Database (CTRANS) of the Administration;

(8) establish an education, training, and communication process in order to alert the industry to current trends and emerging patterns in the illegal manufacturing of amphetamine and methamphetamine; and

(9) carry out such other activities as the Administrator considers appropriate.

(b) ADDITIONAL POSITIONS AND PERSONNEL.—

(1) IN GENERAL.—In carrying out activities under subsection (a), the Administrator may establish in the Administration not more than 50 full-time positions, including not more than 31 special-agent positions, and may appoint personnel to such positions.

(2) PARTICULAR POSITIONS.—In carrying out activities under paragraphs (5) through (8) of subsection (a), the Administrator may establish in the Administration not more than 15 full-time positions, including not more than 10 diversion investigator positions, and may appoint personnel to such positions. Any positions established under this paragraph are in addition to any positions established under paragraph (1).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Drug Enforcement Administration for each fiscal year after fiscal year 1999, $9,500,000 for purposes of carrying out the activities authorized by subsection (a) and employing personnel in positions established under subsection (b), of which $3,000,000 shall be available for activities under paragraphs (5) through (8) of subsection (a) and for employing personnel in positions established under subsection (b)(2).

PART III—ABUSE PREVENTION AND TREATMENT

SEC. 3631. EXPANSION OF METHAMPHETAMINE RESEARCH.

Section 464N of the Public Health Service Act (42 U.S.C. 285o–2) is amended by adding at the end the following:

''(c) METHAMPHETAMINE RESEARCH.—

''(1) GRANTS OR COOPERATIVE AGREEMENTS.—The Director of the Institute may make grants or enter into cooperative agreements to expand the current and on-going interdisciplinary research and clinical trials with treatment centers of the National Drug Abuse Treatment Clinical Trials Network relating to methamphetamine abuse and addiction and other biomedical, behavioral, and social issues related to methamphetamine abuse and addiction.

''(2) USE OF FUNDS.—Amounts made available under a grant or cooperative agreement under paragraph (1) for methamphetamine abuse and addiction may be used for research and clinical trials relating to—

''(A) the effects of methamphetamine abuse on the human body, including the brain;

''(B) the addictive nature of methamphetamine and how such effects differ with respect to different individuals;

''(C) the connection between methamphetamine abuse and mental health;

''(D) the identification and evaluation of the most effective methods of prevention of methamphetamine abuse and addiction;

''(E) the identification and development of the most effective methods of treatment of methamphetamine addiction, including pharmacological treatments;

''(F) risk factors for methamphetamine abuse;

''(G) effects of methamphetamine abuse and addiction on pregnant women and their fetuses; and

''(H) cultural, social, behavioral, neurological and psychological reasons that individuals abuse methamphetamine, or refrain from abusing methamphetamine.

''(3) RESEARCH RESULTS.—The Director shall promptly disseminate research results under this subsection to Federal, State and local entities involved in combating methamphetamine abuse and addiction.

''(4) AUTHORIZATION OF APPROPRIATIONS.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1), such sums as may be necessary for each fiscal year.

''(B) SUPPLEMENT NOT SUPPLANT.—Amounts appropriated pursuant to the authorization of appropriations in subparagraph (A) for a fiscal year shall supplement and not supplant any other amounts appropriated in such fiscal year for research on methamphetamine abuse and addiction.''.

SEC. 3632. METHAMPHETAMINE AND AMPHETAMINE TREATMENT INITIATIVE BY CENTER FOR SUBSTANCE ABUSE TREATMENT.

Subpart 1 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb et seq.) is amended by adding at the end the following new section:

''METHAMPHETAMINE AND AMPHETAMINE TREATMENT INITIATIVE

''SEC. 514. (a) GRANTS.—

''(1) AUTHORITY TO MAKE GRANTS.—The Director of the Center for Substance Abuse Treatment may make grants to States and Indian tribes recognized by the United States that have a high rate, or have had a rapid increase, in methamphetamine or amphetamine abuse or addiction in order to permit such States and Indian tribes to expand activities in connection with the treatment of methamphetamine or amphetamine abuser or addiction in the specific geographical areas of such States or Indian tribes, as the case may be, where there is such a rate or has been such an increase.

''(2) RECIPIENTS.—Any grants under paragraph (1) shall be directed to the substance abuse directors of the States, and of the appropriate tribal government authorities of the Indian tribes, selected by the Director to receive such grants.

''(3) NATURE OF ACTIVITIES.—Any activities under a grant under paragraph (1) shall be based on reliable scientific evidence of their efficacy in the treatment of methamphetamine or amphetamine abuse or addiction.

''(b) GEOGRAPHIC DISTRIBUTION.—The Director shall ensure that grants under subsection (a) are distributed equitably among the various regions of the country and among rural, urban, and suburban areas that are affected by methamphetamine or amphetamine abuse or addiction.

''(c) ADDITIONAL ACTIVITIES.—The Director shall—

''(1) evaluate the activities supported by grants under subsection (a);

''(2) disseminate widely such significant information derived from the evaluation as the Director considers appropriate to assist States, Indian tribes, and private providers of treatment services for methamphetamine or amphetamine abuser or addiction in the treatment of methamphetamine or amphetamine abuse or addiction; and

''(3) provide States, Indian tribes, and such providers with technical assistance in connection with the provision of such treatment.

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2000 and such sums as may be necessary for each of fiscal years 2001 and 2002.

''(2) USE OF CERTAIN FUNDS.—Of the funds appropriated to carry out this section in any fiscal year, the lesser of 5 percent of such funds or $1,000,000 shall be available to the Director for purposes of carrying out subsection (c).''.

SEC. 3633. STUDY OF METHAMPHETAMINE TREATMENT.

(a) STUDY.—

(1) REQUIREMENT.—The Secretary of Health and Human Services shall, in consultation with the Institute of Medicine of the National Academy of Sciences, conduct a study on the development of medications for the treatment of addiction to amphetamine and methamphetamine.

(2) REPORT.—Not later than 9 months after the date of enactment of this Act, the Secretary shall submit to the Committees on the Judiciary of the Senate and House of Representatives a report on the results of the study conducted under paragraph (1).

(b) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated for the Department of Health and Human Services for fiscal year 2000 such sums as may be necessary to meet the requirements of subsection (a).

PART IV—REPORTS

SEC. 3641. REPORTS ON CONSUMPTION OF METHAMPHETAMINE AND OTHER ILLICIT DRUGS IN RURAL AREAS, METROPOLITAN AREAS, AND CONSOLIDATED METROPOLITAN AREAS.

The Secretary of Health and Human Services shall include in each National Household Survey on Drug Abuse appropriate prevalence data and information on the consumption of methamphetamine and other illicit drugs in rural areas, metropolitan areas, and consolidated metropolitan areas.

SEC. 3642. REPORT ON DIVERSION OF ORDINARY, OVER-THE-COUNTER PSEUDOEPHEDRINE AND PHENYLPROPANOLAMINE PRODUCTS.

(a) STUDY.—The Attorney General shall conduct a study of the use of ordinary, over-the-counter pseudoephedrine and phenylpropanolamine products in the clandestine production of illicit drugs. Sources of data for the study shall include the following:

(1) Information from Federal, State, and local clandestine laboratory seizures and related investigations identifying the source, type, or brand of drug products being utilized and how they were obtained for the illicit production of methamphetamine and amphetamine.

(2) Information submitted voluntarily from the pharmaceutical and retail industries involved in the manufacture, distribution, and sale of drug products containing ephedrine, pseudoephedrine, and phenylpropanolamine, including information on changes in the pattern, volume, or both, of sales of ordinary, over-the-counter pseudoephedrine and phenylpropanolamine products.

(b) REPORT.—

(1) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the study conducted under subsection (a).

(2) ELEMENTS.—The report shall include—

(A) the findings of the Attorney General as a result of the study; and

(B) such recommendations on the need to establish additional measures to prevent diversion of ordinary, over-the-counter pseudoephedrine and phenylpropanolamine (such as a threshold on ordinary, over-the-counter pseudoephedrine and phenylpropanolamine products) as the Attorney General considers appropriate.

(3) MATTERS CONSIDERED.—In preparing the report, the Attorney General shall consider the

comments and recommendations including the comments on the Attorney General's proposed findings and recommendations, of State and local law enforcement and regulatory officials and of representatives of the industry described in subsection (a)(2).

(c) REGULATION OF RETAIL SALES.—

(1) IN GENERAL.—Notwithstanding section 401(d) of the Comprehensive Methamphetamine Control Act of 1996 (21 U.S.C. 802 note) and subject to paragraph (2), the Attorney General shall establish by regulation a single-transaction limit of not less than 24 grams of ordinary, over-the-counter pseudoephedrine or phenylpropanolamine (as the case may be) for retail distributors, if the Attorney General finds, in the report under subsection (b), that—

(A) there is a significant number of instances (as set forth in paragraph (3)(A) of such section 401(d) for purposes of such section) where ordinary, over-the-counter pseudoephedrine products, phenylpropanolamine products, or both such products that were purchased from retail distributors were widely used in the clandestine production of illicit drugs; and

(B) the best practical method of preventing such use is the establishment of single-transaction limits for retail distributors of either or both of such products.

(2) DUE PROCESS.—The Attorney General shall establish the single-transaction limit under paragraph (1) only after notice, comment, and an informal hearing.

Subtitle B—Controlled Substances Generally

SEC. 3651. ENHANCED PUNISHMENT FOR TRAFFICKING IN LIST I CHEMICALS.

(a) AMENDMENTS TO FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines in accordance with this section with respect to any violation of paragraph (1) or (2) of section 401(d) of the Controlled Substances Act (21 U.S.C. 841(d)) involving a list I chemical and any violation of paragraph (1) or (3) of section 1010(d) of the Controlled Substance Import and Export Act (21 U.S.C. 960(d)) involving a list I chemical.

(b) EPHEDRINE, PHENYLPROPANOLAMINE, AND PSEUDOEPHEDRINE.—

(1) IN GENERAL.—In carrying this section, the United States Sentencing Commission shall, with respect to each offense described in subsection (a) involving ephedrine, phenylpropanolamine, or pseudoephedrine (including their salts, optical isomers, and salts of optical isomers), review and amend its guidelines to provide for increased penalties such that those penalties corresponded to the quantity of controlled substance that could reasonably have been manufactured using the quantity of ephedrine, phenylpropanolamine, or pseudoephedrine possessed or distributed.

(2) CONVERSION RATIOS.—For the purposes of the amendments made by this subsection, the quantity of controlled substance that could reasonably have been manufactured shall be determined by using a table of manufacturing conversion ratios for ephedrine, phenylpropanolamine, and pseudoephedrine, which table shall be established by the Sentencing Commission based on scientific, law enforcement, and other data the Sentencing Commission considers appropriate.

(c) OTHER LIST I CHEMICALS.—In carrying this section, the United States Sentencing Commission shall, with respect to each offense described in subsection (a) involving any list I chemical other than ephedrine, phenylpropanolamine, or pseudoephedrine, review and amend its guidelines to provide for increased penalties such that those penalties reflect the dangerous nature of such offenses, the need for aggressive law enforcement action to fight such offenses, and the extreme dangers associated with unlawful activity involving methamphetamine and amphetamine, including—

(1) the rapidly growing incidence of controlled substance manufacturing;

(2) the extreme danger inherent in manufacturing controlled substances;

(3) the threat to public safety posed by manufacturing controlled substances; and

(4) the recent increase in the importation, possession, and distribution of list I chemicals for the purpose of manufacturing controlled substances.

(d) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Commission shall promulgate amendments pursuant to this section as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.

SEC. 3652. MAIL ORDER REQUIREMENTS.

Section 310(b)(3) of the Controlled Substances Act (21 U.S.C. 830(b)(3)) is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(2) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

''(A) As used in this paragraph:

''(i) The term 'drug product' means an active ingredient in dosage form that has been approved or otherwise may be lawfully marketed under the Food, Drug, and Cosmetic Act for distribution in the United States.

''(ii) The term 'valid prescription' means a prescription which is issued for a legitimate medical purpose by an individual practitioner licensed by law to administer and prescribe the drugs concerned and acting in the usual course of the practitioner's professional practice.'';

(3) in subparagraph (B), as so redesignated, by inserting ''or who engages in an export transaction'' after ''nonregulated person''; and

(4) adding at the end the following:

''(D) Except as provided in subparagraph (E), the following distributions to a nonregulated person, and the following export transactions, shall not be subject to the reporting requirement in subparagraph (B):

''(i) Distributions of sample packages of drug products when such packages contain not more than 2 solid dosage units or the equivalent of 2 dosage units in liquid form, not to exceed 10 milliliters of liquid per package, and not more than one package is distributed to an individual or residential address in any 30-day period.

''(ii) Distributions of drug products by retail distributors that may not include face-to-face transactions to the extent that such distributions are consistent with the activities authorized for a retail distributor as specified in section 102(46).

''(iii) Distributions of drug products to a resident of a long term care facility (as that term is defined in regulations prescribed by the Attorney General) or distributions of drug products to a long term care facility for dispensing to or for use by a resident of that facility.

''(iv) Distributions of drug products pursuant to a valid prescription.

''(v) Exports which have been reported to the Attorney General pursuant to section 1004 or 1018 or which are subject to a waiver granted under section 1018(e)(2).

''(vi) Any quantity, method, or type of distribution or any quantity, method, or type of distribution of a specific listed chemical (including specific formulations or drug products) or of a group of listed chemicals (including specific formulations or drug products) which the Attorney General has excluded by regulation from such reporting requirement on the basis that such reporting is not necessary for the enforcement of this title or title III.

''(E) The Attorney General may revoke any or all of the exemptions listed in subparagraph (D) for an individual regulated person if he finds that drug products distributed by the regulated person are being used in violation of this title or title III. The regulated person shall be notified of the revocation, which will be effective upon receipt by the person of such notice, as provided in section 1018(c)(1), and shall have the right to an expedited hearing as provided in section 1018(c)(2).''.

SEC. 3653. THEFT AND TRANSPORTATION OF ANHYDROUS AMMONIA FOR PURPOSES OF ILLICIT PRODUCTION OF CONTROLLED SUBSTANCES.

(a) IN GENERAL.—Part D of the Controlled Substances Act (21 U.S.C. 841 et seq.) is amended by adding at the end the following:

''ANHYDROUS AMMONIA

''SEC. 423. (a) It is unlawful for any person—

''(1) to steal anhydrous ammonia, or

''(2) to transport stolen anhydrous ammonia across State lines,

knowing, intending, or having reasonable cause to believe that such anhydrous ammonia will be used to manufacture a controlled substance in violation of this part.

''(b) Any person who violates subsection (a) shall be imprisoned or fined, or both, in accordance with section 403(d) as if such violation were a violation of a provision of section 403.''.

(b) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 421 the following new items:

''Sec. 422. Drug paraphernalia.

''Sec. 423. Anhydrous ammonia.''.

(c) ASSISTANCE FOR CERTAIN RESEARCH.—

(1) AGREEMENT.—The Administrator of the Drug Enforcement Administration shall seek to enter into an agreement with Iowa State University in order to permit the University to continue and expand its current research into the development of inert agents that, when added to anhydrous ammonia, eliminate the usefulness of anhydrous ammonia as an ingredient in the production of methamphetamine.

(2) REIMBURSABLE PROVISION OF FUNDS.—The agreement under paragraph (1) may provide for the provision to Iowa State University, on a reimbursable basis, of $500,000 for purposes the activities specified in that paragraph.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for the Drug Enforcement Administration for fiscal year 2000, $500,000 for purposes of carrying out the agreement under this subsection.

Subtitle C—Ecstasy Anti-Proliferation Act of 2000

SEC. 3661. SHORT TITLE.

This subtitle may be cited as the ''Ecstasy Anti-Proliferation Act of 2000''.

SEC. 3662. FINDINGS.

Congress makes the following findings:

(1) The illegal importation of 3,4-methylenedioxy methamphetamine, commonly referred to as ''MDMA'' or ''Ecstasy'' (referred to in this subtitle as ''Ecstasy''), has increased in recent years, as evidenced by the fact that Ecstasy seizures by the United States Customs Service have increased from less than 500,000 tablets during fiscal year 1997 to more than 9,000,000 tablets during the first 9 months of fiscal year 2000.

(2) Use of Ecstasy can cause long-lasting, and perhaps permanent, damage to the serotonin system of the brain, which is fundamental to the integration of information and emotion, and this damage can cause long-term problems with learning and memory.

(3) Due to the popularity and marketability of Ecstasy, there are numerous Internet websites with information on the effects of Ecstasy, the production of Ecstasy, and the locations of Ecstasy use (often referred to as ''raves''). The availability of this information targets the primary users of Ecstasy, who are most often college students, young professionals, and other young people from middle- to high-income families.

(4) Greater emphasis needs to be placed on—

(A) penalties associated with the manufacture, distribution, and use of Ecstasy;

(B) the education of young people on the negative health effects of Ecstasy, since the reputation of Ecstasy as a ''safe'' drug is the most dangerous component of Ecstasy;

(C) the education of State and local law enforcement agencies regarding the growing problem of Ecstasy trafficking across the United States;

(D) reducing the number of deaths caused by Ecstasy use and the combined use of Ecstasy with other ''club'' drugs and alcohol; and

(E) adequate funding for research by the National Institute on Drug Abuse to—

(i) identify those most vulnerable to using Ecstasy and develop science-based prevention approaches tailored to the specific needs of individuals at high risk;

(ii) understand how Ecstasy produces its toxic effects and how to reverse neurotoxic damage;

(iii) develop treatments, including new medications and behavioral treatment approaches;

(iv) better understand the effects that Ecstasy has on the developing children and adolescents; and

(v) translate research findings into useful tools and ensure their effective dissemination.

SEC. 3663. ENHANCED PUNISHMENT OF ECSTASY TRAFFICKERS.

(a) AMENDMENT TO FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission (referred to in this section as the ''Commission'') shall amend the Federal sentencing guidelines regarding any offense relating to the manufacture, importation, or exportation of, or trafficking in—

(1) 3,4-methylenedioxy methamphetamine;

(2) 3,4-methylenedioxy amphetamine;

(3) 3,4-methylenedioxy-N-ethylamphetamine;

(4) paramethoxymethamphetamine (PMA); or

(5) any other controlled substance, as determined by the Commission in consultation with the Attorney General, that is marketed as Ecstasy and that has either a chemical structure substantially similar to that of 3,4-methylenedioxy methamphetamine or an effect on the central nervous system substantially similar to or greater than that of 3,4-methylenedioxy methamphetamine;

including an attempt or conspiracy to commit an offense described in paragraph (1), (2), (3), (4), or (5) in violation of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or the Maritime Drug Law Enforcement Act (46 U.S.C. 1901 et seq.).

(b) GENERAL REQUIREMENTS.—In carrying out this section, the Commission shall, with respect to each offense described in subsection (a)—

(1) review and amend the Federal sentencing guidelines to provide for increased penalties such that those penalties reflect the seriousness of these offenses and the need to deter them; and

(2) take any other action the Commission considers to be necessary to carry out this section.

(c) ADDITIONAL REQUIREMENTS.—In carrying out this section, the Commission shall ensure that the Federal sentencing guidelines for offenders convicted of offenses described in subsection (a) reflect—

(1) the need for aggressive law enforcement action with respect to offenses involving the controlled substances described in subsection (a); and

(2) the dangers associated with unlawful activity involving such substances, including—

(A) the rapidly growing incidence of abuse of the controlled substances described in subsection (a) and the threat to public safety that such abuse poses;

(B) the recent increase in the illegal importation of the controlled substances described in subsection (a);

(C) the young age at which children are beginning to use the controlled substances described in subsection (a);

(D) the fact that the controlled substances described in subsection (a) are frequently marketed to youth;

(E) the large number of doses per gram of the controlled substances described in subsection (a); and

(F) any other factor that the Commission determines to be appropriate.

(d) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the base offense levels for Ecstasy are too low, particularly for high-level traffickers, and should be increased, such that they are comparable to penalties for other drugs of abuse; and

(2) based on the fact that importation of Ecstasy has surged in the past few years, the traffickers are targeting the Nation's youth, and the use of Ecstasy among youth in the United States is increasing even as other drug use among this population appears to be leveling off, the base offense levels for importing and trafficking the controlled substances described in subsection (a) should be increased.

(e) REPORT.—Not later than 60 days after the amendments pursuant to this section have been promulgated, the Commission shall—

(1) prepare a report describing the factors and information considered by the Commission in promulgating amendments pursuant to this section; and

(2) submit the report to—

(A) the Committee on the Judiciary, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate; and

(B) the Committee on the Judiciary, the Committee on Commerce, and the Committee on Appropriations of the House of Representatives.

SEC. 3664. EMERGENCY AUTHORITY TO UNITED STATES SENTENCING COMMISSION.

The United States Sentencing Commission shall promulgate amendments under this subtitle as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.

SEC. 3665. EXPANSION OF ECSTASY AND CLUB DRUGS ABUSE PREVENTION EFFORTS.

(a) PUBLIC HEALTH SERVICE ACT.—Part A of title V of the Public Health Service Act (42 U.S.C. 290aa et seq.), as amended by section 3306, is further amended by adding at the end the following:

"SEC. 506B. GRANTS FOR ECSTASY AND OTHER CLUB DRUGS ABUSE PREVENTION.

''(a) AUTHORITY.—The Administrator may make grants to, and enter into contracts and cooperative agreements with, public and nonprofit private entities to enable such entities—

''(1) to carry out school-based programs concerning the dangers of the abuse of and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other drugs commonly referred to as 'club drugs' using methods that are effective and science-based, including initiatives that give students the responsibility to create their own anti-drug abuse education programs for their schools; and

''(2) to carry out community-based abuse and addiction prevention programs relating to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs that are effective and science-based.

''(b) USE OF FUNDS.—Amounts made available under a grant, contract or cooperative agreement under subsection (a) shall be used for planning, establishing, or administering prevention programs relating to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs.

''(c) USE OF FUNDS.—

''(1) DISCRETIONARY FUNCTIONS.—Amounts provided to an entity under this section may be used—

''(A) to carry out school-based programs that are focused on those districts with high or increasing rates of abuse and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs and targeted at populations that are most at risk to start abusing these drugs;

''(B) to carry out community-based prevention programs that are focused on those populations within the community that are most at-risk for abuse of and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs;

''(C) to assist local government entities to conduct appropriate prevention activities relating to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs;

''(D) to train and educate State and local law enforcement officials, prevention and education officials, health professionals, members of community anti-drug coalitions and parents on the signs of abuse of and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs and the options for treatment and prevention;

''(E) for planning, administration, and educational activities related to the prevention of abuse of and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs;

''(F) for the monitoring and evaluation of prevention activities relating to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs and reporting and disseminating resulting information to the public; and

''(G) for targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies.

''(2) PRIORITY.—The Administrator shall give priority in awarding grants under this section to rural and urban areas that are experiencing a high rate or rapid increases in abuse and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs.

''(d) ALLOCATION AND REPORT.—

''(1) PREVENTION PROGRAM ALLOCATION.—Not less than $500,000 of the amount appropriated in each fiscal year to carry out this section shall be made available to the Administrator, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective prevention programs for abuse of and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs and the development of appropriate strategies for disseminating information about and implementing such programs.

''(2) REPORT.—The Administrator shall annually prepare and submit to the Committee on Health, Education, Labor, and Pensions, the Committee on the Judiciary, and the Committee on Appropriations of the Senate, and the Committee on Commerce, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives, a report containing the results of the analyses and evaluations conducted under paragraph (1).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

''(1) $10,000,000 for fiscal year 2001; and

''(2) such sums as may be necessary for each succeeding fiscal year.''.

Subtitle D—Miscellaneous

SEC. 3671. ANTIDRUG MESSAGES ON FEDERAL GOVERNMENT INTERNET WEBSITES.

Not later than 90 days after the date of enactment of this Act, the head of each department, agency, and establishment of the Federal Government shall, in consultation with the Director of the Office of National Drug Control Policy, place antidrug messages on appropriate Internet websites controlled by such department, agency, or establishment which messages shall, where appropriate, contain an electronic hyperlink to the Internet website, if any, of the Office.

SEC. 3672. REIMBURSEMENT BY DRUG ENFORCEMENT ADMINISTRATION OF EXPENSES INCURRED TO REMEDIATE METHAMPHETAMINE LABORATORIES.

(a) REIMBURSEMENT AUTHORIZED.—The Attorney General, acting through the Administrator

of the Drug Enforcement Administration, may reimburse States, units of local government, Indian tribal governments, other public entities, and multi-jurisdictional or regional consortia thereof for expenses incurred to clean up and safely dispose of substances associated with clandestine methamphetamine laboratories which may present a danger to public health or the environment.

(b) ADDITIONAL DEA PERSONNEL.—From amounts appropriated or otherwise made available to carry out this section, the Attorney General may hire not more than 5 additional Drug Enforcement Administration personnel to administer this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Attorney General to carry out this section $20,000,000 for fiscal year 2001.

SEC. 3673. SEVERABILITY.

Any provision of this title held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed as to give the maximum effect permitted by law, unless such provision is held to be utterly invalid or unenforceable, in which event such provision shall be severed from this title and shall not affect the applicability of the remainder of this title, or of such provision, to other persons not similarly situated or to other, dissimilar circumstances.

After debate,

Pursuant to House Resolution 594, the previous question was considered as ordered.

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. OSE, announced that the yeas had it.

Mr. BILIRAKIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 394 / Nays 25

¶98.7 [Roll No. 496]

YEAS—394

Abercrombie, Ackerman, Aderholt, Allen, Andrews, Archer, Armey, Baca, Bachus, Baird, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Becerra, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilbray, Bilirakis, Bishop, Blagojevich, Bliley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (FL), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Capps, Capuano, Cardin, Carson, Castle, Chabot, Chambliss, Chenoweth-Hage, Clement, Coble, Coburn, Collins, Combest, Condit, Cook, Cooksey, Costello, Cox, Coyne, Cramer, Crane, Crowley, Cubin, Cunningham, Danner, Davis (FL), Davis (VA), Deal, DeFazio, DeGette, Delahunt, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dixon, Doggett, Dooley, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, Engel, English, Eshoo, Etheridge, Evans, Everett, Farr, Filner, Fletcher, Foley, Forbes, Ford, Fossella, Fowler, Frank (MA), Franks (NJ), Frelinghuysen, Frost, Gallegly, Ganske, Gekas, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Gonzalez, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green (TX), Green (WI), Greenwood, Gutierrez, Gutknecht, Hall (OH), Hall (TX), Hansen, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill (IN), Hill (MT), Hilleary, Hinchey, Hinojosa, Hobson, Hoeffel, Hoekstra, Holden, Holt, Hooley, Horn, Hostettler, Houghton, Hoyer, Hulshof, Hunter, Hutchinson, Hyde, Inslee, Isakson, Istook, Jackson-Lee (TX), Jefferson, Jenkins, John, Johnson (CT), Johnson, Sam, Jones (NC), Kanjorski, Kaptur, Kasich, Kelly, Kennedy, Kildee, Kind (WI), King (NY), Kingston, Kleczka, Knollenberg, Kolbe, Kucinich, Kuykendall, LaFalce, LaHood, Lampson, Lantos, Largent, Larson, Latham, LaTourette, Leach, Levin, Lewis (CA), Lewis (KY), Linder, Lipinski, LoBiondo, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Martinez, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCrery, McDermott, McGovern, McHugh, McInnis, McIntyre, McKeon, McNulty, Meehan, Meek (FL), Menendez, Metcalf, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Minge, Mink, Moakley, Mollohan, Moore, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Nadler, Napolitano, Neal, Nethercutt, Ney, Northup, Norwood, Nussle, Oberstar, Obey, Olver, Ortiz, Ose, Owens, Oxley, Packard, Pallone, Pascrell, Pastor, Pease, Pelosi, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pickett, Pitts, Pombo, Pomeroy, Porter, Portman, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Ramstad, Rangel, Regula, Reyes, Reynolds, Riley, Rivers, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Roybal-Allard, Royce, Ryan (WI), Ryun (KS), Sabo, Salmon, Sanchez, Sanders, Sawyer, Scarborough, Schaffer, Schakowsky, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Shays, Sherman, Sherwood, Shimkus, Shows, Shuster, Simpson, Sisisky, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Snyder, Souder, Spence, Spratt, Stabenow, Stark, Stearns, Stenholm, Strickland, Stump, Stupak, Sununu, Sweeney, Talent, Tancredo, Tanner, Tauscher, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thompson (CA), Thompson (MS), Thornberry, Thune, Thurman, Tiahrt, Tierney, Toomey, Traficant, Turner, Udall (CO), Udall (NM), Upton, Velazquez, Visclosky, Vitter, Walden, Walsh, Wamp, Watkins, Watts (OK), Waxman, Weiner, Weldon (FL), Weldon (PA), Weller, Wexler, Weygand, Whitfield, Wicker, Wilson, Wise, Wolf, Woolsey, Wu, Young (AK), Young (FL)

NAYS—25

Clay, Clayton, Clyburn, Conyers, Cummings, Davis (IL), Fattah, Gejdenson, Hastings (FL), Hilliard, Jackson (IL), Johnson, E. B., Kilpatrick, Lee, Lewis (GA), McKinney, Meeks (NY), Miller, George, Payne, Sanford, Scott, Slaughter, Towns, Waters, Watt (NC)

NOT VOTING—14

Brown (OH), Campbell, Ewing, Jones (OH), Klink, Lazio, McCollum, McIntosh, Paul, Rush, Sandlin, Saxton, Vento, Wynn

So the motion was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶98.8 H.R. 5272—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WALDEN of Oregon, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5272) to provide for a United States response in the event of a unilateral declaration of a Palestinian state; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 385 / Nays ..... 27 / Answered present 4

¶98.9 [Roll No. 497]

YEAS—385

Abercrombie, Ackerman, Aderholt, Allen, Andrews, Archer, Armey, Baca, Bachus, Baird, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Becerra, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilbray, Bilirakis, Bishop, Blagojevich, Bliley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bono, Borski, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (FL), Brown (OH), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Capps, Cardin, Castle, Chabot, Chambliss, Chenoweth-Hage, Clement, Coble, Coburn, Collins, Combest, Condit, Cook, Cooksey, Costello, Cox, Coyne, Cramer, Crane, Crowley, Cubin, Cummings, Cunningham, Davis (FL), Davis (IL), Davis (VA), Deal, DeGette, Delahunt, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dickey, Dicks, Dixon, Doggett, Dooley, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, Engel, English, Eshoo, Etheridge, Evans, Everett, Farr, Fattah, Filner, Fletcher, Foley, Forbes, Ford, Fossella, Fowler, Frank (MA), Franks (NJ), Frelinghuysen, Frost, Gallegly, Ganske, Gejdenson, Gekas, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Gonzalez, Goode, Goodlatte, Gordon, Goss, Graham, Granger, Green (TX), Green (WI), Greenwood, Gutierrez, Gutknecht, Hall (OH), Hall (TX), Hansen, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill (IN), Hill (MT), Hinchey, Hinojosa, Hobson, Hoeffel

Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—27

Bonior
Carson
Clay
Clayton
Conyers
Danner
Dingell
Hilliard
Jackson (IL)
Johnson, E. B.
Lee
McDermott
McKinney
Miller, George
Moran (VA)
Murtha
Obey
Payne
Rahall
Rohrabacher
Sabo
Serrano
Stark
Sununu
Traficant
Waters
Watt (NC)

ANSWERED ''PRESENT''—4

Capuano
DeFazio
Kucinich
Rivers

NOT VOTING—17

Campbell
Doolittle
Ewing
Goodling
Hilleary
Jones (OH)
Klink
Lazio
McCollum
McIntosh
Meek (FL)
Paul
Pickett
Sandlin
Thomas
Vento
Wynn

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶98.10 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND ENGINEERING

Mr. BURR moved to suspend the rules and pass the bill (H.R. 1795) to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering; as amended.

The SPEAKER pro tempore, Mr. WALDEN of Oregon, recognized Mr. BURR and Ms. DEGETTE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WALDEN of Oregon, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Bioengineering.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶98.11 CHILDHOOD CANCER AWARENESS

Mr. BURR moved to suspend the rules and agree to the following resolution (H. Res. 576):

Whereas an estimated 12,400 children will be diagnosed with cancer in the year 2000;

Whereas cancer is the leading cause of death by disease in children under age 15;

Whereas an estimated 2,300 children will die from cancer in the year 2000;

Whereas the incidence of cancer among children in the United States is rising by about one percent each year;

Whereas 1 in every 330 Americans develops cancer before age 20;

Whereas approximately 8 percent of deaths of those between 1 and 19 years old are caused by cancer;

Whereas a number of opportunities for childhood cancer research remain unfunded or underfunded;

Whereas limited resources for childhood cancer research hinder the recruitment of investigators and physicians to pediatric oncology;

Whereas peer-reviewed clinical trials are the standard of care for pediatrics and have improved cancer survival rates among children; and

Whereas a recent study indicates that, based on parental reports, 89 percent of children with cancer experienced substantial suffering in the last month of life: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that Congress should support—

(1) public and private sector efforts to promote awareness about the incidence of cancer among children, the signs and symptoms of cancer in children, and treatment options;

(2) increased public and private investment in childhood cancer research to improve prevention, diagnosis, treatment, and long-term survival;

(3) policies that provide incentives to encourage medical trainees and investigators to enter the field of pediatric oncology;

(4) policies that provide incentives to encourage the development of drugs and biologics designed to treat pediatric cancers;

(5) policies that encourage participation in clinical trials; and

(6) medical education curricula designed to improve pain management for cancer patients.

The SPEAKER pro tempore, Mr. WALDEN of Oregon, recognized Mr. BURR and Ms. DEGETTE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. WALDEN of Oregon, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BURR demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WALDEN of Oregon, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶98.12 CORRECTIONS CALENDAR

Pursuant to clause 6, rule XV,

The SPEAKER pro tempore, Mr. WALDEN of Oregon, directed the Corrections Calendar to be called.

When,

¶98.13 TELEMARKETER CALLER ID INTERFERENCE

The Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 3100) to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes.

When said bill was considered and read twice.

Pursuant to the rule, the bill was considered read for amendment and the following amendment recommended by the Committee on Commerce was submitted:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Know Your Caller Act of 2000''.

SEC. 2. PROHIBITION OF INTERFERENCE WITH CALLER IDENTIFICATION SERVICES.

Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following new subsection:

''(e) PROHIBITION ON INTERFERENCE WITH CALLER IDENTIFICATION SERVICES.—

''(1) IN GENERAL.—It shall be unlawful for any person within the United States, in making any telephone solicitation—

''(A) to interfere with or circumvent the capability of a caller identification service to access or provide to the recipient of the telephone call involved in the solicitation any information regarding the call that such service is capable of providing; and

''(B) to fail to provide caller identification information in a manner that is accessible by a caller identification service, if such person has capability to provide such information in such a manner.

For purposes of this section, the use of a telecommunications service or equipment that is incapable of transmitting caller identification information shall not, of itself, constitute interference with or circumvention of the capability of a caller identification service to access or provide such information.

''(2) REGULATIONS.—Not later than 6 months after the enactment of the Know Your Caller Act of 2000, the Commission shall prescribe regulations to implement this subsection, which shall—

''(A) specify that the information regarding a call that the prohibition under paragraph (1) applies to includes—

''(i) the name of the person or entity who makes the telephone call involved in the solicitation;

''(ii) the name of the person or entity on whose behalf the solicitation is made; and

''(iii) a valid and working telephone number at which the person or entity on whose behalf the telephone solicitation is made may be reached during regular business hours for the purpose of requesting that the recipient of the solicitation be placed on the do-not-call list required under section 64.1200 of the Commission's regulations (47 CFR 64.1200) to be maintained by such person or entity; and

''(B) provide that any person or entity who receives a request from a person to be placed on such do-not-call list may not use such person's name and telephone number for telemarketing, mail marketing, or other marketing purpose (including transfer or sale to any other entity for marketing use) other than enforcement of such list.

''(3) PRIVATE RIGHT OF ACTION.—A person or entity may, if otherwise permitted by the laws or rules of court of a State, bring in an appropriate court of that State—

''(A) an action based on a violation of this subsection or the regulations prescribed under this subsection to enjoin such violation;

''(B) an action to recover for actual monetary loss from such a violation, or to receive $500 in damages for each such violation, whichever is greater; or

''(C) both such actions.

If the court finds that the defendant willfully or knowingly violated this subsection or the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under subparagraph (B) of this paragraph.

''(4) DEFINITIONS.—For purposes of this subsection:

''(A) CALLER IDENTIFICATION SERVICE.—The term 'caller identification service' means any service or device designed to provide the user of the service or device with the telephone number of an incoming telephone call.

''(B) TELEPHONE CALL.—The term 'telephone call' means any telephone call or other transmission which is made to or received at a telephone number of any type of telephone service and includes telephone calls made using the Internet (irrespective of the type of customer premises equipment used in connection with such services). Such term also includes calls made by an automatic telephone dialing system, an integrated services digital network, and a commercial mobile radio source.''.

SEC. 3. EFFECT ON STATE LAW AND STATE ACTIONS.

(a) EFFECT ON STATE LAW.—Subsection (f)(1) of section 227 of the Communications Act of 1934 (47 U.S.C. 227(f)(1)), as so redesignated by section 2(1) of this Act, is further amended by inserting after ''subsection (d)'' the following: ''and the prohibition under paragraphs (1) and (2) of subsection (e),''.

(b) ACTIONS BY STATES.—The first sentence of subsection (g)(1) of section 227 of the Communications Act of 1934 (47 U.S.C. 227(g)(1)), as so redesignated by section 2(1) of this Act, is further amended by striking ''telephone calls'' and inserting ''telephone solicitations, telephone calls, or''.

SEC. 4. STUDY REGARDING TRANSMISSION OF CALLER IDENTIFICATION INFORMATION.

The Federal Communications Commission shall conduct a study to determine—

(1) the extent of the capability of the public switched network to transmit the information that can be accessed by caller identification services;

(2) the types of telecommunications equipment being used in the telemarketing industry, the extent of such use, and the capabilities of such types of equipment to transmit the information that can be accessed by caller identification services; and

(3) the changes to the public switched network and to the types of telecommunications equipment commonly being used in the telemarketing industry that would be necessary to provide for the public switched network to be able to transmit caller identification information on all telephone calls, and the costs (including costs to the telemarketing industry) to implement such changes.

The Commission shall complete the study and submit a report to the Congress on the results of the study, not later than one year after the date of the enactment of this Act.

The SPEAKER pro tempore, Mr. WALDEN of Oregon, pursuant to clause 6 of rule XV, recognized Mr. BURR and Mr. MARKEY, each for 30 minutes.

After debate,

Pursuant to clause 6 of rule XV, the previous question on the amendment and the bill was considered as ordered.

The question being put, viva voce,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mr. WALDEN of Oregon, announced that the yeas had it.

So the amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. WALDEN of Oregon, announced that three-fifths of the Members present had voted in the affirmative.

Mr. BURR demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WALDEN of Oregon, pursuant to clause 8, rule XX, announced that further proceedings on the bill were postponed.

¶98.14 CITIZENS BAND RADIO EQUIPMENT

Mr. BURR moved to suspend the rules and pass the bill (H.R. 2346) to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment.

The SPEAKER pro tempore, Mr. WALDEN of Oregon, recognized Mr. BURR and Mr. MARKEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. WALDEN of Oregon, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶98.15 ENERGY POLICY CORRECTIONS

Mrs. CUBIN moved to suspend the rules and pass the bill (H.R. 2641) to make technical corrections to title X of the Energy Policy Act of 1992; as amended.

The SPEAKER pro tempore, Mr. WALDEN of Oregon, recognized Mrs. CUBIN and Mr. BOUCHER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WALDEN of Oregon, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶98.16 LANCE CORPORAL HAROLD GOMEZ POST OFFICE

Mr. MCHUGH moved to suspend the rules and pass the bill of the Senate (S. 1295) to designate the United States Post Office located at 3813 Main Street in East Chicago, Indiana, as the ''Lance Corporal Harold Gomez Post Office''.

The SPEAKER pro tempore, Mr. WALDEN of Oregon, recognized Mr. MCHUGH and Mr. FATTAH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. WALDEN of Oregon, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶98.17 H.R. 3100—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WALDEN of Oregon, pursuant to clause 5 of rule I, announced the unfinished business to be the question on the passage of the bill (H.R. 3100) to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes.

The question being put,

Will the House pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 420 / Nays 0

¶98.18 [Roll No. 498]

YEAS—420

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske

NOT VOTING—13

Campbell
Ewing
Gutknecht
Jackson-Lee (TX)
Jones (OH)
Klink
Lazio
McCollum
McIntosh
Paul
Rangel
Sandlin
Vento

So, pursuant to clause 6 of rule XV, three-fifths of the Members present having voted in favor thereof, the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶98.19 H. RES. 576—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WALDEN of Oregon, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 576) supporting efforts to increase childhood cancer awareness, treatment, and research.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 415 / Nays 0

¶98.20 [Roll No. 499]

YEAS—415

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—18

Campbell
Ewing
Ganske
Gordon
Hastings (FL)
Hunter
Jackson-Lee (TX)
Jones (OH)
Kingston
Klink
Lazio
McCollum
McIntosh
Paul
Pickett
Rangel
Sandlin
Vento

So two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶98.21 RECESS—7 P.M.

The SPEAKER pro tempore, Mr. BARR, pursuant to clause 12 of rule I, declared the House in recess at 7

o'clock p.m., subject to the call of the Chair.

¶98.22 AFTER RECESS—10:47 P.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶98.23 SUBMISSION OF CONFERENCE REPORT—H.R. 4733

Mr. PACKARD submitted a conference report (Rept. No. 106–907) on the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶98.24 RECESS—10:48 P.M.

The SPEAKER pro tempore, Mr. DREIER, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 48 minutes p.m., subject to the call of the Chair.

¶98.25 AFTER RECESS—11:21 P.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶98.26 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4733

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 106–908) the resolution (H. Res. 598) waiving points of order against the conference report to accompany the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶98.27 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1658. An Act to authorize the construction of a Reconciliation Place in Fort Pierre, South Dakota, and for other purposes; to the Committee on Resources.

S. 1865. An Act to provide grants to establish demonstration mental health courts; to the Committee on the Judiciary.

S. 1929. An Act to amend the Native Hawaiian Health Care Improvement Act to revise and extend such Act; to the Committee on Commerce.

S. 2272. An Act to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997; to the Committee on the Judiciary.

¶98.28 BILLS PRESENTED TO THE PRESIDENT

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

On Wednesday, September 26, 2000:

H.R. 2909. To provide for implementation by the United States of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes.

H.R. 4919. To amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes.

H.R. 940. To designate the Lackawanna Valley and the Schuylkill River National Heritage Areas, and for other purposes.

¶98.29 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. JACKSON-LEE, for today after 1:30 p.m.; and

Mrs. JONES of Ohio for Monday, September 25 and balance of the week.

And then,

¶98.30 ADJOURNMENT

On motion of Mr. HASTINGS of Washington, at 11 o'clock and 22 minutes p.m., the House adjourned.

¶98.31 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. HYDE: Committee on the Judiciary. H.S. 3575. A bill to prohibit high school and college sports gambling in all States including States where such gambling was permitted prior to 1991 (Rept. No. 106–903). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 604. A bill to amend the charter of the AMVETS organization; with an amendment (Rept. No. 106–904). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. H. Res. 598. A resolution waiving points of order against the conference report to accompany the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–908). Referred to the House Calendar.

Mr. PACKARD: Committee of Conference. Conference report on H.R. 4733. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–907). Ordered to be printed.

¶98.32 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. EVANS:

H.R. 5311. A bill to amend title 38, United States Code, to improve programs for homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. McCOLLUM (for himself, Mr. ROGAN, Mr. MICA, Mr. NETHERCUTT, and Mr. SESSIONS):

H.R. 5312. A bill to amend the Controlled Substances Act to protect children from drug traffickers; referred to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 5313. A bill to enhance competition for prescription drugs by increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws regarding brand name drugs and generic drugs; referred to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTLETT of Maryland:

H.R. 5314. A bill to require the immediate termination of the Department of Defense practice of euthanizing military working dogs at the end of their useful working life and to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs; to the Committee on Armed Services.

By Mr. TANNER (for himself, Mr. STENHOLM, Mr. BOYD, Ms. HOOLEY of Oregon, Mr. SPRATT, Mr. DOOLEY of California, Ms. ESHOO, Mr. ABERCROMBIE, Mrs. McCARTHY of New York, Ms. LOFGREN, Mr. CROWLEY, Mr. LUCAS of Kentucky, Ms. DANNER, Mr. HALL of Texas, Mr. SISISKY, Mr. TURNER, Mrs. TAUSCHER, Mr. SMITH, of Washington, Mr. BERRY, Mr. SHOWS, Mr. THOMPSON of California, Mr. HOLDEN, Mr. HILL of Indiana, Mr. JOHN Mr. CRAMER, and Mr. DOYLE):

H.R. 5315. A bill to amend the Internal Revenue Code of 1986 to reduce estate and gift tax rates, and for other purposes; to the Committee on Ways and Means.

By Mr. BRADY of Texas:

H.R. 5316. A bill to protect the energy security of the United States and decrease America's dependency on foreign oil sources to 50 percent by the year 2010 by enhancing the use of renewable energy resources, conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies, mitigating the effect of increases in energy prices on the American consumer, including the poor and elderly, and for other purposes; referred to the Committee on Commerce, and in addition to the Committees on Resources, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO:

H.R. 5317. A bill to increase accountability for Government spending and to reduce wasteful Government spending; referred to the Committee on Ways and Means, and in addition to the Committees on Commerce, Armed Services, Science, Resources, Banking and Financial Services, International Relations, Veterans' Affairs, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH:

H.R. 5318. A bill to prohibit the exporation of Alaskan North Slope crude oil; referred to the Committee on International Relations, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. INSLEE:

H.R. 5319. A bill to expand the teacher loan forgiveness programs under the guaranteed and direct student loan programs, and for other purposes; referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KOLBE:

H.R. 5320. A bill to amend part C of title XVIII of the Social Security Act to revise and improve the Medicare+Choice Program, and for other purposes; referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM:

H.R. 5321. A bill to amend the Fair Debt Collection Practices Act to clarify that judgments in actions brought under the Act are enforceable in any court of competent jurisdiction; to the Committee on Banking and Financial Services.

By Mr. LEWIS of California (for himself, Mrs. BONO, and Mr. CALVERT):

H.R. 5322. A bill to provide to the Timbisha Shoshone Tribe a permanent land base within its aboriginal homeland, and for other purposes; to the Committee on Resources.

By Mr. LIPINSKI (for himself, Mr. DUNCAN, and Mr. COSTELLO):

H.R. 5323. A bill to direct the Administrator of the Federal Aviation Administration to require automatic external defibrillators in terminals at certain airports, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself, Mr. FRANK of Massachusetts, Mr. MOAKLEY, Mr. NEAL of Massachusetts, Mr. MEEHAN, Mr. OLVER, Mr. TIERNEY, Mr. DELAHUNT, Mr. MCGOVERN, Mr. CAPUANO, Ms. MILLENDER-MCDONALD, Mr. DOYLE, Mr. BLUMENAUER, Mr. HILLIARD, Mr. ABERCROMBIE, Mr. MASCARA, Mr. PAYNE, Mr. ROMERO-BARCELÓ, Ms. LEE, Mr. CONYERS, Mr. SANDERS, Mr. CLEMENT, Ms. MCKINNEY, Mr. BLAGOJEVICH, Mr. BARCIA, Mr. DAVIS of Illinois, Mr. HINOJOSA, Mrs. MEEK of Florida, Mr. SANDLIN, Ms. BROWN of Florida, Ms. KILPATRICK, Mr. PICKETT, Ms. WATERS, Mr. REYES, Mrs. JONES of Ohio, Mr. GREEN of Texas, Mr. BERMAN, Mr. SERRANO, and Mr. MCNULTY):

H.R. 5324. A bill to amend the Social Security Act to make corrections and refinements in the Medicare, Medicaid, and SCHIP health insurance programs, as revised by the Balanced Budget Act of 1997, and the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999, and for other purposes; referred to the Committee on Commerce, and in addition to the Committees on Ways and Means, Rules, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 5325. A bill to amend title 18, United States Code, to ensure that acts of torture, as proscribed by the Torture Convention, as also recognized as criminal if committed in the United States; to the Committee on the Judiciary.

By Ms. WATERS:

H.R. 5326. A bill to introduce common sense to America's policy regarding controlled substances; referred to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELDON of Florida:

H.R. 5327. A bill to amend the Public Health Service Act with respect to the Vaccine Injury Compensation Program; to the Committee on Commerce.

By Mr. WU (for himself and Mr. SOUDER):

H.R. 5328. A bill to authorize the acquisition of additional lands for inclusion in the Fort Clatsop National Memorial in the State of Oregon, and for other purposes; to the Committee on Resources.

By Mr. WU:

H.R. 5329. A bill to amend title II of the Social Security Act to restore child's insurance benefits in the case of students attending postsecondary schools; to the Committee on Ways and Means.

By Mr. CAMPBELL (for himself, Mr. PITTS, Mr. LANTOS, Mr. ROHRABACHER, Mr. ROYCE, and Mr. BEREUTER):

H. Con. Res. 411. Concurrent resolution relating to the reestablishment of representative government in Afghanistan; to the Committee on International Relations.

By Mr. POMEROY (for himself, Mrs. JOHNSON of Connecticut, Mr. FOLEY, Mr. PETERSON of Pennsylvania, Mr. WHITFIELD, Mr. LATOURETTE, Mr. MANZULLO, Mr. SAXTON, Mr. KUYKENDALL, Mr. ENGLISH, Ms. MILLENDER-MCDONALD, Mr. DAVIS of Florida, Mr. ABERCROMBIE, Mr. SKELTON, Ms. KAPTUR, Mr. SANDLIN, Mr. FROST, Mr. RAMSTAD, and Mr. BASS):

H. Con. Res. 412. Concurrent resolution promoting a national dialog on long-term care financing reform; referred to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RADANOVICH:

H. Res. 596. Resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes; to the Committee on International Relations.

By Mrs. CHENOWETH-HAGE:

H. Res. 597. Resolution reaffirming the proclamation signed by President Abraham Lincoln on March 30, 1863, in which President Lincoln called for national humility, fasting, and prayer, and for other purposes; to the Committee on Government Reform.

¶98.33 REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

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

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 5266. A bill for the relief of Saeed Rezai (Rept. No. 106–905). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 302. An Act for the relief of Kerantha Poole-Christian (Rept. No. 106–906). Referred to the Private Calendar.

¶98.34 ADDITIONAL SPONSORS

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

H.R. 40: Mr. NADLER.
H.R. 44: Mr. GREEN of Wisconsin.
H.R. 65: Mr. GREEN of Wisconsin.
H.R. 207: Mr. LATOURETTE.
H.R. 254: Mr. WU.
H.R. 284: Mr. SCARBOROUGH, Mr. MORAN of Kansas, Mr. OBERSTAR, Mr. PICKERING, and Mr. BROWN of Ohio.
H.R. 303: Mr. NUSSLE.
H.R. 488: Mrs. ROUKEMA.
H.R. 525: Mr. ROTHMAN.
H.R. 632: Mr. ORTIZ.
H.R. 828: Mr. MEEHAN, Mr. BEREUTER.
H.R. 1177: Mr. RYAN of Wisconsin.
H.R. 1285: Ms. DEGETTE.
H.R. 1303: Ms. ESHOO, and Mr. NADLER.
H.R. 1413: Mr. GREEN of Wisconsin.
H.R. 1525: Mr. TIERNEY.
H.R. 1595: Mr. BAIRD.
H.R. 1657: Ms. BALDWIN.
H.R. 1793: Mr. BOYD.
H.R. 1885: Mr. CROWLEY.
H.R. 2087: Ms. PRYCE of Ohio, Mrs. NORTHUP, Mr. SOUDER, and Mr. CHABOT.
H.R. 2308: Mr. LEWIS of Georgia.
H.R. 2631: Mr. LATOURETTE.
H.R. 2710: Mr. ROGERS.
H.R. 2722: Mr. SCOTT.
H.R. 2774: Mr. FROST.
H.R. 2780: Mr. PASTOR, and Mr. MORAN of Virginia.
H.R. 2790: Mr. TOOMEY.
H.R. 2802: Mr. GONZALEZ.
H.R. 2814: Mr. MCGOVERN.
H.R. 2900: Mr. LOBIONDO.
H.R. 3492: Mr. KANJORSKI, Mr. SHERMAN, and Mrs. JONES of Ohio.
H.R. 3514: Ms. BROWN of Florida, and Mr. METCALF.
H.R. 4025: Mr. ORTIZ.
H.R. 4106: Mr. LEWIS of Georgia, and Mr. GEJDENSON.
H.R. 4215: Mr. BARR of Georgia.
H.R. 4277: Mr. LARSON, and Mr. POMEROY.
H.R. 4281: Mr. SHERMAN, and Mr. ABERCROMBIE.
H.R. 4388: Mr. BACA.
H.R. 4393: Mr. STARK, Mr. CANADY of Florida, Mr. SAM JOHNSON of Texas, and Mrs. MEEK of Florida.
H.R. 4483: Mr. FATTAH and Mr. BLUMENAUER.
H.R. 4493: Mr. MCHUGH.
H.R. 4536: Mr. CLEMENT, and Mr. MCHUGH.
H.R. 4543: Mr. EDWARDS.
H.R. 4594: Ms. BROWN of Florida.
H.R. 4624: Mr. WEINER and Ms. VELAZQUEZ.
H.R. 4649: Mr. PETERSON of Minnesota, Mr. SWEENEY, and Ms. ROS-LEHTINEN.
H.R. 4740: Mr. WYNN, Mr. MCINTYRE, and Mr. RANGEL.
H.R. 4841: Mr. COOKSEY.
H.R. 4879: Mr. WEINER, Mr. BECERRA, and Mr. UDALL of Colorado.
H.R. 4915: Ms. CARSON and Mr. HOEFFEL.
H.R. 4926: Mr. FOLEY, Mr. TOWNS, Ms. SANCHEZ, Mr. MEEKS of New York, Mr. THOMPSON of Mississippi, and Mr. PAYNE.
H.R. 4949: Mr. EDWARDS and Mr. MOORE.
H.R. 4953: Mr. SANDERS and Mr. LEACH.
H.R. 4968: Mr. INSLEE.
H.R. 5005: Ms. PELOSI and Ms. DUNN.
H.R. 5018: Mr. WAMP.
H.R. 5035: Mr. WAXMAN.
H.R. 5065: Mr. FROST, Ms. PELOSI, and Mr. BERMAN.
H.R. 5114: Mr. PASTOR.
H.R. 5116: Mr. EVANS, Mrs. JOHNSON of Connecticut, and Ms. KILPATRICK.
H.R. 5126: Ms. MILLENDER-MCDONALD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWN of Florida, Mr. PAYNE, Mr. MEEKS of New York, Mr. WYNN, Mr. DAVIS of Illinois, Mr. FORD, Mr. SCOTT, Mr. WATT of North Carolina, Ms. KILPATRICK, Mrs. CLAYTON, Mrs. MEEK of Florida, Mr. JEFFERSON, Mr. TOWNS, Ms. LEE, Mr. OWENS, Mr. CUMMINGS, Mr. HILLIARD, Mr. THOMPSON of Mississippi, Mr. RUSH, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. BISHOP, Ms. MCKINNEY, Mr. CLAY, Mr. CLYBURN, Ms. WATERS, and Mr. JACKSON of Illinois.
H.R. 5152: Mr. FILNER.
H.R. 5157: Mr. ABERCROMBIE, Mr. BLAGOJEVICH, Mrs. JONES of Ohio, Mr. HILLIARD, and Mr. DIXON.
H.R. 5158: Ms. CARSON, Mrs. JONES of Ohio, Mr. OWENS, and Mr. TOWNS.

H.R. 5164: Mr. BOEHLERT, Mr. GEORGE MILLER of California, Mr. LAFALCE, and Mr. WYNN.

H.R. 5178: Mr. MATSUI, Mr. BEREUTER, Ms. SCHAKOWSKY, Mr. SWEENEY, Mr. POMEROY, Mr. LARSON, and Mr. TIERNEY.

H.R. 5212: Mr. GOODLATTE and Mr. WOLF.

H.R. 5247: Mr. WAXMAN and Mr. BROWN of Ohio.

H.R. 5262: Mr. GUTIERREZ and Mr. STARK.

H.R. 5265: Mr. BAKER, Mr. POMBO, Mr. SCHAFFER, Mr. COOKSEY, and Mr. GREEN of Wisconsin.

H.R. 5277: Ms. WOOLSEY, Mr. BAIRD, Ms. STABENOW, Mr. EDWARDS, Mr. FROST, and Mr. RODRIGUEZ.

H.R. 5288: Mr. HOLDEN, Mr. RADANOVICH, Mr. HERGER, and Mr. GIBBONS.

H.R. 5309: Mr. MCCOLLUM, Mr. CANADY of Florida, Mr. SHAW, Mr. SCARBOROUGH, Mr. BILIRAKIS, and Ms. BROWN of Florida.

H. Con. Res. 337: Mr. ROHRABACHER.

H. Con. Res. 340: Mr. ROGAN, Mr. MARTINEZ, Mr. BACA, and Mr. MATSUI.

H. Con. Res. 370: Mr. BACA, Mr. MARTINEZ, and Mr. ROGAN.

H. Res. 51: Mr. BORSKI.

H. Res. 309: Mr. PORTER.

H. Res. 347: Mr. WAXMAN.

H. Res. 420: Mr. STUMP.

H. Res. 576: Mrs. MORELLA, Mr. FORBES, and Mr. COYNE.

H. Res. 577: Mr. FALEOMAVAEGA.

THURSDAY, SEPTEMBER 28, 2000 (99)

The House was called to order by the SPEAKER.

¶99.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, September 27, 2000.

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

¶99.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10333. A letter from the Associate Administrator, Department of Agriculture, Fruit and Vegetable Programs, transmitting the Department's final rule—Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Increase in the Minimun Size Requirements for Dancy, Robinson, and Sunburst Tangerines [Docket No. FV00–905–3 FR] received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10334. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Dimethomorph, (E,Z) 4-[3-(4-chlorophenyl) -3- (3, 4-dimethoxyphenyl)-1-oxo-2-propeny morpholine; Pesticide Tolerances [OPP–301062; FRL–6747–9] (RIN: 2070–AB78) received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10335. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Flucarbazone-sodium; Time-Limited Pesticide Tolerances [OPP–301052; FRL–6745–9] (RIN: 2070–AB78) received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10336. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Indoxacarb; Pesticide Tolerance [OPP–301064; FRL–6747–8] (RIN: 2070–AB78) received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10337. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Propamocarb hydrochloride; Pesticide Tolerance [OPP–301057; FRL–6745–8] (RIN: 2070–AB78) received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10338. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a report on the independent study of the secondary inventory and parts shortages; to the Committee on Armed Services.

10339. A letter from the Acting Assistant General for Regulatory Services, Department of Education, Office of Management and Office of Inspector General, transmitting the Department's final rule—Official Seal; National Security Information Procedures-received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10340. A letter from the Acting Associate Administrator for Civil Rights, General Services Administration, transmitting the Administration's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance; Final Common Rule—received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10341. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, FDA, transmitting the Department's final rule—Administrative Practies and Procedures; Good Guidance Practices [Docket No. 99N–4783] received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10342. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Consolidated Federal Air Rule (CAR): Synthetic Organic Chemical Manufacturing Industry [AD–FRL–6576–9] (RIN: 2060–AG28) received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10343. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes: Washington [WA–71–7146a; FRL–6879–6] received September 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10344. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification for Fiscal Year 2001 that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization, pursuant to 22 U.S.C. 287e nt.; to the Committee on International Relations.

10345. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Kouru, French Guiana or Sea Launch [Transmittal No. DTC 103–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10346. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Israel, Poland, Republic of Korea [Transmittal No. DTC 075–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10347. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to South Korea and Turkey [Transmittal No. DTC 109–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10348. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 119–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10349. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the Netherlands [Transmittal No. DTC 112–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10350. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Switzerland [Transmittal No. DTC 131–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10351. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment sold commercially under a contract to Denmark [Transmittal No. DTC 99–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10352. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 121–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10353. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Canada [Transmittal No. DTC 102–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10354. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Israel [Transmittal No. DTC 129–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10355. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Italy [Transmittal No. DTC 052–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10356. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 134–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10357. A letter from the Assistant Secretary for Legislative Affairs, Department of

State, transmitting certification of a proposed Manufacturing License Agreement with the United Kingdom [Transmittal No. DTC 120–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10358. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 93–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10359. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed transfer of major defense equipment with the United Kingdom [Transmittal No. RSAT–1–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10360. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 125–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10361. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 087–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10362. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Spain and Turkey [Transmittal No. DTC 105–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10363. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation; Administrative Amendments [FRL–6878–9] received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10364. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's ''Major'' rule—Migratory Bird hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2000–01 Late Season (RIN: 1018–AG08) received September 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10365. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Grant Conditions for Indian Tribes and Insular Area Recipients—received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10366. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shapchin and Northern Rockfish in the Aleutian Islands Subarea [Docket No. 000211040–0040–01; I.D. 091800J] received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10367. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Sharpchin and Northern Rockfish in the Aleutian Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No. 000211040–0040–01; I.D. 091900A] received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10368. A letter from the Attorney General, Department of Justice, transmitting a report on the Department of Justice's deteminination on the consitutionality to prohibit the mailing of truthful information or advertisements concerning lawful gambling operations; to the Committee on the Judiciary.

10369. A letter from the Director, Policy Directives and Instructions Branch, Department of Justice, INS, transmitting the Department's final rule—Fingerprinting Certain Applicants for a Replacement Permanent Resident Card (Form 1–551) INS No.2040–00] (RIN: 1115–AF74) received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10370. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 2000–42] received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10371. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 2000–39] received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10372. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Zone Academy BONDS; Obligations of States and Political Subdivisions (RIN: 1545–AY01) received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10373. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the alotting of emergency funds made available by the Low-Income Home Energy Assistance Act of 1981 to all states, territoires and tribes; jointly to the Committees on Commerce and Education and the Workforce.

¶99.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2647. An Act to amend the Act entitled ''An Act relating to the water rights of the Ak-Chin Indian Community'' to clarify certain provisions concerning the leasing of such water rights, and for other purposes.

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

S. 1752. An Act to reauthorize and amend the Coastal Barrier Resources Act.

¶99.4 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4733

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 598):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 231 / Nays ..... 186 }

¶99.5 [Roll No. 500]

YEAS—231

Aderholt	Ewing	Martinez
Archer	Fletcher	McCrery
Armey	Foley	McInnis
Bachus	Fowler	McIntyre
Baker	Franks (NJ)	McKeon
Ballenger	Frelinghuysen	Meek (FL)
Barr	Frost	Metcalf
Barrett (NE)	Gallegly	Mica
Bartlett	Ganske	Miller (FL)
Barton	Gekas	Miller, Gary
Bass	Gibbons	Mollohan
Bentsen	Gilchrest	Moore
Bereuter	Gillmor	Moran (KS)
Berkley	Gilman	Morella
Biggert	Goode	Myrick
Bilbray	Goodlatte	Napolitano
Bilirakis	Goodling	Nethercutt
Blunt	Goss	Ney
Boehlert	Graham	Northup
Boehner	Granger	Nussle
Bonilla	Green (TX)	Ose
Bono	Green (WI)	Oxley
Brady (TX)	Greenwood	Packard
Brown (FL)	Gutknecht	Pastor
Bryant	Hall (TX)	Pease
Burr	Hansen	Peterson (PA)
Burton	Hastings (WA)	Petri
Buyer	Hayes	Pickering
Callahan	Hayworth	Pitts
Calvert	Hefley	Pombo
Camp	Herger	Porter
Campbell	Hill (MT)	Portman
Canady	Hilleary	Pryce (OH)
Cannon	Hobson	Radanovich
Carson	Hoekstra	Rahall
Chabot	Horn	Ramstad
Chambliss	Hostettler	Regula
Chenoweth-Hage	Houghton	Riley
Clyburn	Hulshof	Rogan
Coble	Hunter	Rogers
Collins	Hutchinson	Rohrabacher
Combest	Hyde	Ros-Lehtinen
Cook	Isakson	Roukema
Cooksey	Istook	Royce
Cox	Jenkins	Ryan (WI)
Crane	Johnson (CT)	Ryun (KS)
Cubin	Johnson, Sam	Salmon
Cunningham	Jones (NC)	Sandlin
Davis (FL)	Kasich	Sanford
Davis (VA)	King (NY)	Saxton
Deal	Kingston	Scarborough
DeLay	Knollenberg	Schaffer
DeMint	Kolbe	Sensenbrenner
Diaz-Balart	Kuykendall	Sessions
Dickey	LaHood	Shadegg
Dicks	Lampson	Shaw
Dooley	Largent	Shays
Doolittle	Latham	Sherwood
Dreier	LaTourette	Shimkus
Duncan	Leach	Shows
Dunn	Lewis (CA)	Shuster
Ehlers	Lewis (KY)	Simpson
Ehrlich	Linder	Skeen
Emerson	LoBiondo	Smith (MI)
English	Lucas (OK)	Smith (NJ)
Everett	Manzullo	Smith (TX)

Souder
Spence
Stearns
Stump
Sununu
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NAYS—186

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

NOT VOTING—16

Castle
Clay
Engel
Eshoo
Fossella
Jones (OH)
Klink
LaFalce
Lazio
McCollum
McIntosh
Norwood
Paul
Stabenow
Talent
Vento

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶99.6 ENERGY AND WATER APPROPRIATIONS FY 2001

Mr. PACKARD, pursuant to House Resolution 598, called up the following conference report (Rept. No. 106–907):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4733) ''making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $160,038,000, to remain available until expended: Provided, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff: Provided further, That the Secretary of the Army is directed to use $750,000 of the funds appropriated herein to continue preconstruction engineering and design for the Murrieta Creek, California flood protection and environmental restoration project in accordance with Alternative 6, based on the Murrieta Creek feasibility report and environmental impact statement dated June 2000 at a total cost of $90,866,000, with an estimated Federal cost of $59,063,900 and an estimated non-Federal cost of $31,803,100.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,695,699,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock and Dam 3, Mississippi River, Minnesota; and London Locks and Dam, and Kanawha River, West Virginia, projects; and of which funds are provided for the following projects in the amounts specified:

San Gabriel Basin Groundwater Restoration, California, $25,000,000;

San Timoteo Creek (Santa Ana River Mainstem), California, $5,000,000;

Indianapolis Central Waterfront, Indiana, $10,000,000;

Southern and Eastern Kentucky, Kentucky, $4,000,000;

Clover Fork, Middlesboro, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, $20,000,000: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with planning, engineering, design and construction of the Town of Martin, Kentucky, element, in accordance with Plan A as set forth in the preliminary draft Detailed Project Report, Appendix T of the General Plan of the Huntington District Commander;

Jackson County, Mississippi, $2,000,000;

Bosque and Leon Rivers, Texas, $4,000,000; and

Upper Mingo County (including Mingo County Tributaries), Lower Mingo County (Kermit), Wayne County, and McDowell County, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project in West Virginia, $4,100,000:

Provided further, That using $900,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the Bowie County Levee project, which is defined as Alternative B Local Sponsor Option, in the Corps of Engineers document entitled Bowie County Local Flood Protection, Red River, Texas, Project Design Memorandum No. 1, Bowie County Levee, dated April 1997: Provided further, That no part of any appropriation contained in this Act shall be expended or obligated to begin Phase II of the John Day Drawdown study or to initiate a study of the drawdown of McNary Dam unless authorized by law: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed hereafter to use available Construction, General funds in addition to funding provided in Public Law 104–206 to complete design and construction of the Red River Regional Visitors Center in the vicinity of Shreveport, Louisiana at an estimated cost of $6,000,000: Provided further, That section 101(b)(4) of the Water Resources Development Act of 1996, is amended by striking ''total cost of $8,600,000'' and inserting in lieu thereof, ''total cost of $15,000,000'': Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,000,000 of the funds appropriated herein for additional emergency bank stabilization measures at Galena, Alaska under the same terms and conditions as previous emergency bank stabilization work undertaken at Galena, Alaska pursuant to Section 116 of Public Law 99–190: Provided further, That with $4,200,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Brunswick County Beaches, North Carolina-Ocean Isle Beach portion in accordance with the General Reevaluation Report approved by the Chief of Engineers on May 15, 1998: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use not to exceed $300,000 of funds appropriated herein to reimburse the City of Renton, Washington, at full Federal expense, for mitigation expenses incurred for the flood control project constructed pursuant to 33 U.S.C. 701s at Cedar River, City of Renton, Washington, as a result of overdredging by the Army Corps of Engineers: Provided further, That $2,000,000 of the funds appropriated herein shall be available for sta-

bilization and renovation of Lock and Dam 10, Kentucky River, Kentucky, subject to enactment of authorization by law: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,000,000 of the funds appropriated herein to initiate construction of a navigation project at Kaumalapau Harbor, Hawaii: Provided further, That the Secretary of the Army is directed to use $2,000,000 of the funds provided herein for Dam Safety and Seepage/Stability Correction Program to design and construct seepage control features at Waterbury Dam, Winooski River, Vermont: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to design and construct barge lanes at the Houston-Galveston Navigation Channels, Texas, project, immediately adjacent to either side of the Houston Ship Channel, from Bolivar Roads to Morgan Point, to a depth of 12 feet with prior years' Construction, General carry-over funds: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, may use Construction, General funding as directed in Public Law 105–62 and Public Law 105–245 to initiate construction of an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River, except that the funds shall not become available unless the Secretary of the Army determines that an emergency (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) exists with respect to the emergency need for the outlet and reports to Congress that the construction is technically sound, economically justified, and environmentally acceptable, and in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): Provided further, That the economic justification for the emergency outlet shall be prepared in accordance with the principles and guidelines for economic evaluation as required by regulations and procedures of the Army Corps of Engineers for all flood control projects, and that the economic justification be fully described, including the analysis of the benefits and costs, in the project plan documents: Provided further, That the plans for the emergency outlet shall be reviewed and, to be effective, shall contain assurances provided by the Secretary of State, after consultation with the International Joint Commission, that the project will not violate the requirements or intent of the Treaty Between the United States and Great Britain Relating to Boundary Waters Between the United States and Canada, signed at Washington, January 11, 1909 (36 Stat. 2448; TS 548) (commonly known as the ''Boundary Waters Treaty of 1909''): Provided further, That the Secretary of the Army shall submit the final plans and other documents for the emergency outlet to Congress: Provided further, That no funds made available under this Act or any other Act for any fiscal year may be used by the Secretary of the Army to carry out the portion of the feasibility study of the Devils Lake Basin, North Dakota, authorized under the Energy and Water Development Appropriations Act, 1993 (Public Law 102–377), that addresses the needs of the area for stabilized lake levels through inlet controls, or to otherwise study any facility or carry out any activity that would permit the transfer of water from the Missouri River Basin into Devils Lake.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a and 702g–1), $347,731,000, to remain available until expended: Provided, That the Secretary of the Army is directed to complete his analysis and determination of Federal maintenance of the Greenville Inner Harbor, Mississippi navigation project in accordance with Section 509 of the Water Resources Development Act of 1996.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,901,959,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that account for construction, operation, and maintenance of outdoor recreation facilities: Provided, That the Secretary of the Army, acting through the Chief of Engineers, from the funds provided herein for the operation and maintenance of New York Harbor, New York, is directed to prepare the necessary documentation and initiate removal of submerged obstructions and debris in the area previously marked by the Ambrose Light Tower in the interest of safe navigation: Provided further, That the Secretary of the Army is directed to use $500,000 of funds appropriated herein to remove and reinstall the docks and causeway, in kind, at Astoria East Boat Basin, Oregon: Provided further, That $500,000 of the funds appropriated herein for the Ohio River Open Channel, Illinois, Kentucky, Indiana, Ohio, West Virginia, and Pennsylvania, project, are provided for the Secretary of the Army, acting through the Chief of Engineers, to dredge a channel from the mouth of Wheeling Creek to Tunnel Green Park in Wheeling, West Virginia.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $125,000,000, to remain available until expended: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to: (1) by March 1, 2001, supplement the report, Cost Analysis For the 1999 Proposal to Issue and Modify Nationwide Permits, to reflect the Nationwide Permits actually issued on March 9, 2000, including changes in the acreage limits, preconstruction notification requirements and general conditions between the rule proposed on July 21, 1999, and the rule promulgated and published in the Federal Register; (2) after consideration of the cost analysis for the 1999 proposal to issue and modify nationwide permits and the supplement prepared pursuant to this Act and by September 30, 2001, prepare, submit to Congress and publish in the Federal Register a Permit Processing Management Plan by which the Corps of Engineers will handle the additional work associated with all projected increases in the number of individual permit applications and preconstruction notifications related to the new and replacement permits and general conditions. The Permit Processing Management Plan shall include specific objective goals and criteria by which the Corps of Engineers' progress towards reducing any permit backlog can be measured; (3) beginning on December 31, 2001, and on a biannual basis thereafter, report to Congress and publish in the Federal Register, an analysis of the performance of its program as measured against the criteria set out in the Permit Processing Management Plan; (4) implement a 1-year pilot program to publish quarterly on the U.S. Army Corps of Engineer's Regulatory Program website all Regulatory Analysis and Management Systems (RAMS) data for the South Pacific Division and North Atlantic Division beginning within 30 days of the enactment of this Act; and (5) publish in Division Office websites all findings, rulings, and decisions rendered under the administrative appeals process for the Corps of Engineers Regulatory Program as established in Public Law 106–60: Provided further, That, through the period ending on September 30, 2003, the Corps of Engineers shall allow any appellant to keep a verbatim record of the proceedings of the appeals conference under the aforementioned administrative appeals process: Provided further, That within 30 days of the enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, shall require all U.S. Army Corps of Engineers Divisions and Districts to record the date on which a Section 404 individual permit application or nationwide permit notification is filed with the Corps of Engineers: Provided further, That the Corps of Engineers, when reporting permit processing times, shall track both the date a permit application is first received and the date the application is considered complete, as well as the reason that the application is not considered complete upon first submission.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as part of the Nation's early atomic energy program, $140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, the Water Resources Support Center, and headquarters support functions at the USACE Finance Center, $152,000,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: Provided further, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

REVOLVING FUND

Amounts in the Revolving Fund are available for the costs of relocating the U.S. Army Corps of Engineers headquarters to office space in the General Accounting Office headquarters building in Washington, D.C.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. (a) The Secretary of the Army shall enter into an agreement with the City of Grand Prairie, Texas, wherein the City agrees to assume all of the responsibilities of the Trinity River Authority of Texas under Contract No. DACW63–76–C–0166, other than financial responsibilities, except as provided for in subsection (c) of this section. The Trinity River Authority shall be relieved of all of its financial responsibilities under the Contract as of the date the Secretary of the Army enters into the agreement with the City.

(b) In consideration of the agreement referred to in subsection (a), the City shall pay the Federal Government a total of $4,290,000 in two installments, one in the amount of $2,150,000, which shall be due and payable no later than December 1, 2000, and one in the amount of $2,140,000, which shall be due and payable no later than December 1, 2003.

(c) The agreement executed pursuant to subsection (a) shall include a provision requiring the City to assume all costs associated with operation and maintenance of the recreation facilities included in the Contract referred to in that subsection.

SEC. 102. Agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the enactment of this Act pursuant to section 4 of the Rivers and Harbor Act of 1915, Public Law 64–291; section 11 of the River and Harbor Act of 1925, Public Law 68–585; the Civil Functions Appropriations Act, 1936, Public Law 75–208; section 215 of the Flood Control Act of 1968, as amended, Public Law 90–483; sections 104, 203, and 204 of the Water Resources Development Act of 1986, as amended (Public Law 99–662); section 206 of the Water Resources Development Act of 1992, as amended, Public Law 102–580; section 211 of the Water Resources Development Act of 1996, Public Law 104–303, and any other specific project authority, shall be limited to credits and reimbursements per project not to exceed $10,000,000 in each fiscal year, and total credits and reimbursements for all applicable projects not to exceed $50,000,000 in each fiscal year.

SEC. 103. None of the funds made available in this Act may be used to revise the Missouri River Master Water Control Manual when it is made known to the Federal entity or official to which the funds are made available that such revision provides for an increase in the springtime water release program during the spring heavy rainfall and snow melt period in States that have rivers draining into the Missouri River below the Gavins Point Dam.

SEC. 104. ST. GEORGES BRIDGE, DELAWARE. None of the funds made available by this Act may be used to carry out any activity relating to closure or removal of the St. Georges Bridge across the Chesapeake and Delaware Canal, Delaware, including a hearing or any other activity relating to preparation of an environmental impact statement concerning the closure or removal.

SEC. 105. Within available funds under title I, the Secretary of the Army, acting through the Chief of Engineers, shall provide up to $7,000,000 to replace and upgrade the dam in Kake, Alaska which collapsed July 2000, to provide drinking water and hydroelectricity.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $38,724,000, to remain available until expended, of which $19,566,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: Provided, That of the amounts deposited into that account, $5,000,000 shall be considered the Federal contribution authorized by paragraph 402(b)(2) of the Central Utah Project Completion Act and $14,158,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out activities authorized under that Act.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,216,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $678,450,000, to remain available until expended, of which $1,916,000 shall be available for transfer to the Upper Colorado River Basin Fund and $39,467,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which $16,000,000 shall be for on-reservation water development, feasibility studies, and related administrative costs under Public Law 106–163; of which not more than 25 percent of the amount provided for drought emergency assistance may be used for financial assistance for the preparation of cooperative drought contingency plans under Title II of Public Law 102–250; and of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: Provided further, That section 301 of Public Law 102–250, Reclamation States Emergency Drought Relief Act of 1991, as amended, is amended further by inserting ''2000, and 2001'' in lieu of ''and 2000'': Provided further, That the amount authorized for Indian municipal, rural, and industrial water features by section 10 of Public Law 89–108, as amended by section 8 of Public Law 99–294, section 1701(b) of Public Law 102–575, Public Law 105–245, and Public Law 106–60 is increased by $2,000,000 (October 1998 prices): Provided further, That the amount authorized for Minidoka Project North Side Pumping Division, Idaho, by section 5 of Public Law 81–864, is increased by $2,805,000: Provided further, That the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended as follows: (1) by inserting in Section 4(c) after ''1984,'' and before ''costs'' the following: ''and the additional $95,000,000 further authorized to be appropriated by amendments to that Act in 2000,''; (2) by inserting in Section 5 after ''levels),'' and before ''plus'' the following: ''and, effective October 1, 2000, not to exceed an additional $95,000,000 (October 1, 2000, price levels),''; and (3) by striking ''sixty days (which'' and all that follows through ''day certain)'' and inserting in lieu thereof ''30 calendar days''.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $8,944,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $27,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $425,000, to remain available until expended: Provided, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $38,382,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $50,224,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed four passenger motor vehicles for replacement only.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 202. Funds under this title for Drought Emergency Assistance shall be made available primarily for leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation. Such leases may be entered into with an option to purchase: Provided, That such purchase is approved by the State in which the purchase takes place and the purchase does not cause economic harm within the State in which the purchase is made.

SEC. 203. Beginning in fiscal year 2001 and thereafter, the Secretary of the Interior shall assess and collect annually from Central Valley Project (CVP) water and power contractors the sum of $540,000 (June 2000 price levels) and remit, without further appropriation, the amount collected annually to the Trinity Public Utilities District (TPUD). This assessment shall be payable 70 percent by CVP Preference Power Customers and 30 percent by CVP Water Contractors. The CVP Water Contractor share of this assessment shall be collected by the Secretary through established Bureau of Reclamation (Reclamation) Operation and Maintenance ratesetting practices. The CVP Power Contractor share of this assessment shall be assessed by Reclamation to the Western Area Power Administration, Sierra Nevada Region (Western), and collected by Western through established power ratesetting practices.

SEC. 204. (a) In General.—For fiscal year 2001 and each fiscal year thereafter, the Secretary of the Interior shall continue funding, from power revenues, the activities of the Glen Canyon Dam Adaptive Management Program as authorized by section 1807 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), at not more than $7,850,000 (October 2000 price level), adjusted in subsequent years to reflect changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(b) VOLUNTARY CONTRIBUTIONS.—Nothing in this section precludes the use of voluntary fi-

nancial contributions (except power revenues) to the Adaptive Management Program that may be authorized by law.

(c) ACTIVITIES TO BE FUNDED.—The activities to be funded as provided under subsection (a) include activities required to meet the requirements of section 1802(a) and subsections (a) and (b) of section 1805 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), including the requirements of the Biological Opinion on the Operation of Glen Canyon Dam and activities required by the Programmatic Agreement on Cultural and Historic Properties, to the extent that the requirements and activities are consistent with the Grand Canyon Protection Act of 1992 (106 Stat. 4672).

(d) ADDITIONAL FUNDING.—To the extent that funding under subsection (a) is insufficient to pay the costs of the monitoring and research and other activities of the Glen Canyon Dam Adaptive Management Program, the Secretary of the Interior may use funding from other sources, including funds appropriated for that purpose. All such appropriated funds shall be nonreimbursable and nonreturnable.

SEC. 205. The Secretary of the Interior is authorized and directed to use not to exceed $1,000,000 of the funds appropriated under title II to refund amounts received by the United States as payments for charges assessed by the Secretary prior to January 1, 1994 for failure to file certain certification or reporting forms prior to the receipt of irrigation water, pursuant to sections 206 and 224(c) of the Reclamation Reform Act of 1982 (96 Stat. 1226, 1272; 43 U.S.C. 390ff, 390ww(c)), including the amount of associated interest assessed by the Secretary and paid to the United States pursuant to section 224(i) of the Reclamation Reform Act of 1982 (101 Stat. 1330–268; 43 U.S.C. 390ww(i)).

SEC. 206. CANYON FERRY RESERVOIR, MONTANA. (a) APPRAISALS.—Section 1004(c)(2)(B) of title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–713; 113 Stat. 1501A–307) is amended—

(1) in clause (i), by striking ''be based on'' and inserting ''use'';

(2) in clause (vi), by striking ''Notwithstanding any other provision of law,'' and inserting ''To the extent consistent with the Uniform Appraisal Standards for Federal Land Acquisition,''; and

(3) by adding at the end the following:

''(vii) APPLICABILITY.—This subparagraph shall apply to the extent that its application is practicable and consistent with the Uniform Appraisal Standards for Federal Land Acquisition.''.

(b) TIMING.—Section 1004(f)(2) of title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–714; 113 Stat. 1501A–308) is amended by inserting after ''Act,'' the following: ''in accordance with all applicable law,''.

(c) INTEREST.—Section 1008(b) of title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–717; 113 Stat. 1501A–310) is amended by striking paragraph (4).

SEC. 207. Beginning in fiscal year 2000 and thereafter, any amounts provided for the Newlands Water Rights Fund for purchasing and retiring water rights in the Newlands Reclamation Project shall be non-reimbursable.

SEC. 208. USE OF COLORADO-BIG THOMPSON PROJECT FACILITIES FOR NONPROJECT WATER. The Secretary of the Interior may enter into contracts with the city of Loveland, Colorado, or its Water and Power Department or any other agency, public utility, or enterprise of the city, providing for the use of facilities of the Colorado-Big Thompson Project, Colorado, under the Act of February 21, 1911 (43 U.S.C. 523), for—

(1) the impounding, storage, and carriage of nonproject water originating on the eastern slope of the Rocky Mountains for domestic, municipal, industrial, and other beneficial purposes; and

(2) the exchange of water originating on the eastern slope of the Rocky Mountains for the purposes specified in paragraph (1), using facilities associated with the Colorado-Big Thompson Project, Colorado.

SEC. 209. AMENDMENT TO IRRIGATION PROJECT CONTRACT EXTENSION ACT OF 1998. (a) Section 2(a) of the Irrigation Project Contract Extension Act of 1998, Public Law 105–293, is amended by striking the date ''December 31, 2000'', and inserting in lieu thereof the date ''December 31, 2003''; and

(b) Subsection 2(b) of the Irrigation Project Contract Extension Act of 1998, Public Law 105–293, is amended by—

(1) striking the phrase ''not to go beyond December 31, 2001'', and inserting in lieu thereof the phrase ''not to go beyond December 31, 2003''; and

(2) striking the phrase ''terminates prior to December 31, 2000'', and inserting in lieu thereof ''terminates prior to December 31, 2003''.

SEC. 210. Section 202 of Division B, Title I, Chapter 2 of Public Law 106–246 is amended by adding at the end the following: ''This section shall be effective through September 30, 2001.''.

SEC. 211. Section 106 of the San Luis Rey Indian Water Rights Settlement Act (Public Law 100–675; 102 Stat. 4000 et seq.) is amended by adding at the end the following new subsection:

''(f) REQUIREMENT TO RESERVE AND FURNISH WATER.—Notwithstanding any other provision of law, the Secretary, acting through the Commissioner of Reclamation, shall permanently reserve and furnish annually the following:

''(1) WATER.—The first 16,000 acre-feet of any water conserved by the works authorized by title II, to the Indian Water Authority and the local entities in accordance with the settlement agreement.

''(2) CAPACITY AND ENERGY.—Capacity and energy from the Parker-Davis Project at the rates established for project use power sufficient to convey water conserved pursuant to paragraph (1) from Lake Havasu through the Colorado River Aqueduct to Lake Matthews and to the places of use on the Bands reservations or in the local entities service area in accordance with the settlement agreement.

Water conserved pursuant to paragraph (1) may be used on the Bands' reservations or in the local entities' service areas, leased for use outside the Bands' reservations or the local entities' service areas, or exchanged for water from other sources for use by the Bands, the Indian Water Authority, or the local entities, in accordance with the settlement agreement.''.

SEC. 212. (a) DEFINITIONS.—For the purpose of this section, the term—

(1) ''Secretary'' means the Secretary of the Interior;

(2) ''Sly Park Unit'' means the Sly Park Dam and Reservoir, Camp Creek Diversion Dam and Tunnel, and conduits and canals as authorized under the American River Act of October 14, 1949 (63 Stat. 853), including those used to convey, treat, and store water delivered from Sly Park, as well as all recreation facilities thereto; and

(3) ''District'' means the El Dorado Irrigation District.

(b) IN GENERAL.—The Secretary shall, as soon as practicable after date of the enactment of this Act and in accordance with all applicable law, transfer all right, title, and interest in and to the Sly Park Unit to the District.

(c) SALE PRICE.—The Secretary is authorized to receive from the District $2,000,000 to relieve payment obligations and extinguish the debt under contract number 14–06–200–949IR3, and $9,500,000 to relieve payment obligations and extinguish all debts associated with contracts numbered 14–06–200–7734, as amended by contracts numbered 14–06–200–4282A and 14–06–200–8536A. Notwithstanding the preceding sentence, the District shall continue to make payments required by section 3407(c) of Public Law 102–575 through year 2029.

(d) CREDIT REVENUE TO PROJECT REPAYMENT.—Upon payment authorized under subsection (b), the amount paid shall be credited toward repayment of capital costs of the Central Valley Project in an amount equal to the associated undiscounted obligation.

(e) FUTURE BENEFITS.—Upon payment, the Sly Park Unit shall no longer be a Federal reclamation project or a unit of the Central Valley Project, and the District shall not be entitled to receive any further reclamation benefits.

(f) LIABILITY.—Except as otherwise provided by law, effective on the date of conveyance of the Sly Park Unit under this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership or operation of the conveyed property.

(g) COSTS.—All costs, including interest charges, associated with the Project that have been included as a reimbursable cost of the Central Valley Project are declared to be nonreimbursable and nonreturnable.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for energy supply, and uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 17 passenger motor vehicles for replacement only, $660,574,000 to remain available until expended: Provided, That, in addition, royalties received to compensate the Department of Energy for its participation in the First-Of-A-Kind-Engineering program shall be credited to this account to be available until September 30, 2002, for the purposes of Nuclear Energy, Science and Technology activities.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, $277,812,000, to remain available until expended.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to maintain, decontaminate, decommission, and otherwise remediate uranium processing facilities, $393,367,000, of which $345,038,000 shall be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, all of which shall remain available until expended: Provided, That $72,000,000 of amounts derived from the Fund for such expenses shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 58 passenger motor vehicles for replacement only, $3,186,352,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $191,074,000, to remain available until expended and to be derived from the Nuclear Waste Fund: Provided, That not to exceed $2,500,000 may be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended: Provided further, That $6,000,000 shall be provided to affected units of local governments, as defined in Public Law 97–425, to conduct appropriate activities pursuant to the Act: Provided further, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: Provided further, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97–425 and this Act. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982 in Public Law 97–425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $226,107,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $151,000,000 in fiscal year 2001 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation from the General Fund estimated at not more than $75,107,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $31,500,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 12 for replacement only), $5,015,186,000, to remain available until expended: Provided: That, $130,000,000 shall be immediately available for Project 96–D–111, the National Ignition Facility at Lawrence Livermore National Laboratory: Provided further, That $69,100,000 shall be available only upon a certification by the Administrator of the National Nuclear Security Administration to the Congress after March 31, 2001, that (a) includes a recommendation on an appropriate path forward for the project; (b) certifies all established project and scientific milestones have been met on schedule and on cost; (c) certifies the first and second quarter project reviews in fiscal year 2001 determined the project to be on schedule and cost; (d) includes a study of requirements for and alternatives to a 192 beam ignition facility for maintaining the safety and reliability of the current nuclear weapons stockpile; (e) certifies an integrated cost-schedule earned-value project control system has been fully implemented; and (f) includes a five-year budget plan for the stockpile stewardship program.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, Defense Nuclear Nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $874,196,000, to remain available until expended: Provided, That not to exceed $7,000 may be used for official reception and representation expenses for national security and nonproliferation (including transparency) activities in fiscal year 2001.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $690,163,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator of the National Nuclear Security Administration, including official reception and representation expenses (not to exceed $5,000), $10,000,000, to remain available until expended.

OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of 30 passenger motor vehicles for replacement only, $4,974,476,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, $1,082,714,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $65,000,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $585,755,000, to remain available until expended, of which $17,000,000 shall be for the Department of Energy Employees Compensation Initiative upon enactment of authorization legislation into law.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $200,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Nez Perce Tribe Resident Fish Substitution Program, the Cour D'Alene Tribe Trout Production facility, and for official reception and representation expenses in an amount not to exceed $1,500.

During fiscal year 2001, no new direct loan obligations may be made. Section 511 of the Energy and Water Development Appropriations Act, 1997 (Public Law 104–206), is amended by striking the last sentence and inserting, ''This authority shall expire January 1, 2003.''.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $3,900,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, amounts collected by the Southeastern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to $34,463,000; for fiscal year 2002, up to $26,463,000; for fiscal year 2003, up to $20,000,000; and for fiscal year 2004, up to $15,000,000.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the

provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $28,100,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $4,200,000 in reimbursements, to remain available until expended: Provided, That amounts collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to $288,000; for fiscal year 2002, up to $288,000; for fiscal year 2003, up to $288,000; and for fiscal year 2004, up to $288,000.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $165,830,000, to remain available until expended, of which $154,616,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, $5,950,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That amounts collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to $65,224,000; for fiscal year 2002, up to $33,500,000; for fiscal year 2003, up to $30,000,000; and for fiscal year 2004, up to $20,000,000.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,670,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $175,200,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $175,200,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2001 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation from the General Fund estimated at not more than $0.

RESCISSIONS

DEFENSE NUCLEAR WASTE DISPOSAL

(RESCISSION)

Of the funds appropriated in Public Law 104–46 for interim storage of nuclear waste, $75,000,000 are transferred to this heading and are hereby rescinded.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

(RESCISSION)

Of the funds appropriated in Public Law 106–60 and prior Energy and Water Development Acts for the Tank Waste Remediation System at Richland, Washington, $97,000,000 of unexpended balances of prior appropriations are rescinded.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy,

under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the $24,500,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. Of the funds in this Act provided to government-owned, contractor-operated laboratories, not to exceed 6 percent shall be available to be used for Laboratory Directed Research and Development.

SEC. 307. (a) Of the funds appropriated by this title to the Department of Energy, not more than $185,000,000 shall be available for reimbursement of management and operating contractor travel expenses, of which $10,000,000 is available for use by the Chief Financial Officer of the Department of Energy for emergency travel expenses.

(b) Funds appropriated by this title to the Department of Energy may be used to reimburse a Department of Energy management and operating contractor for travel costs of its employees under the contract only to the extent that the contractor applies to its employees the same rates and amounts as those that apply to Federal employees under subchapter I of chapter 57 of title 5, United States Code, or rates and amounts established by the Secretary of Energy. The Secretary of Energy may provide exceptions to the reimbursement requirements of this section as the Secretary considers appropriate.

(c) The limitation in subsection (a) shall not apply to reimbursement of management and operating contractor travel expenses within the Laboratory Directed Research and Development program.

SEC. 308. No funds are provided in this Act or any other Act for the Administrator of the Bonneville Power Administration to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies that such services are not available from private sector businesses.

SEC. 309. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or is generated after such date. For the purposes of this section, the material categories of transuranic waste at the Rocky Flats Environmental Technology Site include: (1) ash residues; (2) salt residues; (3) wet residues; (4) direct repackage residues; and (5) scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''.

SEC. 310. The Administrator of the National Nuclear Security Administration may authorize the plant manager of a covered nuclear weapons production plant to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such plant in order to maintain and enhance such capabilities at such plant: Provided, That of the amount allocated to a covered nuclear weapons production plant each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: Provided further, That for purposes of this section, the term ''covered nuclear weapons production plant'' means the following:

(1) The Kansas City Plant, Kansas City, Missouri.

(2) The Y–12 Plant, Oak Ridge, Tennessee.

(3) The Pantex Plant, Amarillo, Texas.

(4) The Savannah River Plant, South Carolina.

SEC. 311. Notwithstanding any other law, and without fiscal year limitation, each Federal Power Marketing Administration is authorized to engage in activities and solicit, undertake and review studies and proposals relating to the formation and operation of a regional transmission organization.

SEC. 312. Not more than $10,000,000 of funds previously appropriated for interim waste storage activities for Defense Nuclear Waste Disposal in Public Law 104–46, the Energy and Water Development Appropriations Act, 1996, may be made available to the Department of Energy upon written certification by the Secretary of Energy to the House and Senate Committees on Appropriations that the Site Recommendation Report cannot be completed on time without additional funding.

SEC. 313. TERM OF OFFICE OF PERSON FIRST APPOINTED AS UNDER SECRETARY FOR NUCLEAR SECURITY OF THE DEPARTMENT OF ENERGY. (a) LENGTH OF TERM.—The term of office as Under Secretary for Nuclear Security of the Department of Energy of the first person appointed to that position shall be three years.

(b) EXCLUSIVE REASONS FOR REMOVAL.—The exclusive reasons for removal from office as Under Secretary for Nuclear Security of the person described in subsection (a) shall be inefficiency, neglect of duty, or malfeasance in office.

(c) POSITION DESCRIBED.—The position of Under Secretary for Nuclear Security of the Department of Energy referred to in this section is the position established by subsection (c) of section 202 of the Department of Energy Organization Act (42 U.S.C. 7132), as added by section 3202 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 954).

SEC. 314. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY TO MODIFY ORGANIZATION OF NATIONAL NUCLEAR SECURITY ADMINISTRATION. (a) SCOPE OF AUTHORITY.—Subtitle A of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 957; 50 U.S.C. 2401 et seq.) is amended by adding at the end the following new section:

"SEC. 3219. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY TO MODIFY ORGANIZATION OF ADMINISTRATION.

''Notwithstanding the authority granted by section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) or any other provision of law, the Secretary of Energy may not establish, abolish, alter, consolidate, or discontinue any organizational unit or component, or transfer any function, of the Administration, except as authorized by subsection (b) or (c) of section 3291.''.

(b) CONFORMING AMENDMENTS.—Section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) is amended—

(1) by striking ''The Secretary'' and inserting ''(a) Subject to subsection (b), the Secretary''; and

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

''(b) The authority of the Secretary to establish, abolish, alter, consolidate, or discontinue any organizational unit or component of the National Nuclear Security Administration is governed by the provisions of section 3219 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65).''.

SEC. 315. PROHIBITION ON PAY OF PERSONNEL ENGAGED IN CONCURRENT SERVICE OR DUTIES INSIDE AND OUTSIDE NATIONAL NUCLEAR SECURITY ADMINISTRATION. Subtitle C of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

"SEC. 3245. PROHIBITION ON PAY OF PERSONNEL ENGAGED IN CONCURRENT SERVICE OR DUTIES INSIDE AND OUTSIDE ADMINISTRATION.

''(a) Except as otherwise expressly provided by statute, no funds authorized to be appropriated or otherwise made available for the Department of Energy may be obligated or utilized to pay the basic pay of an officer or employee of the Department of Energy who—

''(1) serves concurrently in a position in the Administration and a position outside the Administration; or

''(2) performs concurrently the duties of a position in the Administration and the duties of a position outside the Administration.''

''(b) The provision of this section shall take effect 60 days after the date of enactment of this section.''.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $66,400,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $18,500,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to establish the Delta Regional Authority and to carry out its activities, $20,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction and acquisition of plant and capital equipment as necessary and other expenses, $30,000,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), $481,900,000, to remain available until expended: Provided, That of the amount appropriated herein, $21,600,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $447,958,000 in fiscal year 2001 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That $3,200,000 of the funds herein appropriated for regulatory reviews and assistance to other Federal agencies and States shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation estimated at not more than $33,942,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $5,500,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $5,390,000 in fiscal year 2001 shall be retained and be available until expended, for necessary salaries and expenses in this account notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation estimated at not more than $110,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $2,900,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

FISCAL YEAR 2001 EMERGENCY APPROPRIATIONS

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

CERRO GRANDE FIRE ACTIVITIES

For necessary expenses to remediate damaged Department of Energy facilities and for other expenses associated with the Cerro Grande fire, $203,460,000, to remain available until expended, of which $2,000,000 shall be made available to the United States Army Corps of Engineers to undertake immediate measures to provide erosion control and sediment protection to sewage lines, trails, and bridges in Pueblo and Los Alamos Canyons downstream of Diamond Drive in New Mexico: Provided, That the entire amount shall be available only to the extent an official budget request for $203,460,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For necessary expenses to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, $11,000,000, to remain available until expended, which shall be available only to the extent an official budget request for $11,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TITLE VI

GENERAL PROVISIONS

SEC. 601. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code.

SEC. 602. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 603. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the

Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal Reclamation law.

SEC. 604. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

SEC. 605. (a) IN GENERAL.—None of the funds made available in this Act may be used to pay any basic pay of an individual who simultaneously holds or carries out the responsibilities of—

(1) a position within the National Nuclear Security Administration; and

(2) a position within the Department of Energy not within the Administration.

(b) EXCEPTIONS FOR ADMINISTRATOR FOR NUCLEAR SECURITY AND DEPUTY ADMINISTRATOR FOR NAVAL REACTORS.—The limitation in subsection (a) shall not apply to the following cases:

(1) The Under Secretary of Energy for Nuclear Security serving as the Administrator for Nuclear Security, as provided in section 3212(a)(2) of the National Nuclear Security Administration Act (50 U.S.C. 2402(a)(2)).

(2) The director of the Naval Nuclear Propulsion Program provided for under the Naval Nuclear Propulsion Executive Order serving as the Deputy Administrator for Naval Reactors, as provided in section 3216(a)(1) of such Act (50 U.S.C. 2406(a)(1)).

SEC. 606. FUNDING OF THE COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT. Section 4(a) of the Act of August 9, 1950 (16 U.S.C. 777c(a)), is amended in the second sentence by striking ''2000'' and inserting ''2009''.

SEC. 607. REDESIGNATION OF INTERSTATE SANITATION COMMISSION AND DISTRICT. (a) INTERSTATE SANITATION COMMISSION.—

(1) IN GENERAL.—The district known as the ''Interstate Sanitation Commission'', established by article III of the Tri-State Compact described in the Resolution entitled, ''A Joint Resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission'', approved August 27, 1935 (49 Stat. 933), is redesignated as the ''Interstate Environmental Commission''.

(2) REFERENCES.—Any reference in a law, regulation, map, document, paper, or other record of the United States to the Interstate Sanitation Commission shall be deemed to be a reference to the Interstate Environmental Commission.

(b) INTERSTATE SANITATION DISTRICT.—

(1) IN GENERAL.—The district known as the ''Interstate Sanitation District'', established by article II of the Tri-State Compact described in the Resolution entitled, ''A Joint Resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission'', approved August 27, 1935 (49 Stat. 932), is redesignated as the ''Interstate Environmental District''.

(2) REFERENCES.—Any reference in a law, regulation, map, document, paper, or other record of the United States to the Interstate Sanitation District shall be deemed to be a reference to the Interstate Environmental District.

TITLE VII

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount for fiscal year 2001 into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $5,000,000,000.

TITLE VIII

NUCLEAR REGULATORY COMMISSION

Section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is amended—

(1) in subsection (a)(3), by striking ''September 30, 1999'' and inserting ''September 20, 2005''; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting ''or certificate holder'' after ''licensee''; and

(B) by striking paragraph (2) and inserting the following:

''(2) AGGREGATE AMOUNT OF CHARGES.—

''(A) IN GENERAL.—The aggregate amount of the annual charges collected from all licensees and certificate holders in a fiscal year shall equal an amount that approximates the percentages of the budget authority of the Commission for the fiscal year stated in subparagraph (B), less—

''(i) amounts collected under subsection (b) during the fiscal year; and

''(ii) amounts appropriated to the Commission from the Nuclear Waste Fund for the fiscal year.

''(B) PERCENTAGES.—The percentages referred to in subparagraph (A) are—

''(i) 98 percent for fiscal year 2001;

''(ii) 96 percent for fiscal year 2002;

''(iii) 94 percent for fiscal year 2003;

''(iv) 92 percent for fiscal year 2004; and

''(v) 90 percent for fiscal year 2005.''.

This Act may be cited as the ''Energy and Water Development Appropriations Act, 2001''.

And the Senate agree to the same.

RON PACKARD,
HAROLD ROGERS,
JOE KNOLLENBERG,
RODNEY P. FRELINGHUYSEN,
SONNY CALLAHAN,
TOM LATHAM,
ROGER F. WICKER,
C.W. BILL YOUNG,
PETER J. VISCLOSKY,
CHET EDWARDS,
ED PASTOR,
MICHAEL P. FORBES,
Managers on the Part of the House.

PETE V. DOMENICI,
THAD COCHRAN,
SLADE GORTON,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
LARRY E. CRAIG,
TED STEVENS,
HARRY REID,
ROBERT C. BYRD,
ERNEST F. HOLLINGS,
PATTY MURRAY,
HERB KOHL,
DANIEL INOUYE,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas ..... 301 / Nays ..... 118 }

¶99.7 [Roll No. 501]

YEAS—301

Abercrombie
Aderholt
Armey
Baca
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Carson
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Murtha
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Packard
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Sessions
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Strickland
Stump
Stupak
Sweeney
Tanner
Tauscher

Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Traficant
Turner
Udall (CO)
Udall (NM)
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Young (FL)

NAYS—118

Ackerman
Allen
Andrews
Archer
Baldacci
Baldwin
Barrett (WI)
Berman
Bliley
Blumenauer
Boehner
Boswell
Brady (TX)
Brown (OH)
Campbell
Capuano
Cardin
Castle
Chabot
Chenoweth-Hage
Coburn
Conyers
Cook
Coyne
Cubin
DeFazio
Delahunt
DeLauro
DeMint
Deutsch
Doggett
Engel
Frank (MA)
Gejdenson
Gibbons
Goodling
Green (WI)
Greenwood
Gutierrez
Hastings (FL)
Hefley
Hinchey
Holden
Holt
Hostettler
Inslee
Istook
Johnson, Sam
Kanjorski
Kennedy
Kind (WI)
Kleczka
Kucinich
Largent
Larson
Lowey
Luther
Maloney (CT)
Markey
McCarthy (MO)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Minge
Moakley
Moran (KS)
Moran (VA)
Myrick
Nadler
Neal
Oberstar
Obey
Olver
Owens
Oxley
Pallone
Pascrell
Payne
Petri
Pickering
Portman
Ramstad
Rangel
Rogan
Rothman
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanders
Sanford
Schaffer
Sensenbrenner
Shadegg
Shays
Sherman
Smith (MI)
Stearns
Stenholm
Sununu
Tancredo
Thurman
Tierney
Toomey
Towns
Upton
Velazquez
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wynn

NOT VOTING—14

Clay
Dingell
Eshoo
Gilchrest
Jones (OH)
Klink
Lazio
McCollum
McIntosh
Morella
Paul
Talent
Vento
Young (AK)

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶99.8 AGRICULTURE APPROPRIATIONS FY 2001

On motion of Mr. SKEEN, by unanimous consent, the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. SKEEN, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶99.9 MOTION TO INSTRUCT CONFEREES—H.R. 4461

Ms. KAPTUR moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 4461, be instructed to hold a full and adequate public meeting at which managers have the opportunity to debate and vote on all matters in disagreement between the two Houses, and be instructed to fully resolve all differences between H.R. 4461 and the Senate amendment as part of this conference.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. QUINN, announced that the yeas had it.

Ms. KAPTUR objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 409
Nays 0

¶99.10 [Roll No. 502]

YEAS—409

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burton
Buyer
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—24

Brown (FL)
Burr
Callahan
Chenoweth-Hage
Clay
Cunningham
Danner
Eshoo
Everett
Forbes
Franks (NJ)
Jones (OH)
Klink
Lazio
McCarthy (MO)
McCollum
McIntosh
Paul
Pickett
Scarborough
Talent
Vento
Wise
Young (AK)

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to

was, by unanimous consent, laid on the table.

¶99.11 APPOINTMENT OF CONFEREES—H.R. 4461

Thereupon, the SPEAKER pro tempore, Mr. QUINN, by unanimous consent, appointed Messrs. SKEEN, WALSH, DICKEY, KINGSTON, NETHERCUTT, BONILLA, LATHAM, Mrs. EMERSON, Mr. YOUNG of Florida, Ms. KAPTUR, Ms. DELAURO, Messrs. HINCHEY, FARR, BOYD, and OBEY, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶99.12 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. REGULA, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report on the bill (H.R. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶99.13 FURTHER MESSAGE FROM THE SENATE

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

H.R. 4942. An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4942) ''An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mrs. HUTCHISON, Mr. KYL, Mr. STEVENS, Mr. DURBIN, and Mr. INOUYE, to be the conferees on the part of the Senate.

¶99.14 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. REGULA, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report on the bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking; together with a statement thereon, for printing in the Record under the rule.

¶99.15 HOUR OF MEETING

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Friday, September 29, 2000, at 12 noon.

¶99.16 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, October 4, 2000, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶99.17 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns on Friday, September 29, 2000, it adjourn to meet at 12:30 p.m. on Monday, October 2, 2000, for ''morning-hour debate''.

¶99.18 WAIVING REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 106–909) the resolution (H. Res. 599) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶99.19 WAIVING REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 106–910) the resolution (H. Res. 600) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶99.20 FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a Joint Resolution of the House of the following title:

H.J. Res. 109. Joint resolution making continuing appropriations for the fiscal year 2001, and for other purposes.

¶99.21 ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 999. An Act to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes.

H.R. 2647. An Act to amend the Act entitled ''An Act relating to the water rights of the Ak-Chin Indian Community'' to clarify certain provisions concerning the leasing of such water rights, and for other purposes.

H.R. 4700. An Act to grant the consent of the Congress to the Kansas and Missouri Metropolitan Culture District Compact.

H.J. Res. 72. Joint resolution granting the consent of the Congress to the Red River Boundary Compact.

H.J. Res. 109. Joint resolution making continuing appropriations for the fiscal year 2001, and for other purposes.

¶99.22 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1295. An Act to designate the United States Post Office located at 3813 Main Street in East Chicago, Indiana, as the ''Lance Corporal Harold Gomez Post Office''.

S. 1324. An Act to expand the boundaries of the Gettysburg National Military Park to include the Wills House, and for other purposes.

And then,

¶99.23 ADJOURNMENT

On motion of Mr. MICA, pursuant to the special order heretofore agreed to, at 5 o'clock and 13 minutes p.m., the House adjourned until 12 o'clock noon on Friday, September 29, 2000.

¶99.24 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 599. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 106–909). Referred to the House Calendar.

Mr. REYNOLDS. Committee on Rules. House Resolution 600. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 106–910). Referred to the House Calendar.

Mr. YOUNG of Arkansas: Committee on Resources. S. 1653. An act to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act; with an amendment (Rept. No. 106–911). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Arkansas: Committee on Resources. H.R. 2570. A bill to require the Secretary of the Interior to undertake a study regarding methods to commemorate the national significance of the United States roadways that comprise the Lincoln Highway, and for other purposes. (Rept. No. 106–912) Referred to the Committee of the Whole House on the State of the Union.

Mr. MCCOLLUM: Committee on the Judiciary. H.R. 4827. A bill to amend title 18, United States Code, to prevent the entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, and for other purposes; with an amendment (Rept. No. 106–913) Referred to the Committee of the Whole House on the State of the Union.

¶99.25 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. NADLER:

H.R. 5330. A bill to amend the Vaccine Injury Compensation Program, and for other purposes; to the Committee on Commerce.

By Mr. DAVIS of Illinois (for himself, Mr. SHIMKUS, Mr. TALENT, Mr. WATTS of Oklahoma, Ms. NORTON, Mr. HILLIARD, Mr. CLAY, Ms. LEE, Mr. RANGEL, Mr. PAYNE, Mrs. MALONEY of New York, Mrs. JONES of Ohio, Mr. GUTIERREZ, Mr. WYNN, Mr. CLYBURN, Mr. JACKSON of Illinois, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. TOWNS, Mr. FROST, Mr. EVANS, Mr. OWENS, Mr. DIXON, Mr. CUMMINGS, Ms. MILLENDER-MCDONALD, Mr. MEEKS of New York, Mr. CROWLEY, Mr. FALEOMAVAEGA, Mr. SERRANO, Mr. FORD, Mrs. CLAYTON, Ms. BROWN of Florida, Mr. DAVIS of Virginia, Mr. DICKS, Mr. JEFFERSON, Mr. LATOURETTE, Mr. MORAN of Virginia, Mr. BISHOP, Ms. MCKINNEY, Mrs. MCCARTHY of New York, Mr. BACA, Mr. PASCRELL, Mr. SAXTON, Mr. PALLONE, Mr. RUSH, Mr. GEORGE MILLER of California, Mr. PASTOR, Mr. CAPUANO, Mrs. LOWEY, Mr. LAZIO, Mr. FRANKS of New Jersey, Mr. POMEROY, Mr. EWING, Mr. PETERSON of Minnesota, Ms. KILPATRICK, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. RIVERS, Ms. CARSON, Mr. SESSIONS, Ms. SLAUGHTER, Mr. BLAGOJEVICH, Mr. LEWIS of Georgia, Mr. HASTINGS of Florida, Mr. SCOTT, Ms. WATERS, Mr. NADLER, Mr. SABO, Mr. PORTMAN, Mr. GREEN of Wisconsin, Mr. MALONEY of Connecticut, Mr. BRADY of Pennsylvania, Mr. MCNULTY, Mrs. MINK of Hawaii, and Mr. SNYDER):

H.R. 5331. A bill to authorize the Frederick Douglass Gardens, Inc., to establish a memorial and gardens on Department of the Interior lands in the District of Columbia or its environs in honor and commemoration of Frederick Douglass; to the Committee on Resources.

By Mr. BRYANT:

H.R. 5332. A bill to amend the motor vehicle safety chapter of title 49, United States Code to make it illegal for any person to sell a tire which is the subject of a recall; to the Committee on Commerce.

By Mr. CUMMINGS:

H.R. 5333. A bill to amend title 5, United States Code, to revise the overtime pay limitation for Federal employees, and for other purposes; to the Committee on Government Reform.

By Mr. DICKEY:

H.R. 5334. A bill to establish a Patients Before Paperwork Medicare Red Tape Reduction Commission to study the proliferation of paperwok under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH:

H.R. 5335. A bill to amend the Federal Election campaign Act of 1971 to require candidates for election for Federal office to raise the majority of their contributions from individuals who reside in the State the candidate seeks to represent, and for other purposes; to the Committee on House Administration.

By Mr. FORBES (for himself and Mr. ENGEL):

H.R. 5336. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain on the sale to a governmental unit of land or an easement therein for open space conservation purposes; to the Committee on Ways and Means.

By Mr. GILCHREST (for himself and Mr. DEFAZIO):

H.R. 5337. A bill to revise the laws of the United States relating to United States cruise vessels, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANSEN:

H.R. 5338. A bill to amend the Homeowners Protection Act of 1998 to provide for cancellation of FHA mortgage insurance for mortages on single family homes; to the Committee on Banking and Financial Services.

By Mrs. JOHNSON of Connecticut (for herself, Mr. MCNULTY, Mr. BOEHLERT, Mr. LARSON, and Mr. HUNTER):

H.R. 5339. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for certain energy-efficient property; to the Committee on Ways and Means.

By Mrs. KELLY (for herself, Mr. SHAYS, Mr. GILMAN, Mrs. LOWEY, and Mr. ENGEL):

H.R. 5340. A bill to amend title 49, United States Code, relating to the airport noise and access review program; to the Committee on Transportation and Infrastructure.

By Mr. LAFALCE:

H.R. 5341. A bill to preserve the requirement for the annual bank fee report by the Board of Governors of the Federal Reserve System, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. PETERSON of Minnesota (for himself, Mr. OBERSTAR, Mr. LAHOOD, Mr. PETRI, Mr. MCGOVERN, Mr. GREEN of Wisconsin, Mr. WALSH, Ms. KAPTUR, Ms. BALDWIN, Mr. SCHAFFER, Mr. DICKS, Mr. FROST, Mr. EVANS, Mr. CRAMER, Mr. HINCHEY, Mr. MCDERMOTT, Ms. MCKINNEY, Ms. BROWN of Florida, Mr. MCCOLLUM, Mr. OLVER, Mr. HUTCHINSON, Mr. FILNER, Mr. BONIOR, and Mrs. KELLY):

H.R. 5342. A bill to amend title 10, United States Code, to provide more equitable civil service retirement and retention provisions for National Guard technicians; to the Committee on Armed Services.

By Mr. THOMAS:

H.R. 5343. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers using the income forecast method of depreciation to treat costs contingent on income in the same manner as fixed costs to the extent determined by reference to the estimated income under such method, and for other purposes; to the Committee on Ways and Means.

By Mr. TOOMEY (for himself, Mr. GREENWOOD, Mr. SCHAFFER, Mr. HOSTETTLER, and Mr. SOUDER):

H.R. 5344. A bill to establish limits on medical malpractice claims, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EVERETT (for himself, Ms. BROWN of Florida, Mr. STUMP, and Mr. EVANS):

H. Con. Res. 413. Concurrent resolution expressing the sense of Congress concerning cooperation between the Department of Veterans Affairs and the Department of Defense in the procurement of medical items; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL (for himself, Mr. PITTS, Mr. LANTOS, Mr. ROHRABACHER, Mr. ROYCE, and Mr. BEREUTER):

H. Con. Res. 414. Concurrent resolution relating to the reestablishment of representative government in Afghanistan; to the Committee on International Relations.

By Mr. LANTOS (for himself, Mr. COX, Mr. WOLF, Mr. SMITH of New Jersey, Ms. PELOSI, Mr. PORTER, and Mr. ROHRABACHER):

H. Res. 601. A resolution expressing the sense of the House of Representatives that without improvement in human rights the Olympic Games in the year 2008 should not be held in Beijing in the People's Republic of China; to the Committee on International Relations.

By Mr. BROWN of Ohio (for himself, Mr. BONIOR, Mr. OBEY, Mr. BORSKI, Ms. PELOSI, Mr. LIPINSKI, and Ms. KAPTUR):

H. Res. 602. A resolution supporting the policy announced by the Secretary of Transportation to delay implementation of the provisions of the North American Free Trade Agreement that allow access for Mexican trucks to all United States roads as of 2000, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶99.26 ADDITIONAL SPONSORS

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

H.R. 284: Mr. ROGAN, Mr. MEEKS of New York, Mr. STUMP, Mr. WEINER, Mr. SAXTON, Mrs. EMERSON, Ms. MILLENDER-MCDONALD, Mr. QUINN, and Mr. BLAGOJEVICH.

H.R. 353: Mr. WATKINS.

H.R. 455: Mr. ENGEL, Ms. CARSON, and Mr. EVANS.

H.R. 460: Mr. LEWIS of Georgia.

H.R. 534: Mr. ENGLISH and Mr. PETERSON of Pennsylvania.

H.R. 710: Mr. WALDEN of Oregon.

H.R. 762: Mr. TOOMEY.

H.R. 837: Mr. TIERNEY.

H.R. 842: Mr. HOLDEN.

H.R. 856: Ms. RIVERS.

H.R. 860: Mr. LATOURETTE.

H.R. 865: Mr. BONIOR.

H.R. 870: Mr. DUNCAN, Mr. COLLINS, and Mr. HALL of Texas.

H.R. 1046: Mr. ROTHMAN.

H.R. 1195: Ms. HOOLEY of Oregon.

H.R. 1196: Ms. RIVERS.

H.R. 1323: Mr. BILBRAY.

H.R. 1396: Mrs. ROUKEMA.

H.R. 1491: Mr. PALLONE.

H.R. 1601: Mr. BARR of Georgia.

H.R. 1697: Mr. UDALL of New Mexico, Mr. KANJORSKI, and Ms. JACKSON-LEE of Texas.

H.R. 1732: Mrs. ROUKEMA.

H.R. 1769: Mr. FILNER.

H.R. 1771: Mr. SHERWOOD.

H.R. 1841: Mr. PASCRELL.

H.R. 2000: Mrs. CAPPS.

H.R. 2166: Mr. FRELINGHUYSEN, Mr. NEAL of Massachusetts, Mr. BARTLETT of Maryland, Mr. BERMAN, Mr. COSTELLO, and Mr. PASCRELL.

H.R. 2175: Mr. WEYGAND.

H.R. 2341: Mr. GORDON, Mr. MORAN of Kansas, Mr. DAVIS of Florida, and Mr. LEACH.

H.R. 2720: Mr. WATT of North Carolina.
H.R. 2741: Ms. LEE, Mr. MEEHAN, and Ms. ESHOO.
H.R. 2894: Mr. BOYD and Mr. MILLER of Florida.
H.R. 2899: Mrs. LOWEY.
H.R. 2953: Mr. MCHUGH.
H.R. 3174: Mr. HALL of Texas.
H.R. 3192: Mrs. CHRISTENSEN and Ms. JACKSON-LEE of Texas.
H.R. 3430: Mrs. LOWEY, Mr. MCGOVERN, Ms. PELOSI, Mrs. MEEK of Florida, Mr. MCHUGH, Mr. GONZALEZ, Mr. BARRETT of Wisconsin, Ms. MILLENDER-MCDONALD, and Mr. STARK.
H.R. 3514: Mr. SPRATT and Mr. PASCRELL.
H.R. 3590: Mr. BONILLA, Mr. MCCOLLUM, Mr. SCHAFFER, Mr. MILLER of Florida, and Mr. BLUNT.
H.R. 3650: Mr. ANDREWS and Mr. STARK.
H.R. 3700: Mr. SERRANO, Mr. CASTLE, and Mr. SHAW.
H.R. 3732: Mr. SPRATT.
H.R. 3981: Mr. KLINK.
H.R. 4025: Mr. TANCREDO and Mr. LAHOOD.
H.R. 4046: Mr. UDALL of New Mexico.
H.R. 4219: Mr. SHIMKUS.
H.R. 4274: Mr. UDALL of Colorado and Ms. ESHOO.
H.R. 4277: Mr. MANZULLO.
H.R. 4390: Mrs. CLAYTON.
H.R. 4434: Mr. JONES of North Carolina, Ms. SLAUGHTER, and Mr. HAYWORTH.
H.R. 4506: Mr. ETHERIDGE, Mr. FROST, Mr. NADLER, Mr. PAYNE, Mr. MATSUI, Ms. DELAURO, Mr. DOYLE, Mr. ROMERO-BARCELO, Mrs. MORELLA, Mr. BISHOP, Mr. PASCRELL, Ms. SLAUGHTER, Mr. QUINN, Mr. UPTON, Mr. HINCHEY, Mr. GORDON, Mr. GOODE, Mr. INSLEE, Mr. BACA, and Mr. BONIOR.
H.R. 4536: Mrs. MORELLA and Mr. GUTIERREZ.
H.R. 4543: Mr. ISAKSON.
H.R. 4580: Ms. HOOLEY of Oregon.
H.R. 4669: Mr. HAYWORTH.
H.R. 4677: Mr. SESSIONS.
H.R. 4707: Mr. WEXLER, Mr. WYNN, Mr. DELAHUNT, Mr. FROST, Mr. NEAL of Massachusetts, Mr. FRANK of Massachusetts, Mr. CAPUANO, Mr. CROWLEY, Mr. PASTOR, Mr. TOWNS, and Mr. BLAGOJEVICH.
H.R. 4723: Mr. COX.
H.R. 4728: Mr. FATTAH, Mr. HILLIARD, Mr. NEY, Ms. LEE, and Mr. LATHAM.
H.R. 4740: Mr. MARKEY, Mr. SERRANO, and Mr. ALLEN.
H.R. 4746: Mr. VISCLOSKY.
H.R. 4747: Mr. MCINNIS.
H.R. 4821: Mr. HILLIARD, Ms. PELOSI, Mrs. EMERSON, Mr. FILNER, Mr. EVERETT, and Mr. DEFAZIO.
H.R. 4841: Mr. COMBEST.
H.R. 4867: Ms. JACKSON-LEE of Texas and Mr. TOWNS.
H.R. 4878: Mr. SHERWOOD.
H.R. 4902: Mr. NORWOOD.
H.R. 4935: Mr. BAIRD.
H.R. 4987: Mr. WAMP.
H.R. 5005: Mr. LANTOS.
H.R. 5015: Mr. UDALL of New Mexico and Mr. MCGOVERN.
H.R. 5028: Mr. CALVERT and Mr. PITTS.
H.R. 5068: Mr. MCCOLLUM, Mr. WEXLER, Mr. HASTINGS of Florida, Mrs. THURMAN, Mr. DAVIS of Florida, Mr. BOYD, Mr. DEUTSCH, Mr. FOLEY, Mr. MILLER of Florida, and Mr. CANADY of Florida.
H.R. 5132: Mr. BORSKI and Mrs. MALONEY of New York.
H.R. 5137: Ms. MILLENDER-MCDONALD and Mr. HASTINGS of Washington.
H.R. 5155: Mr. FILNER, Mr. BARTON of Texas, Mr. WICKER, and Mr. BERMAN.
H.R. 5178: Mr. CAMPBELL, Mr. PETERSON of Minnesota, Mr. WU, Mr. JACKSON of Illinois, Mr. KILDEE, Mr. ANDREWS, Mr. FATTAH, Mr. REYNOLDS, Ms. KILPATRICK, Mr. PAYNE, Mr. KIND, Mr. ROMERO-BARCELÓ, Mr. HOLT, Mr. DIAZ-BALART, Mr. PETRI, Mr. BRADY of Pennsylvania, Mr. MALONEY of Connecticut, Ms. BALDWIN, Mr. EVANS, Mr. MCGOVERN, Mr. SCOTT, Mrs. MINK of Hawaii, Mr. HAYES, and Mr. KING.
H.R. 5185: Mr. MALONEY of Connecticut.
H.R. 5200: Mr. FROST, Ms. DANNER, Mr. SOUDER, Mr. DEMINT, Mr. PAUL, Mr. SMITH of New Jersey, and Mr. HOSTETTLER.
H.R. 5211: Mr. GEKAS, Mr. PETERSON of Pennsylvania, and Mr. PITTS.
H.R. 5220: Mr. FROST, Mr. SANDLIN, Ms. HOOLEY of Oregon, Mr. PICKERING, Mr. HILLEARY, and Mr. CLYBURN.
H.R. 5222: Ms. DANNER.
H.R. 5242: Mr. LAZIO, Mr. FORBES, Mr. REYNOLDS, Mr. KING, Mr. SWEENEY, Mr. MCHUGH, Mr. RANGEL, Mr. WEINER, Mr. BOEHLERT, Mr. HOUGHTON, Mrs. KELLY, Mr. SERRANO, Mr. TOWNS, Mrs. MCCARTHY of New York, Mr. MCNULTY, and Mr. ENGEL.
H.R. 5265: Mr. GOODLATTE.
H.R. 5277: Mr. STENHOLM, Mr. BONIOR, Ms. MCCARTHY of Missouri, Ms. MILLENDER-MCDONALD, Mr. MENENDEZ, Mr. PRICE of North Carolina, Mr. SAWYER, Mr. SPRATT, Ms. WATERS, Ms. JACKSON-LEE of Texas, Mr. AERCROMBIE, Mr. RANGEL, and Mr. ALLEN.
H.R. 5291: Mr. BASS.
H.R. 5315: Mr. RAHALL, Mr. BISHOP, Mr. SKELTON, and Mr. DELAHUNT.
H.J. Res. 107: Mr. DOYLE.
H. Con. Res. 137: Mr. MORAN of Virginia.
H. Con. Res. 308: Mrs. THURMAN and Ms. DANNER.
H. Con. Res. 321: Mr. GOODLATTE and Mr. BERRY of Washington.
H. Con. Res. 328: Mr. MOAKLEY.
H. Con. Res. 357: Mr. TAYLOR of Mississippi and Mr. SMITH of Washington.
H. Con. Res. 363: Ms. KAPTUR, Mr. HALL of Ohio, Mr. PASCRELL, and Mrs. CHRISTENSEN.
H. Con. Res. 370: Mr. MATSUI.
H. Con. Res. 377: Mr. CONYERS, Mr. LANTOS, Mr. LAFALCE, Mr. MEEKS of New York, Mr. DINGELL, Mr. FRANK of Massachusetts, Mr. BARRETT of Nebraska, Mr. SANDERS and Mr. GOODE.
H. Con. Res. 382: Mr. HINCHEY, Mr. GREENWOOD and Ms. SLAUGHTER.
H. Con. Res. 390: Mr. BARR of Georgia, Mr. VITTER, and Mr. MILLER of Florida.
H. Con. Res. 410: Mr. RAMSTAD.
H. Con. Res. 412: Mrs. MORELLA and Mrs. KELLY.
H. Res. 146: Mr. PAYNE.
H. Res. 398: Mr. GREENWOOD, Mr. CARDIN, and Mr. WALSH.
H. Con. Res. 596: Mr. BONIOR.

¶99.27 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsor was deleted from the public bill as follows:

H.R. 5130: Mr. CAMPBELL.

FRIDAY, SEPTEMBER 29, 2000 (100)

¶100.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. THORNBERRY, who laid before the House the following communication:

WASHINGTON, DC,
September 29, 2000.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

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

¶100.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. THORNBERRY, announced he had examined and approved the Journal of the proceedings of Thursday, September 28, 2000.

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

¶100.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10374. A letter from the Administrator, RMA, Department of Agriculture, transmitting the Department's final rule—Common Crop Insurance Regulations; Rice Crop Insurance Provisions—received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10375. A letter from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Increase in Fees and Charges for Egg, Poultry, and Rabbit Grading [Docket No. PY–00–002] (RIN: 0581–AB89) received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10377. A letter from the Chairmen, Board of Governors of the Federal Reserve System and Securities and Exchange Commission, transmitting a report on the Markets for Small Business and Commercial Mortgage-Related Securities; to the Committee on Banking and Financial Services.

10378. A letter from the Director, Federal Emergency Management Agency, transmitting a draft of proposed legislation to amend the National Flood Insurance Act of 1968 to reduce losses to properties for which multiple flood insurance claim payments have been made, and for other purposes; to the Committee on Banking and Financial Services.

10379. A letter from the Director, Office of Equal Opportunity Programs, Agency for International Development, transmitting the Agency's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10380. A letter from the Assistant Secretary, Indian Affairs, Department of the Interior, transmitting the Department's ''Major'' final rule—Southwestern Indian Polytechnic Institute Personnel System (RIN: 1076–AE02) received September 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10381. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule—Workforce Investment Act (RIN: 1205–AB20) received September 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10382. A letter from the Director, Office of Small Business and Civil Rights, Nuclear Regulatory Commission, transmitting the Commission's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10383. A letter from the Director, Lieutenant General, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services (Transmittal No. 00–68), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10384. A letter from the Director, Lieutenant General, Defense Security Cooperation

Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services (Transmittal No. 00–70), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10385. A letter from the Director, Lieutenant General, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services (Transmittal No. 00–71), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10386. A letter from the Director, Lieutenant General, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Singapore for defense articles and services (Transmittal No. 00–72), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10387. A letter from the Director, Lieutenant General, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Israel for defense articles and services (Transmittal No. 00–77), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10388. A letter from the Director, USAF, Department of Defense, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Italy for defense articles and services (Transmittal No. 00–76), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10389. A letter from the Director, USAF, Department of Defense, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services(Transmittal No. 00–69), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10390. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the Netherlands [Transmittal No. DTC 138–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10391. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the redesignation of Burma, China, Iran, Iraq and Sudan as ''countries of particular concern'' for having engaged in or tolerated particulary severe violations of religious freedom; to the Committee on International Relations.

10392. A letter from the Assistant Administrator for Fisheries Services, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—An Emergency Interim Rule to Amend the Regulations Implementing the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan (FMP)—Revision to the FMP Objective to be Achieved—by the Annual Specifications for the 2001 Summer Flounder Fishery—received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10393. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in; First-out Inventories [Rev. Rul. 2000–46] received September 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10394. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the Fiscal Year 1996 Low Income Home Energy Assistance Program; jointly to the Committees on Commerce and Education and the Workforce.

10395. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation entitled the ''National Aeronautics and Space Administration Federal Employment Reduction Assistance Act Amendments''; jointly to the Committees on Science and Government Reform.

10396. A letter from the Secretary of Health and Human Services, transmitting a draft bill entitled, ''Nursing Home Staffing and Quality Improvement Act of 2000''; jointly to the Committees on Ways and Means and Commerce.

¶100.4 SUBMISSION OF CONFERENCE REPORT—H.R. 4578

Mr. YOUNG of Florida, submitted a conference report (Rept. No. 106–914) on the bill (H.R. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶100.5 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 363

Whereas Dr. Ernest Burgess practiced medicine for over 50 years;

Whereas Dr. Burgess was a pioneer in the field of prosthetic medicine, spearheading groundbreaking advances in hip replacement surgery and new techniques in amputation surgery;

Whereas in 1964, recognizing his work in prosthetic medicine, the United States Veterans' Administration chose Dr. Burgess to establish the Prosthetic Research Study, a leading center for postoperative amputee treatment;

Whereas Dr. Burgess was the recipient of the 1985 United States Veterans' Administration Olin E. League Award and honored as the United States Veterans' Administration Distinguished Physician;

Whereas Dr. Burgess' work on behalf of disabled veterans has allowed thousands of veterans to lead full and healthy lives;

Whereas Dr. Burgess was internationally recognized for his humanitarian work;

Whereas Dr. Burgess established the Prosthetics Outreach Foundation, which since 1988, has enabled over 10,000 children and adults in the developing world to receive quality prostheses;

Whereas Dr. Burgess' lifelong commitment to humanitarian causes led him to establish a demonstration clinic in Vietnam to provide free limbs to thousands of amputees;

Whereas Dr. Burgess received numerous professional and educational distinctions recognizing his efforts on behalf of those in need of care;

Whereas Dr. Burgess' exceptional service and his unfailing dedication to improving the lives of thousands of individuals merit high esteem and admiration; and

Whereas the Senate learned with sorrow of the death of Dr. Burgess on September 26, 2000: Now, therefore, be it

Resolved, That the Senate—

(1) extends its deepest condolences to the family of Ernest Burgess, M.D.;

(2) commends and expresses its gratitude to Ernest Burgess, M.D. and his family for a life devoted to providing care and service to his fellow man; and

(3) directs the Secretary of the Senate to communicate this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

The message also announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3363. An Act for the relief of Akal Security, Incorporated.

H.R. 4115. An Act to authorize appropriations for the United States Holocaust Memorial Museum, and for other purposes.

H.R. 4931. An Act to provide for the training or orientation of individuals, during a Presidential transition, who the President intends to appoint to certain key positions, to provide for a study and report on improving the financial disclosure process for certain Presidential nominees, and for other purposes.

H.R. 5193. An Act to amend the National Housing Act to temporarily extend the applicability of the downpayment simplification provisions for the FHA single family housing mortgage insurance program.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 704) ''An Act to amend title 18, United States Code, to combat the overutilization of prison health care services and control rising prisoner health care costs.''.

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

H.R. 3646. An Act for the relief of certain Persian Gulf evacuees.

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 11. An Act for the relief of Wei Jingsheng.

S. 113. An Act to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, and for other purposes.

S. 150. An Act for the relief of Marina Khalina and her son, Albert Miftakhov.

S. 451. An Act for the relief of Saeed Rezai.

S. 785. An Act for the relief of Francis Schochenmaier and Mary Hudson.

S. 869. An Act for the relief of Mina Vahedi Notash.

S. 893. An Act to amend title 46, United States Code, to provide equitable treatment with respect to State and local income taxes for certain individuals who perform duties on vessels.

S. 1078. An Act for the relief of Mrs. Elizabeth Eka Bassey, Emmanuel O. Paul Bassey, and Mary Idongesit Paul Bassey.

S. 1438. An Act to establish the National Law Enforcement Museum on Federal land in the District of Columbia.

S. 1513. An Act for the relief of Jacqueline Salinas and her children Gabriela Salinas, Alejandro Salinas, and Omar Salinas.

S. 1534. An Act to reauthorize the Coastal Zone Management Act, and for other purposes.

S. 2000. An Act for the relief of Guy Taylor.
S. 2002. An Act for the relief of Tony Lara.
S. 2019. An Act for the relief of Malia Miller.
S. 2289. An Act for the relief of Jose Guadalupe Tellez Pinales.
S. 2487. An Act to authorize appropriations for Fiscal Year 2001 for certain maritime programs of the Department of Transportation.
S. Con. Res. 139. Concurrent resolution authorizing the use of the Capitol grounds for the dedication of the Japanese-American Memorial to Patriotism.

¶100.6 SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 11. An Act for the relief of Wei Jingsheng; to the Committee on the Judiciary.
S. 113. An Act to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, and for other purposes; to the Committee on the Judiciary.
S. 150. An Act for the relief of Marina Khalina and her son, Albert Miftakhov; to the Committee on the Judiciary.
S. 785. An Act for the relief of Francis Schochenmaier and Mary Hudson; to the Committee on the Judiciary.
S. 869. An Act for the relief of Mina Vahedi Notash; to the Committee on the Judiciary.
S. 893. An Act to amend title 46, United States Code, to provide equitable treatment with respect to State and local income taxes for certain individuals who perform duties on vessels; to the Committee on the Judiciary and Transportation and Infrastructure.
S. 1078. An Act for the relief of Mrs. Elizabeth Eka Bassey, Emanuel O. Paul Bassey, and Mary Idongesit Paul Bassey; to the Committee on the Judiciary.
S. 1513. An Act for the relief of Jacqueline Salinas and her children Gabriela Salinas, Alejandro Salinas, and Omar Salinas; to the Committee on the Judiciary.
S. 2000. An Act for the relief of Guy Taylor; to the Committee on the Judiciary.
S. 2002. An Act for the relief of Tony Lara; to the Committee on the Judiciary.
S. 2019. An Act for the relief of Malia Miller; to the Committee on the Judiciary.
S. 2289. An Act for the relief of Jose Guadalupe Tellez Pinales; to the Committee on the Judiciary.
S. Con. Res. 139. Concurrent resolution authorizing the use of the Capitol grounds for the dedication of the Japanese-American Memorial to Patriotism; to the Committee on Transportation and Infrastructure.

And then,

¶100.7 ADJOURNMENT

On motion of Mr. THORNBERRY, pursuant to the special order agreed to on September 28, 2000, at 12 o'clock and 6 minutes p.m., the House adjourned until 12:30 p.m. on Monday, October 2, 2000.

¶100.8 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. REGULA: Committee of Conference. Conference report on H.R. 4578. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–914). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4503. A bill to provide for the preservation and restoration of historic buildings at historically women's public colleges or universities; with an amendment (Rept. No. 106–915). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3118. A bill to direct the Secretary of the Interior to issue regulations under the Migratory Bird Treaty Act that authorize States to establish hunting seasons for double-crested cormorants (Rept. No. 106–916). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4126. A bill to authorize funding for the expansion annex of the historic Palace of the Governors, a public history museum located, and relating to the history of Hispanic and Native American culture, in the Southwest, and for other purposes (Rept. No. 106–917). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2710. A bill to establish the National Law Enforcement Museum on Federal land in the District of Columbia; with an amendment (Rept. No. 106–918). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform. H.R. 4049. A bill to establish the Commission for the Comprehensive Study of Privacy Protection; with an amendment (Rept. No. 106–919). Referred to the Committee of the Whole House on the State of the Union.

¶100.9 TIME LIMITATION OF REFERRED BILL

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

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 6, 2000.

¶100.10 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on the Judiciary discharged. H.R. 4419 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

¶100.11 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CUNNINGHAM (for himself, Mr. MARKEY, Mr. BILBRAY, Mr. LEWIS of California, Mr. FARR of California, and Mr. HUNTER):

H.R. 5345. A bill to amend the Internal Revenue Code of 1986 to provide incentives to introduce new technologies to reduce energy consumption in buildings; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5346. A bill to provide for demolition, environmental cleanup, and reversion of the Department of Veterans Affairs medical center in Allen Park, Michigan; to the Committee on Veterans' Affairs, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBBONS:

H.R. 5347. A bill to direct the Secretary of Transportation to issue regulations relating to the transfer of airline tickets and to amend title 49, United States Code, relating to air carrier ticket pricing policies; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE:

H.R. 5348. A bill to amend title XVIII of the Social Security Act to limit the application of the one-year lag in the intern and resident-to-bed ration and the rolling average for the number of residents for which payments to hospitals are made under the Medicare Program for the indirect costs of graduate medical education to residents in the fields of allopathic and osteopathic medicine; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SANFORD (for himself, Mr. BACHUS, Mr. BALDACCI, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mrs. BIGGERT, Mr. BILBRAY, Mr. BOUCHER, Mr. BRYANT, Mr. BURTON of Indiana, Mr. CAMPBELL, Mrs. CAPPS, Mr. CLEMENT, Mr. COBURN, Mr. CONDIT, Mr. CRANE, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. DELAHUNT, Mr. DEMINT, Mr. DICKEY, Mr. DOYLE, Mr. DUNCAN, Ms. ESHOO, Mr. EVERETT, Mr. EWING, Mr. GORDON, Mr. GRAHAM, Mr. GREEN of Texas, Mr. GREEN of Wisconsin, Mr. HALL of Texas, Mr. HAYWORTH, Mr. HERGER, Mr. HILL of Indiana, Mr. HOEKSTRA, Ms. HOOLEY of Oregon, Mr. HOSTETTLER, Mr. HUTCHINSON, Mr. JOHN, Mr. JONES of North Carolina, Mr. KINGSTON, Mr. LARGENT, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. MANZULLO, Ms. MCCARTHY of Missouri, Mr. MCINTOSH, Mr. MCCRERY, Mr. METCALF, Mr. MICA, Mr. GARY MILLER of California, Mr. MINGE, Mr. MORAN of Virginia, Mrs. MYRICK, Mr. ORTIZ, Mr. PAUL, Mr. PICKERING, Mr. PITTS, Mr. PORTMAN, Mr. RILEY, Mr. ROYCE, Mr. RYUN of Kansas, Mr. SALMON, Mr. SANDLIN, Mr. SCHAFFER, Mr. SESSIONS, Mr. SHADEGG, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SOUDER, Mr. STENHOLM, Mr. TANCREDO, Mr. TERRY, Mr. THOMPSON of California, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. VITTER, Mr. WAMP, Mr. WATKINS, Mr. WELDON of Florida, and Mr. WICKER):

H.R. 5349. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate $3 or more on their income tax returns to be used to reduce the public debt; to the Committee on Ways and Means.

¶100.12 ADDITIONAL SPONSORS

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

H.R. 207: Mr. UDALL of New Mexico.
H.R. 2512: Mrs. ROUKEMA.
H.R. 2562: Ms. SCHAKOWSKY.
H.R. 4239: Mr. BACA and Mr. KLINK.
H.R. 4538: Ms. MCCARTHY of Missouri.
H.R. 5328: Mr. BAIRD.
H.J. Res. 107: Mr. WAXMAN.
H. Con. Res. 376: Mr. WISE and Mr. STUMP.

¶100.13 PETITIONS, ETC.

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

114. The SPEAKER presented a petition of American Bar Association & Federal Bar Association, relative to Documentation providing proof of the existence and text of the

constitution established and ordained for the Washington republic, the member of the union of the several United States of America; to the Committee on the Judiciary.

115. Also, a petition of the City Commission of the City of Hollywood, Florida, relative to Resolution No. R–2000–301 petitioning the United States Senate and House of Representatives to support ''The Restoration of the Everglades, An American Legacy Act''; jointly to the Committees on Transportation and Infrastructure and Resources.

MONDAY, OCTOBER 2, 2000 (101)

¶101.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. STEARNS, who laid before the House the following communication:

WASHINGTON, DC,
October 2, 2000.

I hereby appoint the Honorable CLIFF STEARNS to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Tuesday, January 19, 1999, Members were recognized for ''morning-hour debate''.

¶101.2 RECESS—12:31 P.M.

The SPEAKER pro tempore, Mr. STEARNS, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock 31 minutes p.m. until 2 o'clock p.m.

¶101.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶101.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Friday, September 29, 2000.

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

¶101.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10397. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Raisins Produced from Grapes Grown in California; Decreased Assessment Rate [Docket No. FV00–989–5 IFR] received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10398. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting a report on initiating a cost comparison of Multiple Support Functions at Randolph Air Force Base, Texas; to the Committee on Armed Services.

10399. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Truth in Lending [Regualtion Z; Docket No. R–1070] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10400. A letter from the Deputy Assistant, Department of Defense, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activites Receiving Federal Financial Assistance —received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10401. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule— Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving Federal Financial Assistance—received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10402. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10403. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Services [PR Docket No. 92–235] received September 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10404. A letter from the Assistant Bureau Chief, International Bureau Telecommunication Division, Federal Communications Commission, transmitting the Commission's final rule—Rules and Policies on Foreign Participation in the U.S. Telecommunications Market [IB Docket No. 97–142] received September 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10405. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Air Force's proposed lease of defense articles to Italy (Transmittal No. 09–00), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

10406. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the United Kingdom [Transmittal No. DTC 133–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10407. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Belgium [Transmittal No. DTC 139–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10408. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 137–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10409. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Greece [Transmittal No. DTC 116–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10410. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Israel [Transmittal No. DTC 136–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10411. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 122–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10412. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Australia [Transmittal No. DTC 123–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10413. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Taiwan [Transmittal No. DTC 104–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10414. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed Technical Assistance Agreement with Germany and Italy [Transmittal No. DTC 070–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10415. A letter from the Assistant Secretary for Policy and Planning, Department of Veterans, transmitting a report in accordance with Public Law 105–270, on the inventory of commercial activities which are currently being performed by Federal employees; to the Committee on Government Reform.

10416. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting a report on the revised Strategic Plan for the Occupational Safety and Health Review Commission; to the Committee on Government Reform.

10417. A letter from the Director, Office of Personnel Management, transmitting a legislative proposal entitled ''Federal Employees' Overtime Pay Limitation Amendments Act of 2000''; to the Committee on Government Reform.

10418. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule— Final Compatibility Regulations Pursuant to the National Wildlife Refuge System Improvement Act of 1997 (RIN: 1018–AE98) received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10419. A letter from the Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation entitled the ''Human Rights Abusers Act of 2000''; to the Committee on the Judiciary.

10420. A letter from the Corporate Agent, Legion of Valor of the United States of America, Inc., transmitting a copy of the Legion's annual audit as of April 30, 2000, pursuant to 36 U.S.C. 1101(28) and 1103; to the Committee on the Judiciary.

10421. A letter from the Secretary, Judicial Conference of the United States, transmitting a draft bill entitled, ''Federal Judgeship Act of 2000''; jointly to the Committees on the Judiciary and Resources.

¶101.6 LARRY SMALL POST OFFICE BUILDING

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 4315) to

designate the facility of the United States Postal Service located at 3695 Green Road in Beechwood, Ohio, as the ''Larry Small Post Office Building''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.7 250TH ANNIVERSARY OF JAMES MADISON

Mr. LATOURETTE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 396):

Whereas March 16, 2001, is the 250th anniversary of the birth of James Madison, Father of the United States Constitution and fourth President of the United States;

Whereas the ideals of James Madison, as expressed in the Constitution he conceived for the American Nation and in the principles of freedom he established in the Bill of Rights, are the foundations of American Government and life;

Whereas James Madison's lifetime of public service, as a member of the Virginia House of Delegates, as a delegate to the Continental Congress during the American Revolution, as a delegate to the Constitutional Convention in 1787, as a leader in the House of Representatives, as Secretary of State, and as the Nation's fourth President, are an inspiration to all men, women, and children in the conduct of their personal and private lives; and

Whereas the ideals and inspiring example of James Madison are of utmost importance to the future of the American Nation as it enters a new millennium: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the historical significance of James Madison's birth, as well as his contributions to the Nation during his lifetime;

(2) urges all American patriotic and civil associations, labor organizations, schools, universities, historical societies, and communities of learning and worship, together with citizens throughout the United States, to develop appropriate programs and educational activities to recognize and celebrate the life and achievements of James Madison; and

(3) requests that the President issue a proclamation recognizing the 250th anniversary of the birth of James Madison and calling upon the people of the United States to observe the life and legacy of James Madison with appropriate ceremonies and activities.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶101.8 CLIFFORD P. HANSEN FEDERAL COURTHOUSE

Mr. LATOURETTE moved to suspend the rules and pass the bill of the Senate (S. 1794) to designate the Federal courthouse at 145 East Simpson Avenue in Jackson, Wyoming, as the ''Clifford P. Hansen Federal Courthouse''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶101.9 THEODORE ROOSEVELT UNITED STATES COURTHOUSE

Mr. LaTOURETTE moved to suspend the rules and pass the bill (H.R. 5267) to designate the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the ''Theodore Roosevelt United States Courthouse''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.10 OWEN B. PICKETT UNITED STATES CUSTOMHOUSE

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 5284) to designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Customhouse''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.11 PRIVACY PROTECTION COMMISSION

Mr. HORN moved to suspend the rules and pass the bill (H.R. 4049) to establish the Commission for the Comprehensive Study of Privacy Protection; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HORN and Mr. WAXMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WAXMAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶101.12 ENHANCED FEDERAL SECURITY

Mr. CANADY moved to suspend the rules and pass the bill (H.R. 4827) to amend title 18, United States Code, to prevent the entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. CANADY and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of

the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.13 DNA ANALYSIS BACKLOG ELIMINATION

Mr. CANADY moved to suspend the rules and pass the bill (H.R. 4640) to make grants to States for carrying out DNA analysis for use in the Combined DNA Index System the Federal Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain violent and sexual offenders for use in such system, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. CANADY and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.14 STOP MATERIAL UNSUITABLE FOR TEENS

Mr. CANADY moved to suspend the rules and pass the bill (H.R. 4147) to amend title 18, United States Code, to increase the age of persons considered to be minors for the purposes of the prohibition on transporting obscene materials to minors.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. CANADY and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CANADY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶101.15 NATIONAL POLICE ATHLETIC LEAGUE YOUTH ENRICHMENT

Mr. CANADY moved to suspend the rules and pass the bill (H.R. 3235) to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during nonschool hours; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. CANADY and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.16 VICTIMS OF RAPE PROTECTION

Mr. CANADY moved to suspend the rules and pass the bill (H.R. 3088) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide additional protections to victims of rape.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. CANADY and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WELDON of Florida demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶101.17 RECESS—4:56 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 56 minutes p.m., until approximately 6 o'clock p.m.

¶101.18 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, called the House to order.

¶101.19 H.R. 4049—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4049) to establish the Commission for the Comprehensive Study of Privacy Protection; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 250 / Nays 146

¶101.20 [Roll No. 503]

YEAS—250

Aderholt
Allen
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Collins
Combest
Cooksey
Costello
Cramer
Crane
Crowley
Cunningham
Davis (FL)
Davis (VA)
DeFazio
DeGette
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Etheridge
Ewing
Foley
Forbes
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilman
Gonzalez
Goode
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hobson
Hoekstra
Holt
Hooley
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kildee
Kind (WI)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Nussle
Ose
Oxley
Packard
Pascrell
Pastor
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pitts
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Rivers
Roemer
Rogan
Rogers
Ros-Lehtinen
Roukema
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spratt
Stabenow
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield

Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NAYS—146

Abercrombie
Ackerman
Baca
Baldwin
Barr
Barton
Becerra
Berman
Bonior
Borski
Boucher
Brady (PA)
Brown (OH)
Bryant
Burr
Capuano
Cardin
Clayton
Clyburn
Coburn
Condit
Conyers
Cox
Coyne
Cubin
Cummings
Danner
Davis (IL)
Deal
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Doggett
Doyle
Ehrlich
Engel
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gejdenson
Gephardt
Gillmor
Goodlatte
Green (TX)
Gutierrez
Hall (OH)
Hefley
Hilliard
Hinchey
Hinojosa
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kilpatrick
Kucinich
LaFalce
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Markey
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Murtha
Nadler
Napolitano
Norwood
Oberstar
Obey
Olver
Ortiz
Pallone
Payne
Pelosi
Pickering
Pickett
Pombo
Pomeroy
Rahall
Rangel
Reyes
Rodriguez
Rohrabacher
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sanford
Sawyer
Schakowsky
Scott
Sherman
Shows
Skelton
Slaughter
Snyder
Stark
Stenholm
Strickland
Stupak
Tauscher
Tauzin
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wynn

NOT VOTING—37

Andrews
Baldacci
Blagojevich
Brown (FL)
Campbell
Carson
Clay
Cook
Eshoo
Everett
Fletcher
Franks (NJ)
Gilchrest
Goodling
Hastings (FL)
Hilleary
Hoeffel
Houghton
Jefferson
King (NY)
Klink
Lazio
Martinez
McCollum
McIntosh
Neal
Owens
Paul
Portman
Riley
Serrano
Spence
Taylor (MS)
Towns
Vento
Wise
Woolsey

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not passed.

¶101.21 H.R. 4147—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4147) to amend title 18, United States Code, to increase the age of persons considered to be minors for the purposes of the prohibition on transporting obscene materials to minors.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 397 / Nays 2

¶101.22 [Roll No. 504]

YEAS—397

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Scott
Watt (NC)

NOT VOTING—34

Blagojevich
Brown (FL)
Campbell
Carson
Clay
Cook
Eshoo
Everett
Fletcher
Frank (MA)
Franks (NJ)
Gilchrest
Goodling
Hastings (FL)
Hilleary
Houghton
Hutchinson
Jefferson
King (NY)
Klink
Lazio
Martinez
McCollum
McIntosh
Neal
Owens
Paul
Portman
Riley
Spence
Towns
Vento
Wise
Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.23 H.R. 3088—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3088) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide additional protections to victims of rape.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 380 / Nays 19

¶101.24 [Roll No. 505]

YEAS—380

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia

Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—19

Capuano
Jackson (IL)
Jackson-Lee (TX)
Jones (OH)
Lee
Lewis (GA)
McDermott
Miller, George
Nadler
Payne
Pelosi
Roybal-Allard
Sanders
Sanford
Scott
Stark
Waters
Watt (NC)
Waxman

NOT VOTING—34

Blagojevich
Bliley
Brown (FL)
Campbell
Carson
Clay
Conyers
Cook
Eshoo
Everett
Fletcher
Franks (NJ)
Gilchrest
Goodling
Hastings (FL)
Hilleary
Houghton
King (NY)
Klink
Lazio
Martinez
McCollum
McIntosh
Neal
Owens
Paul
Portman
Riley
Spence
Towns
Vento
Wexler
Wise
Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.25 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4578

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–924) the resolution (H. Res. 603) waiving points of order against the conference report to accompany the bill (H.R. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶101.26 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 110

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–925) the resolution (H. Res. 604) providing for consideration of the joint resolution (H.J. Res. 110) making further continuing appropriations for fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶101.27 MILLENIUM ON FOUNDATION OF HUNGARY

On motion of Mr. GILMAN, by unanimous consent, the Committee on International Relations was discharged from further consideration of the following concurrent resolution (H. Con. Res. 400):

Whereas the ancestors of the Hungarian nation, 7 tribes excelling in horsemanship and handicrafts, settled in the Carpathian basin around the end of the 9th century;

Whereas during the next century this tribal association had accommodated itself to a permanently settled status;

Whereas the ruler of the nation at the end of the first millennium, Prince Stephen, realized with great foresight that the survival of his nation depends on its adapting itself to its surroundings by becoming a Christian kingdom and linking its future to Western civilization;

Whereas in 1000 A.D. Stephen, later canonized as Saint Stephen, adopted the Christian faith and was crowned with a crown which he requested from Pope Sylvester II of Rome;

Whereas, by those acts, Saint Stephen, King of Hungary, established his domain as 1 of the 7 Christian kingdoms of Europe of the time and anchored his nation in Western civilization forever;

Whereas during the past 1,000 years, in spite of residing on the traditional crossroads of invaders from the East and the West, the Hungarian nation showed great vitality in preserving its unique identity, language, culture, and traditions;

Whereas in his written legacy, Saint Stephen called for tolerance and hospitality toward settlers migrating to the land from other cultures;

Whereas through the ensuing centuries other tribes and ethnic and religious groups moved to Hungary and gained acceptance into the nation, enriching its heritage;

Whereas since the 16th century a vibrant Protestant community has contributed to the vitality and diversity of the Hungarian nation;

Whereas, particularly after their emancipation in the second half of the 19th century, Hungarians of the Jewish faith have made an enormous contribution to the economic, cultural, artistic, and scientific life of the Hungarian nation, contributing more than half of the nation's Nobel Prize winners;

Whereas the United States has benefitted immensely from the hard work, dedication, scientific knowledge, and cultural gifts of hundreds of thousands of immigrants from Hungary; and

Whereas in this year Hungary also celebrates the 10th anniversary of its first postcommunist free and democratic elections, the first such elections within the former Warsaw Pact: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) congratulates the Republic of Hungary, and Hungarians everywhere, on the one thousandth anniversary of the founding of the Kingdom of Hungary by Saint Stephen; and

(2) commends the Republic of Hungary for the great determination, skill, and sense of purpose it demonstrated in its recent transition to a democratic state dedicated to upholding universal rights and liberties, a free market economy, and integration into European and transatlantic institutions.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶101.28 BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

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

On September 28, 2000:

H.J. Res. 72. Granting the consent of the Congress to the Red River Boundary Compact.

H.R. 999. To amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes.

H.R. 4700. To grant the consent of the Congress to the Kansas and Missouri Metropolitan Culture District Compact.

H.J. Res. 109. Making continuing appropriations for the fiscal year 2001, and for other purposes.

H.R. 2647. To amend the Act entitled ''An Act relating to the water rights of the Ak-Chin Indian Community'' to clarify certain provisions concerning the leasing of such water rights, and for other purposes.

¶101.29 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. CARSON, for today;

To Mr. HASTINGS of Florida, for today and October 3; and

To Mr. HILLEARY, for today.

And then,

¶101.30 ADJOURNMENT

On motion of Mr. MCINNIS, at 10 o'clock and 23 minutes p.m., the House adjourned.

¶101.31 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. MCCOLLUM: Committee on the Judiciary. H.R. 3484. A bill to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes (Rept. No. 106–920). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5267. A bill to designate the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the ''Theodore Roosevelt United States Courthouse'' (Rept. No. 106–921). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5284. A bill to designate the United States courhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Customhouse'' (Rept. No. 106–922). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4187. A bill to assist in the establishment of an interpretive center and museum in the vicinity of the Diamond Valley Lake in southern California to ensure the protection and interpretation of the paleontology discoveries made at the lake and to develop a trail system for the lake for use by pedestrians and nonmotorized vehicles (Rept. No. 106–923). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 603. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4578) making appropriations for the Department of Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–924). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 604. Resolution providing for consideration of the joint resolution (H.J. Res. 110) making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. No. 106–925). Referred to the House Calendar.

¶101.32 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself and Mr. RYAN of Wisconsin):

H.R. 5350. A bill to exempt agreements relating to voluntary guidelines governing telecast material, movies, video games, Internet content, and music lyrics from the applicability of the antitrust laws; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 5351. A bill to amend title 10, United States Code, to authorize military recreational facilities to be used by any veteran with a compensable service-connected disability; to the Committee on Armed Services.

By Mr. FILNER:

H.R. 5352. A bill to amend the Internal Revenue Code of 1986 to promote the development of domestic wind energy resources, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEPHARDT (for himself, Mr. THOMPSON of Mississippi, and Mr. RILEY):

H.R. 5353. A bill to amend the Tariff Act of 1930 with respect to the marking of door hinges; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island:

H.R. 5354. A bill to designate the facility of the United States Postal Service located at 7 Commercial Street in Newport, Rhode Island, as the ''Bruce F. Cotta Post Office Building''; to the Committee on Government Reform.

By Mr. KENNEDY of Rhode Island:

H.R. 5355. A bill to designate the facility of the United States Postal Service located at 127 Social Street in Woonsocket, Rhode Island, as the ''Alphonse F. Auclair Post Office Building''; to the Committee on Government Reform.

By Mr. KLINK (for himself, Mr. MCHUGH, Mr. HOLDEN, and Mr. OBERSTAR):

H.R. 5356. A bill to establish the Dairy Farmer Viability Commission; to the Committee on Agriculture.

By Mr. LEWIS of Georgia (for himself, Mr. BARR of Georgia, Mr. BISHOP, Mr. CHAMBLISS, Mr. COLLINS, Mr. DEAL of Georgia, Mr. ISAKSON, Mr. KINGSTON, Mr. LINDER, Ms. MCKINNEY, and Mr. NORWOOD):

H.R. 5357. A bill to designate the Peace Corps World Wise Schools Program, an innovative education program that seeks to engage learners in an inquiry about the world, themselves, and others, as the ''Paul D. COVERDELL World Wise Schools Program''; to the Committee on International Relations.

By Mrs. MALONEY of New York (for herself, Mr. RANGEL, Mr. GONZALEZ, and Mr. FALEOMAVAEGA):

H.R. 5358. A bill to amend title 13, United States Code, to provide that the term of office of the Director of the Census shall be 5 years, to require that such Director report directly to the Secretary of Commerce, and for other purposes; to the Committee on Government Reform.

By Mr. SKEEN:

H.R. 5359. A bill to direct the Secretary of the Interior to convey certain properties in the vicinity of the Elephant Butte Reservoir and the Caballo Reservoir, New Mexico; to the Committee on Resources.

By Mr. YOUNG of Florida:

H.J. Res. 110. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. KNOLLENBERG (for himself and Mr. OSE):

H. Con. Res. 415. Concurrent resolution expressing the sense of the Congress that there should be established a National Children's Memorial Day; to the Committee on Government Reform.

By Mrs. WILSON (for herself, Mr. LAMPSON, Mr. BARTON of Texas, Mr. FROST, Mr. OXLEY, Mr. SAM JOHNSON of Texas, Mr. SHIMKUS, Mr. FOLEY, Mr. GREENWOOD, and Mr. VISCLOSKY):

H. Res. 605. A resolution expressing the sense of the House of Representatives that communities should implement the Amber Plan to expedite the recovery of abducted children; to the Committee on the Judiciary.

¶101.33 ADDITIONAL SPONSORS

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

H.R. 284: Mr. MCINTYRE, Mr. KLINK, Mr. MILLER of Florida, Mr. MEEHAN, Mr. SANDLIN, Mr. HASTINGS of Florida, and Mr. STRICKLAND.

H.R. 372: Mr. MANZULLO.

H.R. 488: Mr. GREENWOOD.

H.R. 582: Mr. ALLEN.

H.R. 601: Mr. GORDON.

H.R. 783: Ms. SANCHEZ.

H.R. 908: Mr. SANDERS and Mr. FILNER.

H.R. 1115: Mr. BACA.

H.R. 1122: Mr. GORDON, Mr. ROMERO-BARCELO, and Mr. PETERSON of Pennsylvania.

H.R. 1187: Mr. FLETCHER.

H.R. 1310: Mr. BARRETT of Wisconsin, Mr. SMITH of New Jersey, and Mr. WOLF.

H.R. 1311: Mr. BARRETT of Wisconsin and Mr. DOYLE.

H.R. 1465: Mr. CUNNINGHAM.

H.R. 1503: Mr. GORDON.

H.R. 1515: Mr. HOLT.

H.R. 2138: Mr. KLINK.

H.R. 2241: Ms. MCCARTHY of Missouri.

H.R. 2431: Ms. MCCARTHY of Missouri.

H.R. 2457: Mr. CLAY and Mr. BACA.

H.R. 2620: Mr. SHAW.

H.R. 2774: Mr. TURNER.

H.R. 2814: Ms. HOOLEY of Oregon.

H.R. 2906: Mr. MENENDEZ.

H.R. 3003: Mr. WU.

H.R. 3083: Mr. BACA.

H.R. 3144: Mr. BACA.

H.R. 3161: Ms. JACKSON-LEE of Texas.

H.R. 3275: Ms. KILPATRICK, Mr. FRANKS of New Jersey, Ms. PELOSI, Mrs. LOWEY, and Ms. WOOLSEY.

H.R. 3308: Mr. HOLDEN.

H.R. 3309: Mr. ENGLISH.

H.R. 3463: Mr. KLINK.

H.R. 3473: Mr. WU.

H.R. 3514: Mr. CAMPBELL, Mr. OWENS, and Mr. ETHERIDGE.

H.R. 3633: Mr. BONIOR, Mr. BARRETT of Wisconsin, Mr. BRADY of Pennsylvania, Mr. BROWN of Ohio, Mr. CUMMINGS, Mr. FATTAH, Mr. JEFFERSON, Ms. KILPATRICK, Mr. KLINK, Mr. HOLT, and Mr. ROTHMAN.

H.R. 3667: Mr. BROWN of Ohio.

H.R. 3872: Mr. PETERSON of Minnesota, Ms. DEGETTE, Mr. DOYLE, Mr. BARCIA, and Mr. BACA.

H.R. 4025: Mrs. ROUKEMA.

H.R. 4106: Ms. KAPTUR.

H.R. 4274: Mr. COYNE.

H.R. 4277: Mr. DEFAZIO and Mr. OBERSTAR.

H.R. 4338: Mr. KENNEDY of Rhode Island.

H.R. 4627: Mr. KINGSTON.

H.R. 4634: Ms. KILPATRICK, Mrs. THURMAN, Mr. FROST, and Ms. PELOSI.

H.R. 4649: Mr. HOLT, Mr. GOODLING, and Ms. SCHAKOWSKY.

H.R. 4677: Mr. FROST.

H.R. 4701: Mr. BURR of North Carolina and Ms. KAPTUR.

H.R. 4736: Mr. MCNULTY.

H.R. 4740: Mr. KLINK.

H.R. 4926: Mr. GOODLING, Mrs. CHRISTENSEN, Ms. KILPATRICK, and Mr. FORD.

H.R. 4964: Ms. KILPATRICK, Mr. ABERCROMBIE, and Mr. EVANS.

H.R. 5040: Mr. GORDON.

H.R. 5054: Mr. DOYLE.

H.R. 5122: Ms. SCHAKOWSKY.

H.R. 5146: Mr. SCHAFFER.

H.R. 5151: Mr. STUMP.

H.R. 5158: Mr. WYNN and Mr. MEEKS of New York.

H.R. 5163: Mr. HAYES, Mr. PAYNE, Mr. KANJORSKI, Mr. THOMPSON of California, Ms. CARSON, and Mr. EVANS.

H.R. 5164: Mrs. THURMAN, Mr. TERRY, Mrs. ROUKEMA, and Mr. MOORE.

H.R. 5178: Mr. HINCHEY, Mr. ETHERIDGE, Mr. HINOJOSA, Mrs. CHRISTENSEN, Mr. FORD, Mrs. JOHNSON of Connecticut, Mr. EHRLICH, Mr. DOYLE, Mr. THOMPSON of California, Ms. BERKLEY, Mr. WELDON of Pennsylvania, Ms. PRYCE of Ohio, and Mr. GIBBONS.

H.R. 5180: Mr. GREEN of Texas, Mr. SAXTON, and Mr. ENGLISH.

H.R. 5200: Mr. SHAW, Mr. VITTER, and Mr. SAXTON.

H.R. 5204: Mr. STARK and Mr. KOLBE.

H.R. 5220: Mr. BONILLA, Mr. COMBEST, Mr. ORTIZ, and Mr. TURNER.

H.R. 5229: Ms. MCKINNEY.

H.R. 5241: Mr. GEKAS.

H.R. 5261: Mr. CAPUANO and Mr. HINOJOSA.

H.R. 5271: Mr. STENHOLM, Mr. FILNER, Mr. SANDERS, Ms. MCKINNEY, Mr. RAHALL, and Mr. REYES.

H.R. 5277: Mr. JEFFERSON, Mr. HALL of Ohio, Mrs. LOWEY, Ms. KILPATRICK, Mr. COYNE, Mr. WU, Mr. BACA, Mrs. CAPPS, Mr. MCGOVERN, Ms. HOOLEY of Oregon, Mr. LAFALCE, Mr. OBERSTAR, and Mr. WAXMAN.

H.R. 5288: Mr. KANJORSKI.

H.R. 5308: Mr. KILDEE.

H.R. 5324: Mr. RAHALL, Mr. PASTOR, Mr. BISHOP, Mr. FILNER, Mr. WEXLER, Ms. CARSON, Mr. WISE, and Mr. FROST.

H.R. 5331: Mr. WATT of North Carolina, Ms. SCHAKOWSKY, Mr. GILCHREST, Mr. SANDLIN, and Mr. BORSKI.

H.R. 5345: Mr. PACKARD and Mr. WAXMAN.

H. Con. Res. 64: Ms. PRYCE of Ohio.

H. Con. Res. 308: Mr. ACKERMAN.

H. Con. Res. 341: Mr. SHADEGG and Mr. WELDON of Florida.

H. Con. Res. 357: Mr. GEORGE MILLER of California.

H. Con. Res. 382: Mr. HASTINGS of Florida and Mr. SALMON.

H. Con. Res. 392: Mr. PASCRELL.

H. Con. Res. 398: Ms. SCHAKOWSKY.

H. Con. Res. 406: Mr. BOYD.

H. Con. Res. 408: Mr. SMITH of New Jersey, Mr. FILNER, and Ms. MILLENDER-MCDONALD.

H. Con. Res. 414: Mr. PORTER.

H. Res. 398: Mr. SHAW and Ms. ROS-LEHTINEN.

TUESDAY, OCTOBER 3, 2000 (102)

The House was called to order at 9 o'clock a.m. by the SPEAKER, when, pursuant to the order of the House of Tuesday, January 19, 1999, Members were recognized for ''morning-hour debate''.

¶102.1 RECESS—9:50 A.M.

The SPEAKER pro tempore, Mr. SHERWOOD, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock 50 minutes a.m. until 10 o'clock a.m.

¶102.2 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. BASS, called the House to order.

¶102.3 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BASS, announced he had examined and approved the Journal of the proceedings of Monday, October 2, 2000.

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

¶102.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10422. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Annual Report for the calendar year 1999; to the Committee on Banking and Financial Services.

10423. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed transfer of major defense equipment from the Government of Israel [Transmittal RSAT–2–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10424. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to South Korea [Transmittal No. DTC 130–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10425. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a notice, in accordance with Section 42(b) of the Arms Export Control Act, that the Government of Egypt has requested that the United States Government permit the use of Foreign Military Financing for the sale and limited coproduction of 13 M88A2 tank recovery vehicle kits; to the Committee on International Relations.

10426. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Passport Procedures—Amendment to requirements for executing a passport application on behalf of a minor—received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

10427. A letter from the Chairman, Federal Maritime Commission, transmitting a Strategic Plan covering the program activities through fiscal year 2005; to the Committee on Government Reform.

10428. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the NASA 2000 Strategic Plan (Enclosure 1); to the Committee on Government Reform.

10429. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's Strategic Plan for Fiscal Years 2000 through 2005; to the Committee on Government Reform.

10430. A letter from the Director, Office of Federal Housing Enterprise Oversight, transmitting the Strategic Plan for Fiscal Year 2000–2005; to the Committee on Government Reform.

10431. A letter from the Acting Director, Office of Government Ethics, transmitting the Strategic Plan for Fiscal Years 2001–2006; to the Committee on Government Reform.

10432. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's Strategic Plan for 2000 through 2005; to the Committee on Government Reform.

10433. A letter from the Secretary of Health and Human Services, transmitting the Department's Strategic Plan for Fiscal Years 2001 through 2006; to the Committee on Government Reform.

10434. A letter from the Secretary of Transportation, transmitting the Department's Strategic Plan for Fiscal Years 2000 through 2005; to the Committee on Government Reform.

10435. A letter from the Assistant Attorney General, Office of Justice Programs, transmitting the annual report of the Office of Justice Programs, Fiscal Year 1999, pursuant to 42 U.S.C. 3712(b); to the Committee on the Judiciary.

¶102.5 PRIVATE CALENDAR

The SPEAKER pro tempore, Mr. BASS, directed the Private Calendar to be called.

When,

¶102.6 BILLS PASSED

The bills of the following titles were severally considered, read twice, ordered to be engrossed and read a third time, were severally read a third time by title, and passed:

H.R. 3414. A bill for the relief of Luis A. Leon-Molina, Ligia Padron, Jual Leon Padron, Rendy Leon Padron, Manuel Leon Padron, and Luis Leon Padron.

H.R. 3184. A bill for the relief of Zohreh Farhang Ghahfarokhi.

H.R. 848. A bill for the relief of Sepandan Farnia and Farbod Farnia.

H.R. 5266. A bill for the relief of Saeed Rezai.

Ordered, That the Clerk request the concurrence of the Senate in said bills, severally.

The bill of the Senate of the following title was considered, read twice, ordered to be read a third time, was read a third time by title, and passed:

S. 302. An Act for the relief of Kerantha Poole-Christian.

Ordered, That the Clerk notify the Senate thereof.

Motions severally made to reconsider the votes whereby each bill on the Private Calendar was disposed of today were, by unanimous consent, laid on the table.

¶102.7 MESSAGE FROM THE SENATE

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

H.R. 4392. An Act to authorize appropriations for fiscal year 2001 for intelligence and

intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4392) ''An Act to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SHELBY, Mr. LUGAR, Mr. KYL, Mr. INHOFE, Mr. HATCH, Mr. ROBERTS, Mr. ALLARD, Mr. MACK, Mr. WARNER, Mr. BRYAN, Mr. GRAHAM, Mr. KERRY, Mr. BAUCUS, Mr. ROBB, Mr. LAUTENBERG, and Mr. LEVIN, to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4733) ''An Act making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 2392) ''An Act to amend the Small Business Act to extend the authorization for the Small Business Innovation Research Program, and for other purposes,'' with amendment.

¶102.8 CARL VINSON DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER DUBLIN, GEORGIA

Mr. STUMP moved to suspend the rules and pass the bill (H.R. 5139) to provide for the conveyance of certain real property at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia.

The SPEAKER pro tempore, Mr. BASS, recognized Mr. STUMP and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BASS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.9 HONOR GUARD FOR VETERANS FUNERALS

Mr. STUMP moved to suspend the rules and pass the bill (H.R. 284) to amend title 38, United States Code, to require employers to give employees who are members of a reserve component a leave of absence for participation in an honor guard for a funeral of a veteran; as amended.

The SPEAKER pro tempore, Mr. BASS, recognized Mr. STUMP and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BASS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.10 RECESS—10:53 A.M.

The SPEAKER pro tempore, Mr. BASS, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 53 minutes a.m., until approximately 11 o'clock a.m.

¶102.11 AFTER RECESS—11:01 A.M.

The SPEAKER pro tempore, Mr. LATOURETTE, called the House to order.

¶102.12 BREAST CANCER EDUCATION, DETECTION, AND TREATMENT

Mr. COBURN moved to suspend the rules and agree to the following resolution (H. Res. 278):

Whereas an estimated 175,000 women and 1,300 men will be diagnosed with breast cancer in 1999, and an estimated 43,300 women and 400 men will die of the disease;

Whereas breast cancer is the most common form of cancer among women, excluding skin cancers;

Whereas breast cancer is the second leading cause of cancer death among all women and the leading cause of cancer death among women between ages 40 and 55;

Whereas breast cancer can often be treated most successfully if detected early on;

Whereas education, regular clinical and self-examinations, regular mammograms, and biopsies (when appropriate) are critical to detecting and treating breast cancer in a timely manner;

Whereas the American Cancer Society recommends that all women aged 40 and over have annual screening mammograms and clinical breast examinations by health professionals, that women aged 20 to 39 have clinical examinations every three years, and that all women aged 20 and over perform a breast self-examination every month; and

Whereas the House of Representatives as an institution and Members of Congress as individuals are in unique positions to help raise public awareness about the detection and treatment of breast cancer and to support the fight against breast cancer: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) all Americans, and above all women, should take an active role in the fight against breast cancer by using all the means available to them, including regular clinical and self-examinations, regular mammograms, and biopsies (when appropriate);

(2) the role played by national and community organizations and health care providers in promoting awareness of the importance of regular clinical and self-examinations, regular mammograms, and biopsies (when appropriate), and in providing information, support, and access to services, should be recognized and applauded; and

(3) the Federal Government has a responsibility to—

(A) endeavor to raise awareness about the importance of the early detection of, and proper treatment for, breast cancer;

(B) continue to fund research so that the causes of, and improved treatment for, breast cancer may be discovered; and

(C) continue to consider ways to improve access to, and the quality of, health services for detecting and treating breast cancer.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. COBURN and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BASS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶102.13 CERVICAL CANCER PUBLIC AWARENESS

Mr. COBURN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 64):

Whereas cervical cancer annually strikes an estimated 15,000 women in the United States;

Whereas during an average woman's lifetime cervical cancer strikes one out of every 50 American women;

Whereas it is estimated that during this decade more than 150,000 women will be diagnosed with cervical cancer in the United States;

Whereas according to the Surveillance, Epidemiology, and End Results Program of the National Cancer Institute, when cervical cancer is detected at an early stage, the five-year survival rate is 91 percent;

Whereas in most cases cervical cancer is a preventable disease yet is one of the leading causes of death among women worldwide;

Whereas according to the Centers for Disease Control and Prevention, the mortality rate among American women with cervical cancer declined during the period 1960 through 1997, but now has begun to rise;

Whereas clinical studies have confirmed that the human papillomavirus (HPV) is a major cause of cervical cancer and unknown precursor lesions; and

Whereas cervical cancer survivors have shown tremendous courage and determination in the face of adversity: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Cervical Cancer Public Awareness Resolution''.

SEC. 2. RECOGNIZING THE SEVERITY OF CERVICAL CANCER.

The Congress—

(1) recognizes the severity of the issue of cervical health;

(2) calls on the United States as a whole to support both the individuals with cervical cancer as well as the family and loved ones of individuals with cervical cancer through public awareness and education;

(3) calls on the people of the United States to take this opportunity to learn about cervical cancer and the improved detection methods available;

(4) recognizes through education and early detection, women can lower their likelihood for developing cervical cancer;

(5) recognizes the importance of federally funded programs that provide cervical cancer screenings and follow-up services to medically underserved individuals; and

(6) encourages all women to have regular Pap smear tests.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. COBURN and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶102.14 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4578

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 603):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. YOUNG of Alaska objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 354 / Nays ..... 65 }

¶102.15 [Roll No. 506]

YEAS—354

Aderholt, Allen, Archer, Armey, Baca, Bachus, Baird, Baker, Baldwin, Ballenger, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Becerra, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilbray, Bilirakis, Bishop, Bliley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Borski, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (FL), Bryant, Burr, Burton, Buyer, Calvert, Camp, Campbell, Canady, Cannon, Capps, Capuano, Castle, Chabot, Chenoweth-Hage, Clayton, Clement, Clyburn, Coble, Coburn, Collins, Combest, Condit, Cook, Cooksey, Costello, Cox, Coyne, Cramer, Crowley, Cubin, Cummings, Cunningham, Davis (FL), Davis (IL), Davis (VA), Deal, DeLauro, DeLay, DeMint, Diaz-Balart, Dickey, Dicks, Dixon, Doggett, Dooley, Doolittle, Doyle, Dreier, Duncan, Edwards, Ehlers, Ehrlich, Emerson, Engel, English, Etheridge, Evans, Everett, Ewing, Farr, Fattah, Filner, Fletcher, Foley, Forbes, Ford, Fossella, Fowler, Frank (MA), Frelinghuysen, Frost, Gallegly, Ganske, Gejdenson, Gekas, Gephardt, Gibbons, Gillmor, Gilman, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green (TX), Green (WI), Greenwood, Gutierrez, Gutknecht, Hall (OH), Hall (TX), Hastert, Hastings (WA), Hayes, Hayworth, Herger, Hill (MT), Hilleary, Hinchey, Hinojosa, Hobson, Hoeffel, Hoekstra, Holden, Hooley, Horn, Hostettler, Houghton, Hoyer, Hulshof, Hunter, Hutchinson, Hyde, Inslee, Istook, Jackson (IL), Jackson-Lee (TX), Jenkins, Johnson (CT), Johnson, E. B., Johnson, Sam, Jones (OH), Kanjorski, Kaptur, Kasich, Kelly, Kennedy, Kilpatrick, Kingston, Kleczka, Knollenberg, Kolbe, Kucinich, Kuykendall, LaFalce, LaHood, Lampson, Lantos, Largent, Larson, Latham, LaTourette, Leach, Lewis (CA), Lewis (KY), Linder, Lipinski, LoBiondo, Lofgren, Lowey, Lucas (KY), Lucas (OK), Maloney (CT), Maloney (NY), Manzullo, Markey, Martinez, Mascara, Matsui, McCarthy (NY), McCrery, McGovern, McHugh, McInnis, McIntyre, McKeon, McNulty, Meehan, Meek (FL), Menendez, Metcalf, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Minge, Moakley, Mollohan, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Nadler, Neal, Nethercutt, Ney, Northup, Nussle, Obey, Olver, Ose, Owens, Oxley, Packard, Pallone, Pascrell, Pastor, Payne, Pease, Pelosi, Peterson (PA), Petri, Pickering, Pickett, Pitts, Pombo, Pomeroy, Porter, Portman, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Ramstad, Rangel, Regula, Reyes, Reynolds, Rodriguez, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Roybal-Allard, Royce, Rush, Ryan (WI), Ryun (KS), Sabo, Salmon, Sanford, Sawyer, Scarborough, Schaffer, Schakowsky, Scott, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Shays, Sherman, Sherwood, Shimkus, Shows, Simpson, Sisisky, Skeen, Skelton, Slaughter, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Snyder, Spence, Spratt, Stabenow, Stearns, Stenholm, Strickland, Stump, Sununu, Sweeney, Talent, Tancredo, Tanner, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thompson (MS), Thornberry, Thune, Thurman, Tiahrt, Tierney, Toomey, Traficant, Turner, Udall (CO), Udall (NM), Upton, Velazquez, Visclosky, Vitter, Walden, Walsh, Wamp, Waters, Watkins, Watts (OK), Weiner, Weldon (FL), Weldon (PA), Weller, Weygand, Whitfield, Wicker, Wilson, Wise, Wolf, Wu, Wynn, Young (FL)

NAYS—65

Abercrombie, Ackerman, Andrews, Baldacci, Barcia, Blagojevich, Bono, Brown (OH), Callahan, Cardin, Carson, Chambliss, Clay, Conyers, Crane, Danner, DeFazio, DeGette, Delahunt, Deutsch, Dingell, Gilchrest, Gonzalez, Hansen, Hill (IN), Hilliard, Holt, Isakson, Jefferson, John, Jones (NC), Kildee, Kind (WI), Lee, Levin, Lewis (GA), Luther, McCarthy (MO), McDermott, McKinney, Meeks (NY), Miller, George, Mink, Moore, Norwood, Oberstar, Ortiz, Peterson (MN), Phelps, Rivers, Roemer, Sanchez, Sanders, Sandlin, Saxton, Shuster, Souder, Stark, Stupak, Tauscher, Thompson (CA), Watt (NC), Waxman, Woolsey, Young (AK)

NOT VOTING—15

Dunn, Eshoo, Franks (NJ), Hastings (FL), Hefley, King (NY), Klink, Lazio, McCollum, McIntosh, Napolitano, Paul, Riley, Vento, Wexler

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶102.16 INTERIOR APPROPRIATIONS FY 2001

Mr. REGULA, pursuant to House Resolution 603, called up the following conference report (Rept. No. 106–914):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4578) ''making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $709,733,000, to remain available until expended, of which $3,898,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which not to exceed $1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)); and of which $3,000,000 shall be available in fiscal year 2001 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, $34,328,000 for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $709,733,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities: Provided, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, research, emergency rehabilitation and hazardous fuels reduction by the Department of the Interior, $425,513,000, to remain available until expended, of which not to exceed $30,000,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That unobligated balances of amounts previously appropriated to the ''Fire Protection'' and ''Emergency Department of the Interior Firefighting Fund'' may be transferred and merged with this appropriation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation.

For an additional amount for ''Wildland Fire Management'', $200,000,000, to remain available until expended, for emergency rehabilitation and wildfire suppression activities: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That this amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $10,000,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: Provided further, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $16,860,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907), $150,000,000, of which not to exceed $400,000 shall be available for administrative expenses: Provided, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than $100.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $31,100,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; $104,267,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, and monitoring salvage timber sales and forest ecosystem health and recovery activities such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181–1 et seq., and Public Law 103–66) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, for scientific and eco-

nomic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, maintenance of the herd of longhorned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, $776,595,000, to remain available until September 30, 2002, except as otherwise provided herein, of which not less than $2,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: Provided, That not less than $1,000,000 for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended: Provided further, That not to exceed $6,355,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)): Provided further, That of the amount available for law enforcement, up to $400,000 to remain available until expended, may at the discretion of the Secretary, be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on his certificate: Provided further, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $63,015,000, to remain available until expended: Provided, That, notwithstanding any provision of law or regulation, funds appropriated in Public Law 106–113 for exhibits at the J.N. Ding Darling National Wildlife Refuge Education Center in Florida shall be transferred immediately to the Ding Darling Wildlife Society for the purpose of constructing the exhibits.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $62,800,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended, $26,925,000, to be derived from the Cooperative Endangered Species Conservation Fund, to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $11,439,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, as amended, $20,000,000, to remain available until expended.

WILDLIFE CONSERVATION AND APPRECIATION FUND

For necessary expenses of the Wildlife Conservation and Appreciation Fund, $797,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105–96; 16 U.S.C. 4261–4266), and the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301–5306), $2,500,000, to remain available until expended: Provided, That funds made available under this Act and Public Law 105–277 for rhinoceros, tiger, and Asian elephant conservation programs are exempt from any sanctions imposed against any country under section 102 of the Arms Export Control Act (22 U.S.C. 2799aa–1).

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 79 passenger motor vehicles, of which 72 are for replacement only (including 41 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That the Service may accept donated aircraft as replacements for existing aircraft: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in Senate Report 105–56.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not less than $2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by 16 U.S.C. 1706, $1,389,144,000, of which $9,227,000 for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and of which not to exceed $7,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100–203: Provided, That the only funds in this account which may be made available to support United States Park Police operations are those needed to continue services at the same level as was provided in fiscal year 2000 at the Statue of Liberty and Gateway National Recreation Area, and those funds approved for emergency law and order incidents pursuant to established National Park Service procedures and those funds needed to maintain and repair United States Park Police administrative facilities.

UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, $78,048,000, of which $1,607,000 for security enhancements in the Washington, DC area shall remain available until expended.

NATIONAL RECREATION AND PRESERVATION

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $58,359,000: Provided, That $1,595,000 appropriated in Public Law 105–277 for the acquisition of interests in Ferry Farm, George Washington's Boyhood Home, shall be transferred to this account and shall be available until expended for a cooperative agreement for management of George Washington's Boyhood Home, Ferry Farm, as authorized in Public Law 105–355.

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), $10,000,000, to remain available until expended.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $79,347,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2002, of which $7,177,000 pursuant to section 507 of Public Law 104–333 shall remain available until expended: Provided, That of the total amount provided, $35,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities: Provided further, That any individual Save America's Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant funds: Provided further, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: Provided further, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $242,174,000, to remain available until expended: Provided, That $650,000 for Lake Champlain National Historic Landmarks, $300,000 for the Kendall County Courthouse, and $365,000 for the U.S. Grant Boyhood Home National Historic Landmark shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2001 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amend-

ed (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $110,540,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which $40,500,000 is for the State assistance program including $1,500,000 to administer the State assistance program, and of which $12,000,000 may be for State grants for land acquisition in the State of Florida: Provided, That the Secretary may provide Federal assistance to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed: Provided further, That funds provided under this heading for assistance to the State of Florida to acquire lands within the Everglades watershed are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: Provided further, That none of the funds provided for the State Assistance program may be used to establish a contingency fund: Provided further, That not to exceed $50,000,000 derived from unexpended balances previously appropriated in Public Laws 106–113 and 103–211 for land acquisition assistance to the State of Florida shall be available until expended for project modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 340 passenger motor vehicles, of which 273 shall be for replacement only, including not to exceed 319 for police-type use, 12 buses, and 9 ambulances: Provided, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided further, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $862,046,000, of which $62,879,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $16,400,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $1,525,000 shall remain available until expended for ongoing development of a mineral and geologic data base; and of which $32,822,000 shall be available until September 30, 2002 for the operation and maintenance of facilities and deferred maintenance; and of which $157,923,000 shall be available until September 30, 2002 for the biological research activity and the operation of the Cooperative Research Units: Provided, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, $133,410,000, of which $86,257,000, shall be available for royalty management activities; and an amount not to exceed $107,410,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: Provided, That to the extent $107,410,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach $107,410,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2002: Provided further, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): Provided further, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service (MMS) concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: Provided further, That MMS may under the royalty-in-kind pilot program use a portion of the revenues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation to wholesale market centers or upstream pooling points, and to process or otherwise dispose of royalty production taken in kind: Provided further, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the pilot program is equal to or greater than royalty income recognized under a comparable royalty-in-value program.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,118,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; $100,801,000: Provided, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2001 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: Provided further, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, $202,438,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $10,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: Provided, That grants to minimum program States will be $1,600,000 per State in fiscal year 2001: Provided further, That of the funds herein provided up to $18,000,000 may be used for the emergency program authorized by section 410 of

Public Law 95–87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed $11,000,000: Provided further, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: Provided further, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $1,741,212,000, to remain available until September 30, 2002 except as otherwise provided herein, of which not to exceed $93,225,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $125,485,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2001, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and up to $5,000,000 shall be for the Indian Self-Determination Fund which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts or cooperative agreements with the Bureau under such Act; and of which not to exceed $423,056,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2001, and shall remain available until September 30, 2002; and of which not to exceed $60,194,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program; and of which not to exceed $108,000 shall be for payment to the United Sioux Tribes of South Dakota Development Corporation for the purpose of providing employment assistance to Indian clients of the Corporation, including employment counseling, follow-up services, housing services, community services, day care services, and subsistence to help Indian clients become fully employed members of society: Provided, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $43,160,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with the operation of Bureau-funded schools: Provided further, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2002, may be transferred during fiscal year 2003 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2003.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $357,404,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: Provided further, That for fiscal year 2001, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: Provided further, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $37,526,000, to remain available until expended; of which $25,225,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618 and 102–575, and for implementation of other enacted water rights settlements; of which $8,000,000 shall be available for Tribal compact administration, economic development and future water supplies facilities under Public Law 106–163; of which $2,127,000 shall be available pursuant to Public Laws 99–264, 100–383, 100–580 and 103–402; and of which $2,000,000 shall be available for the consent decree entered by the U.S. District Court, Western District of Michigan in United States v. Michigan, Case No. 2:73 CV 26.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, $4,500,000, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $59,682,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, $488,000.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office operations, pooled overhead general administration (except facilities operations and maintenance), or provided to implement the recommendations of the National Academy of Public Administration's August 1999 report shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau

does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''). Not later than June 15, 2001, the Secretary of the Interior shall evaluate the effectiveness of Bureau-funded schools sharing facilities with charter schools in the manner described in the preceding sentence and prepare and submit a report on the finding of that evaluation to the Committees on Appropriations of the Senate and of the House.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $75,471,000, of which: (1) $71,076,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $4,395,000 shall be available for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: Provided further, That of the amounts provided for technical assistance, not to exceed $300,000 may be made available for transfer to the Disaster Assistance Direct Loan Program Account of the Federal Emergency Management Agency for the purpose of covering the cost of forgiving a portion of the obligation of the Government of the Virgin Islands to pay interest which has accrued on Community Disaster Loan 841 during fiscal year 2000, as required by section 504 of the Congressional Budget Act of 1974, as amended (2 U.S.C. 661c): Provided further, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That of the amounts provided for technical assistance, the amount of $700,000 shall be made available to the Prior Service Benefits Trust Fund for its program of benefit payments to individuals: Provided further, That none of this amount shall be used for administrative expenses of the Prior Service Benefits Trust Fund: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, $20,745,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $64,319,000, of which not to exceed $8,500 may be for official reception and representation expenses, of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines, and of which $300,000 shall be for a grant to Alaska Pacific University for the development of an ANILCA training curriculum.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $40,196,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $27,846,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $82,628,000, to remain available until expended: Provided, That funds for trust management improvements may be transferred, as needed, to the Bureau of Indian Affairs ''Operation of Indian Programs'' account and to the Departmental Management ''Salaries and Expenses'' account: Provided further, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2001, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $1.00 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder.

INDIAN LAND CONSOLIDATION

For implementation of a program for consolidation of fractional interests in Indian lands and expenses associated with redetermining and redistributing escheated interests in allotted lands by direct expenditure or cooperative agreement, $9,000,000, to remain available until expended and which may be transferred to the Bureau of Indian Affairs and Departmental Management, of which not to exceed $1,000,000 shall be available for administrative expenses: Provided, That the Secretary may enter into a cooperative agreement, which shall not be subject to Public Law 93–638, as amended, with a tribe having jurisdiction over the reservation to implement the program to acquire fractional interests on behalf of such tribe: Provided further, That the Secretary may develop a reservation-wide system for establishing the fair market value of various types of lands and improvements to govern the amounts offered for acquisition of fractional interests: Provided further, That acquisitions shall be limited to one or more reservations as determined by the Secretary: Provided further, That funds shall be available for acquisition of fractional interests in trust or restricted lands with the consent of its owners and at fair market value, and the Secretary shall hold in trust for such tribe all interests acquired pursuant to this program: Provided further, That all proceeds from any lease, resource sale contract, right-of-way or other transaction derived from the fractional interests shall be credited to this appropriation, and remain available until expended, until the purchase price paid by the Secretary under this appropriation has been recovered from such proceeds: Provided further, That once the purchase price has been recovered, all subsequent proceeds shall be managed by the Secretary for the benefit of the applicable tribe or paid directly to the tribe.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101–380) (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $5,403,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: Provided further, That no programs funded with appropriated funds in the ''Departmental Management'', ''Office of the Solicitor'', and ''Office of Inspector General'' may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this

section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire operations'' shall be exhausted within thirty days: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: Provided, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

SEC. 106. Annual appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing, and related activities, on lands within the North Aleutian Basin planning area.

SEC. 109. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 111. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or

(2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

SEC. 112. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 113. Refunds or rebates received on an on-going basis from a credit card services provider under the Department of the Interior's charge card programs, hereafter may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 43 U.S.C. 1467 and used to fund management initiatives of general benefit to the Department of the Interior's bureaus and offices as determined by the Secretary or his designee.

SEC. 114. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any available unobligated balances from prior appropriations Acts made under the same headings, shall be available for expenditure or transfer for Indian trust management activities pursuant to the Trust Management Improvement Project High Level Implementation Plan.

SEC. 115. Notwithstanding any provision of law, hereafter the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

SEC. 116. A grazing permit or lease that expires (or is transferred) during fiscal year 2001 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa–50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

SEC. 117. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: Provided, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 118. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2001. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 119. None of the funds in this Act may be used to establish a new National Wildlife Refuge in the Kankakee River basin that is inconsistent with the United States Army Corps of Engineers' efforts to control flooding and siltation in that area. Written certification of consistency shall be submitted to the House and Senate Committees on Appropriations prior to refuge establishment.

SEC. 120. The Great Marsh Trail at the Mason Neck National Wildlife Refuge in Virginia is hereby named for Joseph V. Gartlan, Jr. and shall hereafter be referred to in any law, document, or records of the United States as the ''Joseph V. Gartlan, Jr. Great Marsh Trail''.

SEC. 121. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for

fiscal year 2001 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 122. (a) Notwithstanding any other provision of law, with respect to amounts made available for tribal priority allocations in Alaska, such amounts shall only be provided to tribes the membership of which on June 1, 2000 is composed of at least 25 individuals who are Natives (as such term is defined in section 3(b) of the Alaska Native Claims Settlement Act) who reside in the area generally known as the village for such tribe.

(b) Amounts that would have been made available for tribal priority allocations in Alaska but for the limitation contained in subsection (a) shall be provided to the respective Alaska Native regional nonprofit corporation (as listed in section 103(a)(2) of Public Law 104–193, 110 Stat. 2159) for the respective region in which a tribe subject to subsection (a) is located, notwithstanding any resolution authorized under federal law to the contrary.

SEC. 123. (a) In this section—

(1) the term ''Huron Cemetery'' means the lands that form the cemetery that is popularly known as the Huron Cemetery, located in Kansas City, Kansas, as described in subsection (b)(3); and

(2) the term ''Secretary'' means the Secretary of the Interior.

(b)(1) The Secretary shall take such action as may be necessary to ensure that the lands comprising the Huron Cemetery (as described in paragraph (3)) are used only in accordance with this subsection.

(2) The lands of the Huron Cemetery shall be used only—

(A) for religious and cultural uses that are compatible with the use of the lands as a cemetery; and

(B) as a burial ground.

(3) The description of the lands of the Huron Cemetery is as follows:

The tract of land in the NW quarter of sec. 10, T. 11 S., R. 25 E., of the sixth principal meridian, in Wyandotte County, Kansas (as surveyed and marked on the ground on August 15, 1888, by William Millor, Civil Engineer and Surveyor), described as follows:

''Commencing on the Northwest corner of the Northwest Quarter of the Northwest Quarter of said Section 10;

''Thence South 28 poles to the 'true point of beginning';

''Thence South 71 degrees East 10 poles and 18 links;

''Thence South 18 degrees and 30 minutes West 28 poles;

''Thence West 11 and one-half poles;

''Thence North 19 degrees 15 minutes East 31 poles and 15 feet to the 'true point of beginning', containing 2 acres or more.''.

SEC. 124. None of the Funds provided in this Act shall be available to the Bureau of Indian Affairs or the Department of the Interior to transfer land into trust status for the Shoalwater Bay Indian Tribe in Clark County, Washington, unless and until the tribe and the county reach a legally enforceable agreement that addresses the financial impact of new development on the county, school district, fire district, and other local governments and the impact on zoning and development.

SEC. 125. None of the funds provided in this Act may be used by the Department of the Interior to implement the provisions of Principle 3(C)ii and Appendix section 3(B)(4) in Secretarial Order 3206, entitled ''American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act''.

SEC. 126. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 127. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: Provided, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696; 16 U.S.C. 460zz.

SEC. 128. Section 112 of Public Law 103–138 (107 Stat. 1399) is amended by striking ''permit LP–GLBA005–93'' and inserting ''permit LP–GLBA005–93 and in connection with a corporate reorganization plan, the entity that, after the corporate reorganization, holds entry permit CP–GLBA004–00 each''.

SEC. 129. Notwithstanding any other provision of law, the Secretary of the Interior shall designate Anchorage, Alaska, as a port of entry for the purpose of section 9(f)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538(f)(1)).

SEC. 130. (a) The first section of Public Law 92–501 (86 Stat. 904) is amended by inserting after the first sentence ''The park shall also include the land as generally depicted on the map entitled 'subdivision of a portion of U.S. Survey 407, Tract B, dated May 12, 2000' ''.

(b) Section 3 of Public Law 92–501 is amended to read as follows: ''There are authorized to be appropriated such sums as are necessary to carry out the terms of this Act.''.

SEC. 131. (a) All proceeds, including bonuses, rents, and royalties, of Oil and Gas Lease sale 991, held by the Bureau of Land Management on May 5, 1999, or subsequent lease sales in the National Petroleum Reserve—Alaska (hereafter ''proceeds'') attributable to the area subject to withdrawal for Kuukpik Corporation's selection under section 22(j)(2) of the Alaska Native Claims Settlement Act, Public Law 92–203 (85 Stat. 688), shall be deposited into a separate fund of the Treasury (hereafter ''fund'').

(b) Within 120 days after the date of enactment of this Act, the Secretary of the Treasury shall transfer from the General Fund to the fund an amount determined by the Secretary of the Treasury, in consultation with the Secretary of the Interior, to be equal to the amount of interest income that would have been credited in the fund between May 5, 1999 and the date of enactment of this Act. For the purposes of this subsection (b), the Secretary of the Treasury shall calculate the interest income using a yield for a 52-week Treasury bill issued on or about May 5, 1999.

(c) On the date of the enactment of this Act, the Secretary of the Interior shall request the Secretary of the Treasury to invest such portion of the fund as is not, in the Secretary of the Interior's judgment, required to meet current payment requirements from the fund as determined under subsection (d). Such investments shall be made by the Secretary of the Treasury in public debt securities with maturities suitable to the needs of the fund, as determined by the Secretary of the Interior, and bearing interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

(d) Hereafter, amounts in the fund shall be available to the Secretary of the Interior, without fiscal year limitation, and the Secretary of the Interior shall pay to Arctic Slope Regional Corporation and the State of Alaska the amount of their entitlement when determined in accordance with applicable law, together with interest, as calculated by the Secretary of the Interior, from the date of receipt of the proceeds by the United States to the date of payment on the proportionate share of the fund distributed. Any remainder shall revert to the General Fund of the Treasury.

SEC. 132. Notwithstanding any other provision of law, the Secretary of the Interior shall convey to Harvey R. Redmond of Girdwood, Alaska, at no cost, all right, title, and interest of the United States in and to United States Survey No. 12192, Alaska, consisting of 49.96 acres located in the vicinity of T. 9N., R., 3E., Seward Meridian, Alaska.

SEC. 133. CLARIFICATION OF TERMS OF CONVEYANCE TO NYE COUNTY, NEVADA. Section 132(b)(3) of the Department of the Interior and Related Agencies Appropriations Act, 2000 (113 Stat. 1535, 1501A–165), is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B) LEASE.—Notwithstanding any provision of the Act of June 14, 1926 (commonly known as the 'Recreation and Public Purposes Act') (43 U.S.C. 869 et seq.), the county may enter into a long-term lease of any of the parcels described in paragraph (2) with a nonprofit organization under which the nonprofit organization would own and operate the Nevada Science and Technology Center for public, non-commercial purposes.''.

SEC. 134. MISSISSIPPI RIVER ISLAND NO. 228, IOWA, LAND EXCHANGE. (a) IDENTIFICATION OF LAND TO BE RECEIVED IN EXCHANGE.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (referred to in this section as the ''Secretary''), shall provide Dubuque Barge & Fleeting Services, Inc. (referred to in this section as ''Dubuque''), a notice that identifies parcels of land or interests in land—

(1) that are of a value that is approximately equal to the value of a parcel comprising a 150-foot wide strip of land on the west side of the northern half of Mississippi River Island No. 228, as determined through an appraisal conducted in conformity with the Uniform Appraisal Standards for Federal Land Acquisition; and

(2) that the Secretary would consider acceptable in exchange for all right, title, and interest of the United States in and to that parcel.

(b) LAND FOR WILDLIFE AND FISH REFUGE.—Land or interests in land that the Secretary may consider acceptable for the purposes of subsection (a) include land or interests in land that would be suitable for inclusion in the Upper Mississippi River Wildlife and Fish Refuge.

(c) EXCHANGE.—Not later than 180 days after Dubuque offers land or interests in land identified in the notice under subsection (a), the Secretary shall convey all right, title, and interest of the United States in and to the parcel described in subsection (a) in exchange for the land or interests in land offered by Dubuque, and shall permanently discontinue barge fleeting at the Mississippi River island, Tract JO–4, Parcel A, in the W/2 SE/4, Section 30, T.29N., R.2W., Jo Daviess County, Illinois, located between miles #578 and #579, commonly known as Pearl Island.

SEC. 135. (a) FINDINGS.—The Senate makes the following findings—

(1) in 1990, pursuant to the Indian Self-Determination and Education Assistance Act (ISDEAA), 25 U.S.C. 450 et seq., a class action lawsuit was filed by Indian tribal contractors and tribal consortia against the United States, the Secretary of the Interior and others seeking money damages, injunctive relief, and declaratory relief for alleged violations of the ISDEAA (Ramah Navajo Chapter v. Lujan, 112 F.3d 1455 (10th Cir. 1997));

(2) the parties negotiated a partial settlement of the claim totaling $76,200,000, plus applicable interest, which was approved by the court on May 14, 1999;

(3) the partial settlement was paid by the United States in September 1999, in the amount of $82,000,000;

(4) the Judgment Fund was established to pay for legal judgments awarded to plaintiffs who have filed suit against the United States;

(5) the Contract Disputes Act of 1978 requires that the Judgment Fund be reimbursed by the

responsible agency following the payment of an award from the Fund; and

(6) the shortfall in contract support payments found by the Court of Appeals for the 10th Circuit in Ramah resulted primarily from the nonpayment or underpayment of indirect costs by agencies other than the Bureau of Indian Affairs and the Indian Health Service.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) repayment of the Judgment Fund for the partial settlement in Ramah from the accounts of the Bureau of Indian Affairs and Indian Health Service would significantly reduce funds appropriated to benefit tribes and individual Native Americans; and

(2) the Secretary of the Interior should work with the Director of the Office of Management and Budget to secure funding for repayment of the judgment in Ramah within the budgets of the agencies that did not pay indirect costs to plaintiffs during the period 1988 to 1993 or paid indirect costs at less than rates provided under the Indian Self-Determination Act during such period.

SEC. 136. In fiscal year 2001 and thereafter and notwithstanding any other provision of law, the United States Fish and Wildlife Service shall establish and implement a fee schedule to permit a return to the Service for forensic laboratory services provided to non-Department of the Interior entities. Fees shall be collected as determined appropriate by the Director of the Fish and Wildlife Service and shall be credited to this appropriation and be available for expenditure without further appropriation until expended.

SEC. 137. BOUNDARY ADJUSTMENT TO EXCLUDE PRIVATE LAND AND ACCESS ROAD, ARGUS RANGE WILDERNESS, CALIFORNIA DESERT CONSERVATION AREA. (a) BOUNDARY ADJUSTMENT.—The boundary of the Argus Range Wilderness in the California Desert Conservation Area, as designated by section 102(a)(1) of the California Desert Protection Act of 1994 (Public Law 103–433; 16 U.S.C. 1132 note) is adjusted to exclude from the area encompassed by the wilderness—

(1) a parcel of private property located in the southwest quarter of the northeast quarter of section 35, township 21 south, range 42 east, Mount Diablo meridian, Inyo County, California; and

(2) the roadway described in subsection (b) that is used to access the private property.

(b) DESCRIPTION OF ROADWAY.—The roadway referred to in subsection (a) means—

(1) the main stem of the road running east and west through sections 35 and 36, township 21 south, range 42 east, and section 31, township 21 south, range 43 east, Mount Diablo meridian, to the point where the main stem first divides into two branches to provide access to the parcel of private property described in subsection (a) from the east and the north; and

(2) each of the two branches of that road, as described in paragraph (1).

(c) LEGAL DESCRIPTION OF EXCLUDED AREA.—The exact acreage and legal description of the area to be excluded from the wilderness area pursuant to subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary. In connection with the main stem of the roadway described in subsection (b)(1), the Secretary shall exclude, at a minimum, all lands within 30 feet of the center line of the roadway.

SEC. 138. (a) Pursuant to the provisions of section 4(a)(3) of the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd(a)(3)), the Secretary of the Interior is directed to remove from the Columbia National Wildlife Refuge all right, title and interest of the United States in and to the following described properties:

Lots 1 and 2 of Block 144, in Othello Land Company's First Addition to Othello according to the recorded plat thereof, together with all lands presently or formerly occupied by public thoroughfares or rights of way abutting or adjoining the above described land, in the County of Adams, State of Washington, T.16 N., R.29E., W.M.

and to transfer said property without compensation to the City of Othello, Washington.

(b) The property conveyed under this section shall be used for public housing or other public purpose, and all right, title and interest in and to such property shall revert to the United States if it is used for any other purpose.

(c) The City of Othello shall hold the United States harmless, and shall indemnify the United States, for all claims, costs, damages, and judgements arising out of any act or omission relating to the property conveyed under this section.

SEC. 139. Section 412(b) of the National Parks Omnibus Management Act of 1998, as amended (16 U.S.C. 5961) is amended by striking ''2000'' and inserting ''2001''.

SEC. 140. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

SEC. 141. The building housing the visitors center within the boundaries of the Chincoteague National Wildlife Refuge on Assateague Island, Virginia, shall be known and designated as the ''Herbert H. Bateman Educational and Administrative Center'' and shall hereafter be referred to in any law, map, regulation, document, paper, or other record of the United States as the ''Herbert H. Bateman Educational and Administrative Center''.

SEC. 142. Notwithstanding 31 U.S.C. 3302(b), sums received by the Bureau of Land Management for the sale of seeds or seedlings including those collected in fiscal year 2000, may be credited to the appropriation from which funds were expended to acquire or grow the seeds or seedlings and are available without fiscal year limitation.

SEC. 143. Public Law 105–83 (111 Stat. 1556) is amended as follows: Under the heading ''Operation of Indian Programs'' in the Bureau of Indian Affairs strike ''non-Federal'' in the last proviso and insert in lieu thereof ''non-Department of the Interior''.

SEC. 144. (a) Notwithstanding any other provision of law, and subject to subsections (b) and (c), all conveyances to the city of Valley City, a municipal corporation of Barnes County, North Dakota, of lands described in subsection (b), heretofore or hereafter made directly by The Burlington Northern and Santa Fe Railway Company or its successors, are hereby validated to the extent that the conveyances would be legal and valid if all right, title, and interest of the United States, except minerals, were held by The Burlington Northern and Santa Fe Railway Company.

(b) LANDS DESCRIBED.—The lands referred to in subsection (a) are the land that formed part of the railroad right-of-way granted to the Northern Pacific Railroad Company, a predecessor to The Burlington Northern and Santa Fe Railway Company, by an Act of Congress on July 2, 1864, specifically a 400-foot wide right-of-way, being 200 feet wide on each side of the centerline of the rail track as originally located and constructed between milepost 69.05 and milepost 61.10 within Barnes County, North Dakota, as shown and described on the map entitled ''City of Valley City—Railroad Parcels'' dated September 1, 2000. Such map shall be placed on file and available for inspection in the offices of the Director of the Bureau of Land Management.

(c) ACCESS AND MINERAL RIGHTS.—

(1) PRESERVATION OF RIGHTS OF ACCESS.—Nothing in this section shall impair any rights of access in favor of the public or any owner of adjacent lands over, under, or across the lands described in section 2.

(2) MINERALS.—The United States reserves any federally owned mineral rights in the lands described in subsection (b), except that the United States disclaims any and all right of surface entry to the mineral estate of such lands.

SEC. 145. (a) SHORT TITLE.—This section may be cited as the ''First Ladies National Historic Site Act of 2000''.

(b) FIRST LADIES NATIONAL HISTORIC SITE.—

(1) FINDINGS.—The Congress finds the following:

(A) Throughout the history of the United States, First Ladies have had an important impact on our Nation's history.

(B) Little attention has been paid to the role of First Ladies and their impact on our Nation's history.

(C) Establishment of the First Ladies National Historic Site will provide unique opportunities for education and study into the impact of First Ladies on our history.

(2) PURPOSES.—The purposes of this section are the following:

(A) To preserve and interpret the role and history of First Ladies for the benefit, inspiration, and education of the people of the United States.

(B) To interpret the impact of First Ladies on the history of the United States.

(C) To provide to school children and scholars access to information about the contributions of First Ladies through both a physical educational facility and an electronic virtual library.

(D) To establish the First Ladies National Historic Site in Canton, Ohio, the home of First Lady Ida Saxton McKinley.

(E) To create a public-private partnership between the National Park Service and the National First Ladies Library.

(3) ESTABLISHMENT OF FIRST LADIES NATIONAL HISTORIC SITE.—

(A) ESTABLISHMENT.—There is established in Canton, Ohio, the First Ladies National Historic Site.

(B) DESCRIPTION.—The historic site shall consist of—

(i) the land and improvements comprising the National Park Service property located at 331 Market Avenue South in Canton, Ohio, known as the Ida Saxton McKinley House; and

(ii) if acquired under subsection (b)(4), National Park Service property located at 205 Market Avenue South in Canton, Ohio, known as the City National Bank Building.

(4) ACQUISITION OF CITY NATIONAL BANK BUILDING.—The Secretary may acquire by donation, for inclusion in the historic site, the property located at 205 Market Avenue South in Canton, Ohio, known as the City National Bank Building.

(5) ADMINISTRATION OF THE HISTORIC SITE.—

(A) IN GENERAL.—The Secretary shall administer the historic site in accordance with this section and the provisions of law generally applicable to units of the National Park System, including the Act entitled ''An Act to establish a National Park Service, and for other purposes'', approved August 25, 1916 (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666, chapter 593; 16 U.S.C. 461 et seq.).

(B) COOPERATIVE AGREEMENTS.—

(i) To further the purposes of this section, the Secretary may enter into a cooperative agreement with the National First Ladies Library (a nonprofit corporation established under the laws of the District of Columbia) under which the National First Ladies Library may operate and maintain the site.

(ii) To further the purposes of this section, the Secretary may enter into cooperative agreements with other public and private organizations.

(C) ASSISTANCE.—The Secretary may provide to the National First Ladies Library—

(i) technical assistance for the preservation of historic structures of, the maintenance of the cultural landscape of, and local preservation planning for, the historic site; and

(ii) subject to the availability of appropriations, financial assistance for the operation and maintenance of the historic site.

(D) ADMISSION FEES.—The Secretary may authorize the National First Ladies Library to—

(i) charge fees for admission to the historic site; and

(ii) retain and use for the historic site amounts paid as such fees.

(E) MANAGEMENT OF PROPERTY.—The Secretary may authorize the National First Ladies Library—

(i) to manage any property within the historic site;

(ii) to lease to other public or private entities any property managed under subparagraph (i) by the National First Ladies Library; and

(iii) to retain and use for the historic site amounts received under such leases.

(6) GENERAL MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than the last day of the third full fiscal year beginning after the date of enactment of this Act, the Secretary shall, in consultation with the officials described in paragraph (B), prepare a general management plan for the historic site.

(B) CONSULTATION.—In preparing the general management plan, the Secretary shall consult with an appropriate official of—

(i) the National First Ladies Library; and

(ii) appropriate political subdivisions of the State of Ohio that have jurisdiction over the area where the historic site is located.

(C) SUBMISSION OF PLAN TO CONGRESS.—Upon the completion of the general management plan, the Secretary shall submit a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(7) DEFINITIONS.—In this section:

(A) HISTORIC SITE.—The term ''historic site'' means the First Ladies National Historic Site established by subsection (b)(3).

(B) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 146. (a) CONTRIBUTIONS TOWARD ESTABLISHMENT OF ABRAHAM LINCOLN INTERPRETIVE CENTER.—

(1) GRANTS AUTHORIZED.—Subject to subsections (a)(2) and (a)(3), the Secretary of the Interior shall make grants to contribute funds for the establishment in Springfield, Illinois, of an interpretive center to preserve and make available to the public materials related to the life of President Abraham Lincoln and to provide interpretive and educational services which communicate the meaning of the life of Abraham Lincoln.

(2) PLAN AND DESIGN.—

(A) SUBMISSION.—Not later than 18 months after the date of the enactment of this Act, the entity selected by the Secretary of the Interior to receive grants under subsection (a)(1) shall submit to the Secretary a plan and design for the interpretive center, including a description of the following:

(i) The design of the facility and site.

(ii) The method of acquisition.

(iii) The estimated cost of acquisition, construction, operation, and maintenance.

(iv) The manner and extent to which non-Federal entities will participate in the acquisition, construction, operation, and maintenance of the center.

(B) CONSULTATION AND COOPERATION.—The plan and design for the interpretive center shall be prepared in consultation with the Secretary of the Interior and the Governor of Illinois and in cooperation with such other public, municipal, and private entities as the Secretary considers appropriate.

(3) CONDITIONS ON GRANT.—

(A) MATCHING REQUIREMENT.—A grant under subsection (a)(1) may not be made until such time as the entity selected to receive the grant certifies to the Secretary of the Interior that funds have been contributed by the State of Illinois or raised from non-Federal sources for use to establish the interpretive center in an amount equal to at least double the amount of that grant.

(B) RELATION TO OTHER LINCOLN-RELATED SITES AND MUSEUMS.—The Secretary of the Interior shall further condition the grant under subsection (a)(1) on the agreement of the grant recipient to operate the resulting interpretive center in cooperation with other Federal and non-Federal historic sites, parks, and museums that represent significant locations or events in the life of Abraham Lincoln. Cooperative efforts to promote and interpret the life of Abraham Lincoln may include the use of cooperative agreements, cross references, cross promotion, and shared exhibits.

(4) PROHIBITION ON CONTRIBUTION OF OPERATING FUNDS.—Grant amounts may not be used for the maintenance or operation of the interpretive center.

(5) NON-FEDERAL OPERATION.—The Secretary of the Interior shall have no involvement in the actual operation of the interpretive center, except at the request of the non-Federal entity responsible for the operation of the center.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior a total of $50,000,000 to make grants under subsection (a)(1). Amounts so appropriated shall remain available for expenditure through fiscal year 2006.

SEC. 147. (a) SHORT TITLE.—This section may be cited as the ''Palace of the Governors Annex Act''.

(b) CONSTRUCTION OF PALACE OF THE GOVERNORS ANNEX, SANTA FE, NEW MEXICO.—

(1) FINDINGS.—Congress finds that—

(A) the United States has a rich legacy of Hispanic influence in politics, government, economic development, and cultural expression;

(B) the Palace of the Governors—

(i) has been the center of administrative and cultural activity over a vast region of the Southwest since its construction as New Mexico's second capitol in Santa Fe by Governor Pedro de Peralta in 1610;

(ii) is the oldest continuously occupied public building in the continental United States, having been occupied for 390 years; and

(iii) has been designated as a National Historic Landmark;

(C) since its creation, the Museum of New Mexico has worked to protect and promote Southwestern, Hispanic, and Native American arts and crafts;

(D) the Palace of the Governors houses the history division of the Museum of New Mexico;

(E) the Museum has an extensive, priceless, and irreplaceable collection of—

(i) Spanish Colonial paintings (including the Segesser Hide Paintings, paintings on buffalo hide dating back to 1706);

(ii) pre-Columbian Art; and

(iii) historic artifacts, including—

(I) helmets and armor worn by the Don Juan de Oñate expedition conquistadors who established the first capital in the territory that is now the United States, San Juan de los Caballeros, in July 1598;

(II) the Vara Stick used to measure land grants and other real property boundaries in Dona Ana County, New Mexico;

(III) the Columbus, New Mexico Railway Station clock that was shot, stopping the pendulum, freezing for all history the moment when Pancho Villa's raid began;

(IV) the field desk of Brigadier General Stephen Watts Kearny, who was posted to New Mexico during the Mexican War and whose Army of the West traveled the Santa Fe trail to occupy the territories of New Mexico and California; and

(V) more than 800,000 other historic photographs, guns, costumes, maps, books, and handicrafts;

(F) the Palace of the Governors and its contents are included in the Mary C. Skaggs Centennial Collection of America's Treasures;

(G) the Palace of the Governors and the Segesser Hide paintings have been declared national treasures by the National Trust for Historic Preservation; and

(H) time is of the essence in the construction of an annex to the Palace of the Governors for the exhibition and storing of the collection described in paragraph (E), because—

(i) the existing facilities for exhibiting and storing the collection are so inadequate and unsuitable that existence of the collection is endangered and its preservation is in jeopardy; and

(ii) 2010 marks the 400th anniversary of the continuous occupation and use of the Palace of the Governors and is an appropriate date for ensuring the continued viability of the collection.

(2) DEFINITIONS.—In this section:

(A) ANNEX.—The term ''Annex'' means the annex for the Palace of the Governors of the Museum of New Mexico, to be constructed behind the Palace of the Governors building at 110 Lincoln Avenue, Santa Fe, New Mexico.

(B) OFFICE.—The term ''Office'' means the State Office of Cultural Affairs.

(C) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(D) STATE.—The term ''State'' means the State of New Mexico.

(3) GRANT.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall make a grant to the Office to pay 50 percent of the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex.

(B) REQUIREMENTS.—Subject to the availability of appropriations, to receive a grant under this paragraph (A), the Office shall—

(i) submit to the Secretary a copy of the architectural blueprints for the Annex; and

(ii) enter into a memorandum of understanding with the Secretary under subsection (b)(4).

(4) MEMORANDUM OF UNDERSTANDING.—At the request of the Office, the Secretary shall enter into a memorandum of understanding with the Office that—

(A) requires that the Office award the contract for construction of the Annex after a competitive bidding process and in accordance with the New Mexico Procurement Code; and

(B) specifies a date for completion of the Annex.

(5) NON-FEDERAL SHARE.—The non-Federal share of the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex—

(A) may be in cash or in kind fairly evaluated, including land, art and artifact collections, plant, equipment, or services; and

(B) shall include any contribution received by the State (including contributions from the New Mexico Foundation and other endowment funds) for, and any expenditure made by the State for, the Palace of the Governors or the Annex, including—

(i) design;

(ii) land acquisition (including the land at 110 Lincoln Avenue, Santa Fe, New Mexico);

(iii) acquisitions for and renovation of the library;

(iv) conservation of the Palace of the Governors;

(v) construction, management, inspection, furnishing, and equipping of the Annex; and

(vi) donations of art collections and artifacts to the Museum of New Mexico on or after the date of enactment of this section.

(6) USE OF FUNDS.—The funds received under a grant awarded under subsection (b)(3) shall be used only for the final design, construction, management, inspection, furnishing and equipment of the Annex.

(7) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—Subject to paragraph (B), subject to the availability of appropriations, there is authorized to be appropriated to the Secretary to carry out this section $15,000,000, to remain available until expended.

(B) CONDITION.—Paragraph (A) authorizes sums to be appropriated on the condition that—

(i) after the date of enactment of this section and before January 1, 2010, the State appropriate at least $8,000,000 to pay the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex; and

(ii) other non-Federal sources provide sufficient funds to pay the remainder of the 50 percent non-Federal share of those costs.

SEC. 148. (a) Section 104 of the Act entitled ''An Act to establish in the Department of the Interior the Southwestern Pennsylvania Heritage Preservation Commission, and for other purposes'', approved November 19, 1988 (Public Law 100–698) is amended—

(1) in the flush material at the end of subsection (a), by striking ''10 years'' and inserting ''20 years''; and

(2) in subsection (e), by striking ''10 years'' and inserting ''20 years''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 105 of the Act entitled ''An Act to establish in the Department of the Interior the Southwestern Pennsylvania Heritage Preservation Commission, and for other purposes'', approved November 19, 1988 (Public Law 100–698) is amended by inserting ''for each of fiscal years 2001 through 2010'' after ''$3,000,000''.

(c) EFFECTIVE DATE.—The amendment made by section 1 shall be deemed to have taken effect on November 18, 1998.

SEC. 149. REDESIGNATION OF CUYAHOGA VALLEY NATIONAL RECREATION AREA AS CUYAHOGA VALLEY NATIONAL PARK. (a) REDESIGNATION.—The Cuyahoga Valley National Recreation Area is redesignated as Cuyahoga Valley National Park.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Cuyahoga Valley National Recreation Area is deemed to be a reference to Cuyahoga Valley National Park.

(c) CONFORMING AMENDMENTS.—The Act entitled ''An Act to provide for the establishment of the Cuyahoga Valley National Recreation Area'' (Public Law 93–555; 16 U.S.C. 460ff et seq.), approved December 27, 1974, is amended—

(1) in section 1 by striking ''National Recreation Area'' and inserting ''National Park''; and

(2) by striking ''recreation area'' each place it appears and inserting ''park''.

(d) CLERICAL AMENDMENTS.—Section 5 of such Act (16 U.S.C. 460ff–4) is repealed, and section 6 of such Act (16 U.S.C. 460ff–5) is redesignated as section 5.

Sec. 150. (a) SHORT TITLE.—This section may be cited as the ''National Underground Railroad Freedom Center Act''.

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) the National Underground Railroad Freedom Center (hereinafter ''Freedom Center'') is a nonprofit organization incorporated under the laws of the State of Ohio in 1995;

(B) the objectives of the Freedom Center are to interpret the history of the Underground Railroad through development of a national cultural institution in Cincinnati, Ohio, that will house an interpretive center, including museum, educational, and research facilities, all dedicated to communicating to the public the importance of the quest for human freedom which provided the foundation for the historic and inspiring story of the Underground Railroad;

(C) the city of Cincinnati has granted exclusive development rights for a prime riverfront location to the Freedom Center;

(D) the Freedom Center will be a national center linked through state-of-the-art technology to Underground Railroad sites and facilities throughout the United States and to a constituency that reaches across the United States, Canada, Mexico, the Caribbean and beyond; and

(E) the Freedom Center has reached an agreement with the National Park Service to pursue a range of historical and educational cooperative activities related to the Underground Railroad, including but not limited to assisting the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act.

(2) PURPOSES.—The purposes of this section are—

(A) to promote preservation and public awareness of the history of the Underground Railroad;

(B) to assist the Freedom Center in the development of its programs and facilities in Cincinnati, Ohio; and

(C) to assist the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (112 Stat. 679; 16 U.S.C. 469l and following).

(c) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) PROJECT BUDGET.—The term ''project budget'' means the total amount of funds expended by the Freedom Center on construction of its facility, development of its programs and exhibits, research, collection of informative and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center, prior to the opening of the Freedom Center facility in Cincinnati, Ohio.

(3) FEDERAL SHARE.—The term ''Federal share'' means an amount not to exceed 20 percent of the project budget and shall include all amounts received from the Federal Government under this legislation and any other Federal programs.

(4) NON-FEDERAL SHARE.—The term ''non-Federal share'' means all amounts obtained by the Freedom Center for the implementation of its facilities and programs from any source other than the Federal Government, and shall not be less than 80 percent of the project budget.

(5) THE FREEDOM CENTER FACILITY.—The term ''the Freedom Center facility'' means the facility, including the building and surrounding site, which will house the museum and research institute to be constructed and developed in Cincinnati, Ohio, on the site described in subsection (d)(3).

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) PROGRAM AUTHORIZED.—From sums appropriated pursuant to the authority of subsection (d)(4) in any fiscal year, the Secretary is authorized and directed to provide financial assistance to the Freedom Center, in order to pay the Federal share of the cost of authorized activities described in subsection (e).

(2) EXPENDITURE ON NON-FEDERAL PROPERTY.—The Secretary is authorized to expend appropriated funds under subsection (d)(1) of this section to assist in the construction of the Freedom Center facility and the development of programs and exhibits for that facility which will be funded primarily through private and non-Federal funds, on property owned by the city of Cincinnati, Hamilton County, and the State of Ohio.

(3) DESCRIPTION OF THE FREEDOM CENTER FACILITY SITE.—The facility referred to in subsections (d)(1) and (d)(2) will be located on a site described as follows: a 2-block area south of new South Second, west of Walnut Street, north of relocated Theodore M. Berry Way, and east of Vine Street in Cincinnati, Ohio.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $16,000,000 for the 4 fiscal year period beginning October 1, 1999. Funds not to exceed that total amount may be appropriated in 1 or more of such fiscal years. Funds shall not be disbursed until the Freedom Center has commitments for a minimum of 50 percent of the non-Federal share.

(5) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, funds appropriated to carry out the provisions of this section shall remain available for obligation and expenditure until the end of the fiscal year succeeding the fiscal year for which the funds were appropriated.

(6) OTHER PROVISIONS.—Any grant made under this section shall provide that—

(A) no change or alteration may be made in the Freedom Center facility except with the agreement of the property owner and the Secretary;

(B) the Secretary shall have the right of access at reasonable times to the public portions of the Freedom Center facility for interpretive and other purposes; and

(C) conversion, use, or disposal of the Freedom Center facility for purposes contrary to the purposes of this section, as determined by the Secretary, shall result in a right of the United States to compensation equal to the greater of—

(i) all Federal funds made available to the grantee under this section; or

(ii) the proportion of the increased value of the Freedom Center facility attributable to such funds, as determined at the time of such conversion, use, or disposal.

(e) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—The Freedom Center may engage in any activity related to its objectives addressed in subsection (b)(1), including, but not limited to, construction of the Freedom Center facility, development of programs and exhibits related to the history of the Underground Railroad, research, collection of information and artifacts and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center.

(2) PRIORITIES.—The Freedom Center shall give priority to—

(A) construction of the Freedom Center facility;

(B) development of programs and exhibits to be presented in or from the Freedom Center facility; and

(C) providing assistance to the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (16 U.S.C. 469l).

(f) APPLICATION.—

(1) IN GENERAL.—The Freedom Center shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each application shall—

(A) describe the activities for which assistance is sought;

(B) provide assurances that the non-Federal share of the cost of activities of the Freedom Center shall be paid from non-Federal sources, together with an accounting of costs expended by the Freedom Center to date, a budget of costs to be incurred prior to the opening of the Freedom Center facility, an accounting of funds raised to date, both Federal and non-Federal, and a projection of funds to be raised through the completion of the Freedom Center facility.

(2) APPROVAL.—The Secretary shall approve the application submitted pursuant to subsection (f)(1) unless such application fails to comply with the provisions of this section.

(g) REPORTS.—The Freedom Center shall submit an annual report to the appropriate committees of the Congress not later than January 31, 2000, and each succeeding year thereafter for any fiscal year in which Federal funds are expended pursuant to this section. The report shall—

(1) include a financial statement addressing the Freedom Center's costs incurred to date and projected costs, and funds raised to date and projected fundraising goals;

(2) include a comprehensive and detailed description of the Freedom Center's activities for the preceding and succeeding fiscal years; and

(3) include a description of the activities taken to assure compliance with this section.

(h) AMENDMENT TO THE NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1998.—The National Underground Railroad Network to Freedom Act of 1998 (112 Stat. 679; 16 U.S.C. 469l and following) is amended by adding at the end the following:

"SEC. 4. PRESERVATION OF HISTORIC SITES OR STRUCTURES.

''(a) AUTHORITY TO MAKE GRANTS.—The Secretary of the Interior may make grants in accordance with this section for the preservation and restoration of historic buildings or structures associated with the Underground Railroad, and for related research and documentation to sites, programs, or facilities that have been included in the national network.

''(b) GRANT CONDITIONS.—Any grant made under this section shall provide that—

''(1) no change or alteration may be made in property for which the grant is used except with the agreement of the property owner and the Secretary;

''(2) the Secretary shall have the right of access at reasonable times to the public portions of such property for interpretive and other purposes; and

''(3) conversion, use, or disposal of such property for purposes contrary to the purposes of this Act, as determined by the Secretary, shall result in a right of the United States to compensation equal to all Federal funds made available to the grantee under this Act.

''(c) MATCHING REQUIREMENT.—The Secretary may obligate funds made available for a grant under this section only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal to or greater than the grant. The Secretary may waive the requirement of the preceding sentence with respect to a grant if the Secretary determines that an extreme emergency exists or that such a waiver is in the public interest to assure the preservation of historically significant resources.

''(d) FUNDING.—There are authorized to be appropriated to the Secretary for purposes of this section $2,500,000 for fiscal year 2001 and each subsequent fiscal year. Amounts authorized but not appropriated in a fiscal year shall be available for appropriation in subsequent fiscal years.''.

SEC. 151. PRIORITY ABANDONED MINE AND ACID MINE REMEDIATION. For expenses necessary to reclaim abandoned coal mine sites and for acid mine drainage remediation caused by past coal mining practices in the anthracite region of Pennsylvania and other purposes consistent with title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, to be granted to the Commonwealth of Pennsylvania in addition to the amount granted under sections 402(g)(1) and 402(g)(5) of the Surface Mining Control and Reclamation Act, $12,600,000, to be derived from funds pursuant to section 402(g)(2) of the Surface Mining Control and Reclamation Act, to remain available until expended: Provided, That of these funds, $600,000 will be specifically used to continue a demonstration project funded in Public Law 106–113, in accordance with section 401(c)(6) of the Act to determine the efficacy of improving water quality by removing metals from eligible waters polluted by acid mine drainage.

SEC. 152. Notwithstanding any other provision of law, from the unobligated balances derived from the Land and Water Conservation Fund appropriated in fiscal year 2000 for acquisition of land at Nisqually National Wildlife Refuge (Black River), $850,000, together with other sums as may become available, is for the Nisqually Indian Tribe to acquire the fee title to the Kenneth W. Braget farm under the terms and conditions of the existing Purchase and Sale Agreement. The Nisqually Indian Tribe shall enter into a 25 year cooperative agreement/renewable lease with the U.S. Fish and Wildlife Service to manage those lands within the approved refuge boundary as part of the Nisqually National Wildlife Refuge. Such lands within the approved refuge boundary shall be managed in perpetuity for refuge purposes.

SEC. 153. TRIBAL SCHOOL CONSTRUCTION DEMONSTRATION PROGRAM. (a) DEFINITIONS.—In this section:

(1) CONSTRUCTION.—The term ''construction'', with respect to a tribally controlled school, includes the construction or renovation of that school.

(2) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(3) SECRETARY.—The term ''secretary'' means the Secretary of the Interior.

(4) TRIBALLY CONTROLLED SCHOOL.—The term ''tribally controlled school'' has the meaning given that term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511).

(5) DEPARTMENT.—The term ''Department'' means the Department of the Interior.

(6) DEMONSTRATION PROGRAM.—The term ''demonstration program'' means the Tribal School Construction Demonstration Program.

(b) IN GENERAL.—The Secretary shall carry out a demonstration program to provide grants to Indian tribes for the construction of tribally controlled schools.

(1) IN GENERAL.—Subject to the availability of appropriations, in carrying out the demonstration program under subsection (b), the Secretary shall award a grant to each Indian tribe that submits an application that is approved by the Secretary under paragraph (2). The Secretary shall ensure that an eligible Indian tribe currently on the Department's priority list for constructing of replacement educational facilities receives the highest priority for a grant under this section.

(2) GRANT APPLICATIONS.—An application for a grant under the section shall—

(A) include a proposal for the construction of a tribally controlled school of the Indian tribe that submits the application; and

(B) be in such form as the Secretary determines appropriate.

(3) GRANT AGREEMENT.—As a condition to receiving a grant under this section, the Indian tribe shall enter into an agreement with the Secretary that specifies—

(A) the costs of construction under the grant;

(B) that the Indian tribe shall be required to contribute towards the cost of the construction a tribal share equal to 50 percent of the costs; and

(C) any other term or condition that the Secretary determines to be appropriate.

(4) ELIGIBILITY.—Grants awarded under the demonstration program shall only be for construction on replacement tribally controlled schools.

(c) EFFECT OF GRANT.—A grant received under this section shall be in addition to any other funds received by an Indian tribe under any other provision of law. The receipt of a grant under this section shall not affect the eligibility of an Indian tribe receiving funding, or the amount of funding received by the Indian tribe, under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) or the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SEC. 154. WHITE RIVER OIL SHALE MINE, UTAH. (a) SALE.—The Administrator of General Services (referred to in this section as the ''Administrator'') shall sell all right, title, and interest of the United States in and to the improvements and equipment described in subsection (b) that are situated on the land described in subsection (c) (referred to in this section as the ''Mine'').

(b) DESCRIPTION OF IMPROVEMENTS AND EQUIPMENT.— The improvements and equipment referred to in subsection (a) are the following improvements and equipment associated with the Mine:

(1) Mine Service Building.

(2) Sewage Treatment Building.

(3) Electrical Switchgear Building.

(4) Water Treatment Building/Plant.

(5) Ventilation/Fan Building.

(6) Water Storage Tanks.

(7) Mine Hoist Cage and Headframe.

(8) Miscellaneous Mine-related equipment.

(c) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the land located in Uintah County, Utah, known as the ''White River Oil Shale Mine'' and described as follows:

(1) T. 10 S., R 24 E., Salt Lake Meridian, sections 12 through 14, 19 through 30, 33, and 34.

(2) T. 10 S., R. 25 E., Salt Lake Meridian, sections 18 and 19.

(d) USE OF PROCEEDS.—The proceeds of the sale under subsection (a)—

(1) shall be deposited in a special account in the Treasury of the United States; and

(2) shall be available until expended, without further Act of appropriation—

(A) first, to reimburse the Administrator for the direct costs of the sale; and

(B) second, to reimburse the Bureau of Land Management Utah State Office for the costs of closing and rehabilitating the Mine.

(e) MINE CLOSURE AND REHABILITATION.—The closing and rehabilitation of the Mine (including closing of the mine shafts, site grading, and surface revegetation) shall be conducted in accordance with—

(1) the regulatory requirements of the State of Utah, the Mine Safety and Health Administration, and the Occupational Safety and Health Administration; and

(2) other applicable law.

SEC. 155. BLUE RIDGE PARKWAY. (a) The Blue Ridge Parkway headquarters building located at 199 Hemphill Knob in Asheville, North Carolina, shall be known and designated as the ''Gary E. Everhardt Headquarters Building''.

(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the headquarters building referred to in subsection (a) shall be deemed to be a reference to the ''Gary E. Everhardt Headquarters Building''.

SEC. 156. None of the funds in this Act or any other Act shall be used, by the Secretary of the Interior to promulgate final rules to revise 43 C.F.R. subpart 3809, except that the Secretary, following the public comment period required by section 3002 of Public Law 106–31, may issue final rules to amend 43 C.F.R. subpart 3809 which are not inconsistent with the recommendations contained in the National Research Council report entitled ''Hardrock Mining on Federal Lands'' so long as these regulations are also not inconsistent with existing statutory authorities. Nothing in this section shall be construed to expand the existing statutory authority of the Secretary.

SEC. 157. (a) SHORT TITLE.—This section may be cited as the ''Wheeling National Heritage Area Act of 2000''.

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—The Congress finds that—

(A) the area in an around Wheeling, West Virginia, possesses important historical, cultural, and natural resources, representing major heritage themes of transportation, commerce and industry, and Victorian culture in the United States;

(B) the City of Wheeling has played an important part in the settlement of this country by serving as—

(i) the western terminus of the National Road of the early 1800's;

(ii) the ''Crossroads of America'' throughout the nineteenth century;

(iii) one of the few major inland ports in the nineteenth century; and

(iv) the site for the establishment of the Restored State of Virginia, and later the State of West Virginia, during the Civil War and as the first capital of the new State of West Virginia;

(C) the City of Wheeling has also played an important role in the industrial and commercial heritage of the United States, through the development and maintenance of many industries crucial to the Nation's expansion, including iron and steel, textile manufacturing, boat building, glass manufacturing, and stogie and chewing tobacco manufacturing facilities, many of which are industries that continue to play an important role in the national economy;

(D) the city of Wheeling has retained its national heritage themes with the designations of the old custom house (now Independence Hall) and the historic suspension bridge as National Historic Landmarks; with five historic districts; and many individual properties in the Wheeling area listed or eligible for nomination to the National Register of Historic Places;

(E) the heritage themes and number and diversity of Wheeling's remaining resources

should be appropriately retained, enhanced, and interpreted for the education, benefit, and inspiration of the people of the United States; and

(F) in 1992 a comprehensive plan for the development and administration of the Wheeling National Heritage Area was completed for the National Park Service, the City of Wheeling, and the Wheeling National Task Force, including—

(i) an inventory of the national and cultural resources in the City of Wheeling;

(ii) criteria for preserving and interpreting significant natural and historic resources;

(iii) a strategy for the conservation, preservation, and reuse of the historical and cultural resources in the City of Wheeling and the surrounding region; and

(iv) an implementation agenda by which the State of West Virginia and local governments can coordinate their resources as well as a complete description of the management entity responsible for implementing the comprehensive plan.

(2) PURPOSES.—The purposes of this section are—

(A) to recognize the special importance of the history and development of the Wheeling area in the cultural heritage of the Nation;

(B) to provide a framework to assist the City of Wheeling and other public and private entities and individuals in the appropriate preservation, enhancement, and interpretation of significant resources in the Wheeling area emblematic of Wheeling's contributions to the Nation's cultural heritage;

(C) to allow for limited Federal, State and local capital contributions for planning and infrastructure investments to complete the Wheeling National Heritage Area, in partnership with the State of West Virginia, the City of Wheeling, and other appropriate public and private entities; and

(D) to provide for an economically self-sustaining National Heritage Area not dependent on Federal financial assistance beyond the initial years necessary to establish the heritage area.

(c) DEFINITIONS.—As used in this section—

(1) the term ''city'' means the City of Wheeling;

(2) the term ''heritage area'' means the Wheeling National Heritage Area established in subsection (d);

(3) the term ''plan'' means the ''Plan for the Wheeling National Heritage Area'' dated August, 1992;

(4) the term ''Secretary'' means the Secretary of the Interior; and

(5) the term ''State'' means the State of West Virginia.

(d) WHEELING NATIONAL HERITAGE AREA.—

(1) ESTABLISHMENT.—In furtherance of the purposes of this section, there is established in the State of West Virginia the Wheeling National Heritage Area, as generally depicted on the map entitled ''Boundary Map, Wheeling National Heritage Area, Wheeling, West Virginia'' and dated March, 1994. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(2) MANAGEMENT ENTITY.—

(A) The management entity for the heritage area shall be the Wheeling National Heritage Corporation, a non-profit corporation chartered in the State of West Virginia.

(B) To the extent consistent with this section, the management entity shall manage the heritage area in accordance with the plan.

(e) DUTIES OF THE MANAGEMENT ENTITY.—

(1) MISSION.—

(A) The primary mission of the management entity shall be—

(i) to implement and coordinate the recommendations contained in the plan;

(ii) ensure integrated operation of the heritage area; and

(iii) conserve and interpret the historic and cultural resources of the heritage area.

(B) The management entity shall also direct and coordinate the diverse conservation, development, programming, educational, and interpretive activities within the heritage area.

(2) RECOGNITION OF PLAN.—The management entity shall work with the State of West Virginia and local governments to ensure that the plan is formally adopted by the City and recognized by the State.

(3) IMPLEMENTATION.—To the extent practicable, the management entity shall—

(A) implement the recommendations contained in the plan in a timely manner pursuant to the schedule identified in the plan;

(B) coordinate its activities with the City, the State, and the Secretary;

(C) ensure the conservation and interpretation of the heritage area's historical, cultural, and natural resources, including—

(i) assisting the City and the State in the preservation of sites, buildings, and objects within the heritage area which are listed or eligible for listing on the National Register of Historic Places;

(ii) assisting the City, the State, or a nonprofit organization in the restoration of any historic building in the heritage area;

(iii) increasing public awareness of and appreciation for the natural, cultural, and historic resources of the heritage area;

(iv) assisting the State or City in designing, establishing, and maintaining appropriate interpretive facilities and exhibits in the heritage area;

(v) assisting in the enhancement of public awareness and appreciation for the historical, archaeological, and geologic resources and sites in the heritage area; and

(vi) encouraging the City and other local governments to adopt land use policies consistent with the goals of the plan, and to take actions to implement those policies;

(D) encourage intergovernmental cooperation in the achievement of these objectives;

(E) develop recommendations for design standards within the heritage area; and

(F) seek to create public-private partnerships to finance projects and initiatives within the heritage area.

(4) AUTHORITIES.—The management entity may, for the purposes of implementing the plan, use Federal funds made available by this section to—

(A) make grants to the State, City, or other appropriate public or private organizations, entities, or persons;

(B) enter into cooperative agreements with, or provide technical assistance to Federal agencies, the State, City or other appropriate public or private organizations, entities, or persons;

(C) hire and compensate such staff as the management entity deems necessary;

(D) obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money;

(E) spend funds on promotion and marketing consistent with the resources and associated values of the heritage area in order to promote increased visitation; and

(F) contract for goods and services.

(5) ACQUISITION OF REAL PROPERTY.—

(A) Except as provided in paragraph (B), the management entity may not acquire any real property or interest therein within the heritage area, other than the leasing of facilities.

(B)(i) Subject to subparagraph (ii), the management entity may acquire real property, or an interest therein, within the heritage area by gift or devise, or by purchase from a willing seller with money which was donated, bequeathed, appropriated, or otherwise made available to the management entity on the condition that such money be used to purchase real property, or interest therein, within the heritage area.

(ii) Any real property or interest therein acquired by the management entity pursuant to this paragraph shall be conveyed in perpetuity by the management entity to an appropriate public or private entity, as determined by the management entity. Any such conveyance shall be made as soon as practicable after acquisition, without consideration, and on the condition that the real property or interest therein so conveyed shall be used for public purposes.

(6) REVISION OF PLAN.—Within 18 months after the date of enactment, the management entity shall submit to the Secretary a revised plan. Such revision shall include, but not be limited to—

(A) a review of the implementation agenda for the heritage area;

(B) projected capital costs; and

(C) plans for partnership initiatives and expansion of community support.

(f) DUTIES OF THE SECRETARY.—

(1) INTERPRETIVE SUPPORT.—The Secretary may, upon request of the management entity, provide appropriate interpretive, planning, educational, staffing, exhibits, and other material or support for the heritage area, consistent with the plan and as appropriate to the resources and associated values of the heritage area.

(2) TECHNICAL ASSISTANCE.—The Secretary may upon request of the management entity and consistent with the plan, provide technical assistance to the management entity.

(3) COOPERATIVE AGREEMENTS AND GRANTS.—The Secretary may, in consultation with the management entity and consistent with the management plan, make grants to, and enter into cooperative agreements with the management entity, the State, City, non-profit organization or any person.

(4) PLAN AMENDMENTS.—No amendments to the plan may be made unless approved by the Secretary. The Secretary shall consult with the management entity in reviewing any proposed amendments.

(g) DUTIES OF OTHER FEDERAL AGENCIES.—Any Federal department, agency, or other entity conducting or supporting activities directly affecting the heritage area shall—

(1) consult with the Secretary and the management entity with respect to such activities.

(2) cooperate with the Secretary and the management entity in carrying out their duties under this Act, and to the extent practicable, coordinate such activities directly with the duties of the Secretary and the management entity.

(3) to the extent practicable, conduct or support such activities in a manner which the management entity determines will not have an adverse effect on the heritage area.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $10,000,000, except that not more than $1,000,000 may be appropriated to carry out this section for any fiscal year.

(2) MATCHING FUNDS.—Federal funding provided under this section shall be matched at least 25 percent by other funds or in-kind services.

(i) SUNSET.—The Secretary may not make any grant or provide any assistance under this section after September 30, 2015.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $229,616,000, to remain available until expended.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $238,455,000, to remain available until expended, as authorized by law: Provided, That none of the funds made available by this Act shall be used for the urban resources partnership program.

For an additional amount to cover necessary expenses for emergency pest management and

forest health activities on Federal, State and private lands, $12,500,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That these funds shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,280,693,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)), of which not less than an additional $500,000 shall be available for use for law enforcement purposes in the national forest that, during calendar year 2000, had both the greatest number of methamphetamine dumps and the greatest number of methamphetamine laboratory law enforcement actions in the National Forest System, and of which not less than an additional $500,000 shall be available for law enforcement purposes on the Pisgah and Nantahala National Forests, and of which for the purpose of implementing the Valles Caldera Preservation Act, $990,000, to remain available until expended, shall be available to the Secretary for the management of the Valles Caldera National Preserve: Provided, That any remaining balances available for implementing the Valles Caldera Preservation Act be provided to the Valles Caldera Trust upon its assumption of the management of the Preserve: Provided further, That notwithstanding the limitations of 107(e)(2) of the Valles Caldera Preservation Act (Public Law 106–248), for fiscal years 2001 and 2002, the members of the Board of Trustees of the Valles Caldera Trust may receive, upon request, compensation for each day (including travel time) that they are engaged in the performance of the functions of the Board. Compensation shall not exceed the daily equivalent of the annual rate in effect for members of the Senior Executive Service at the ES–1 level, and shall be in addition to any reimbursement for travel, subsistence and other necessary expenses incurred by them in the performance of their duties. Members of the Board who are officers or employees of the United States shall not receive any additional compensation by reason of service on the Board: Provided further, That unobligated balances available at the start of fiscal year 2001 shall be displayed by extended budget line item in the fiscal year 2002 budget justification: Provided further, That of the amount available for vegetation and watershed management, the Secretary may authorize the expenditure or transfer of such sums as necessary to the Department of the Interior, Bureau of Land Management for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands: Provided further, That $5,000,000 shall be allocated to the Alaska Region, in addition to its normal allocation for the purposes of preparing additional timber for sale, to establish a 3-year timber supply and such funds may be transferred to other appropriations accounts as necessary to maximize accomplishment: Provided further, That of the funds provided for Forest Products, $700,000 shall be provided to the State of Alaska for monitoring activities at Forest Service log transfer facilities, in the form of an advance, direct lump sum payment.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $839,129,000, to remain available until expended: Provided, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 2000 shall be transferred, as repayment for post advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576 et seq.): Provided further, That notwithstanding any other provision of law, up to $8,600,000 of funds appropriated under this appropriation may be used for Fire Science Research in support of the Joint Fire Science Program: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest Service and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

For an additional amount to cover necessary expenses for emergency rehabilitation, presuppression due to emergencies, and wildfire suppression activities of the Forest Service, $426,000,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That these funds shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CAPITAL IMPROVEMENT AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $468,568,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: Provided further, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project: Provided further, That any unobligated balances of amounts previously appropriated to the Forest Service ''Construction'', ''Reconstruction and Construction'', or ''Reconstruction and Maintenance'' accounts as well as any unobligated balances remaining in the ''National Forest System'' account for the facility maintenance and trail maintenance extended budget line items may be transferred to and merged with the ''Capital Improvement and Maintenance'' account.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $102,205,000 to be derived from the Land and Water Conservation Fund, to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $5,500,000, to remain available until expended.

SOUTHEAST ALASKA ECONOMIC DISASTER FUND

For purposes of the Southeast Alaska Economic Disaster Fund as set forth in section 101(c) of Public Law 104–314, the direct grants provided from the Fund shall be considered direct payments for purposes of all applicable law except that these direct grants may not be used for lobbying activities: Provided, That a total of $5,000,000 is hereby appropriated and shall be deposited into the Southeast Alaska Economic Disaster Fund established pursuant to Public Law 104–134, as amended, without further appropriation or fiscal year limitation. The Secretary of Agriculture shall distribute these funds to the City of Craig in fiscal year 2001.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 132 passenger motor vehicles of which 13 will be used primarily for law enforcement purposes and of which 129 shall be for replacement; acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed six for replacement only, and acquisition of sufficient aircraft from excess sources to maintain the operable fleet at 192 aircraft for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein, including the Oscoda-Wurtsmith land exchange in Michigan, pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions if and only if all previously appropriated emergency contingent funds under the heading ''Wildland Fire Management'' have been released by the President and apportioned.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report No. 105–163.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report No. 105–163.

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Funds available to the Forest Service shall be available to conduct a program of not less than $2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408.

Of the funds available to the Forest Service, $1,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $2,250,000 may be advanced in a lump sum as Federal financial assistance to the National Forest Foundation, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, no more than $400,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: Provided further, That hereafter, the National Forest Foundation may hold Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after the date of the enactment of this Act) on Federal funds to carry out the purposes of Public Law 101–593: Provided further, That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 3701–3709, and may be advanced in a lump sum as Federal financial assistance, without regard to when expenses are incurred, for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds advanced by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in the ''National Forest System'' and ''Capital Improvement and Maintenance'' accounts and planned to be allocated to activities under the ''Jobs in the Woods'' program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

The Secretary of Agriculture is authorized to enter into grants, contracts, and cooperative agreements as appropriate with the Pinchot Institute for Conservation, as well as with public and other private agencies, organizations, institutions, and individuals, to provide for the development, administration, maintenance, or restoration of land, facilities, or Forest Service programs, at the Grey Towers National Historic Landmark: Provided, That, subject to such terms and conditions as the Secretary of Agriculture may prescribe, any such public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts of money and real or personal property for the benefit of, or in connection with, the activities and services at the Grey Towers National Historic Landmark: Provided further, That such gifts may be accepted notwithstanding the fact that a donor conducts business with the Department of Agriculture in any capacity.

Funds appropriated to the Forest Service shall be available, as determined by the Secretary, for payments to Del Norte County, California, pursuant to sections 13(e) and 14 of the Smith River National Recreation Area Act (Public Law 101–612).

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

The Forest Service shall fund indirect expenses, that is expenses not directly related to specific programs or to the accomplishment of specific work on-the-ground, from any funds available to the Forest Service: Provided, That the Forest Service shall implement and adhere to the definitions of indirect expenditures established pursuant to Public Law 105–277 on a nationwide basis without flexibility for modification by any organizational level except the Washington Office, and when changed by the Washington Office, such changes in definition shall be reported in budget requests submitted by the Forest Service: Provided further, That the Forest Service shall provide in all future budget justifications, planned indirect expenditures in accordance with the definitions, summarized and displayed to the Regional, Station, Area, and detached unit office level. The justification shall display the estimated source and amount of indirect expenditures, by expanded budget line item, of funds in the agency's annual budget justification. The display shall include appropriated funds and the Knutson-Vandenberg, Brush Disposal, Cooperative Work-Other, and Salvage Sale funds. Changes between estimated and actual indirect expenditures shall be reported in subsequent budget justifications: Provided, That during fiscal year 2001 the Secretary shall limit total annual indirect obligations from the Brush Disposal, Knutson-Vandenberg, Reforestation, Salvage Sale, and Roads and Trails funds to 20 percent of the total obligations from each fund. Obligations in excess of 20 percent which would otherwise be charged to the above funds may be charged to appropriated funds available to the Forest Service subject to notification of the Committees on Appropriations of the House and Senate.

Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public or employee safety: Provided, That such amounts shall not exceed $750,000.

Section 551 of the Land Between the Lakes Protection Act of 1998 (16 U.S.C. 460lll–61) is amended by adding at the end the following new subsection:

''(c) TRANSITION.—Until September 30, 2002, the Secretary of Agriculture may expend amounts appropriated or otherwise made available to carry out this title in a manner consistent with the authorities exercised by the Tennessee Valley Authority, before the transfer of the Recreation Area to the administrative jurisdiction of the Secretary, regarding procurement of property, services, supplies, and equipment.''.

The Secretary of Agriculture shall pay $4,449 from available funds to Joyce Liverca as reimbursement for various expenses incurred as a Federal employee in connection with certain high priority duties performed for the Forest Service.

The Secretary of Agriculture may authorize the sale of excess buildings, facilities, and other properties owned by the Forest Service and located on the Green Mountain National Forest, the revenues of which shall be retained by the Forest Service and available to the Secretary without further appropriation and until expended for maintenance and rehabilitation activities on the Green Mountain National Forest.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for obligation in prior years, $67,000,000 shall not be available until October 1, 2001: Provided, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), performed under the minerals and materials science programs at the Albany Research Center in Oregon $540,653,000, to remain available until expended, of which $12,000,000 for oil technology research shall be derived by transfer from funds appropriated in prior years under the heading ''Strategic Petroleum Reserve, SPR Petroleum Account'' and of which $95,000,000 shall be derived by transfer from funds appropriated in prior years under the heading ''Clean Coal Technology'', such funds to be available for a general request for proposals for the commercial scale demonstration of technologies to assure the reliability of the Nation's energy supply from existing and new electric generating facilities for which the Department of Energy upon review may provide financial assistance awards: Provided, That the request for proposals shall be issued no later than one hundred and twenty days following enactment of this Act, proposals shall be submitted no later than ninety days after the issuance of the request for proposals, and the Department of Energy shall make project selections no later than one hundred and sixty days after the receipt of proposals: Provided further, That no funds are to be obligated for selected proposals prior to September 30, 2001: Provided further, That funds provided shall be expended only in accordance with the provisions governing the use of funds contained under the heading under which they were originally appropriated: Provided further, That provisions for repayment of government contributions to individual projects shall be identical to those included in the Program Opportunity Notice (Solicitation Number DE–PS01–89FE 61825), issued by the Department of Energy on May 1, 1989, except that repayments from sale or licensing of technologies shall be from both domestic and foreign transactions: Provided further, That such repayments shall be deposited in this account to be retained for future projects: Provided further, That any project approved under this program shall be considered a Clean Coal Technology Demonstration Project, for the purposes of Chapters 51, 52, and 60 of title 40 of the Code of Federal Regulations: Provided further, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas: Provided further, That up to 4 percent of program direction funds available to the National Energy Technology Laboratory may be used to support Department of Energy activities not included in this account.

ALTERNATIVE FUELS PRODUCTION

(RESCISSION)

Of the unobligated balances under this heading, $1,000,000 are rescinded.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out engineering studies to determine the cost of development, the predicted rate and quantity of petroleum recovery, the methodology, and the equipment specifications for development of Shannon Formation at Naval Petroleum Reserve Numbered 3 (NPR–3), utilizing a below-the-reservoir production method, $1,600,000, to remain available until expended: Provided, That the requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 2001 and any fiscal year thereafter: Provided further, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in fulfilling installment payments under the Settlement Agreement entered into by the United States and the State of California on October 11, 1996, as authorized by section 3415 of Public Law 104–106, $36,000,000, to become available on October 1, 2001 for payment to the State of California for the State Teachers' Retirement Fund from the Elk Hills School Lands Fund.

ENERGY CONSERVATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out energy conservation activities, $816,940,000, to remain available until expended, of which $2,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: Provided, That $191,000,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507): Provided further, That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: $153,000,000 for weatherization assistance grants and $38,000,000 for State energy conservation grants: Provided further, That notwithstanding any other provision of law, the Secretary of Energy may waive up to fifty percent of the cost-sharing requirement for weatherization assistance provided for by Public Law 106–113 for a State which he finds to be experiencing fiscal hardship or major changes in energy markets or suppliers or other temporary limitations on its ability to provide matching funds, provided that the State is demonstrably engaged in continuing activities to secure nonfederal resources and that such waiver is limited to one fiscal year and that no state may be granted such waiver more than twice: Provided further, That, hereafter, Indian tribal direct grantees of weatherization assistance shall not be required to provide matching funds.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $2,000,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $165,000,000, to remain available until expended, of which $4,000,000 shall be derived by transfer of unobligated balances of funds previously appropriated under the heading ''SPR Petroleum Account'', and of which $8,000,000 shall be available for maintenance of a Northeast Home Heating Oil Reserve.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $75,675,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private or foreign: Provided, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: Provided further, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

In addition to other authorities set forth in this Act, the Secretary may accept fees and contributions from public and private sources, to be deposited in a contributed funds account, and prosecute projects using such fees and contributions in cooperation with other Federal, State or private agencies or concerns.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $2,240,658,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That $15,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That $431,756,000 for contract medical care shall remain available for obligation until September 30, 2002: Provided further, That of the funds provided, up to $22,000,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal

years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 2002: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $248,781,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2001, of which not to exceed $10,000,000 may be used for such costs associated with new and expanded contracts, grants, self-governance compacts or annual funding agreements: Provided further, That funds available for the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $363,904,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: Provided further, That from the funds appropriated herein, $5,000,000 shall be designated by the Indian Health Service as a contribution to the Yukon-Kuskokwim Health Corporation (YKHC) to start a priority project for the acquisition of land, planning, design and construction of 79 staff quarters at Bethel, Alaska, subject to a negotiated project agreement between the YKHC and the Indian Health Service: Provided further, That this project shall not be subject to the construction provisions of the Indian Self-Determination and Education Assistance Act and shall be removed from the Indian Health Service priority list upon completion: Provided further, That the Federal Government shall not be liable for any property damages or other construction claims that may arise from YKHC undertaking this project: Provided further, That the land shall be owned or leased by the YKHC and title to quarters shall remain vested with the YKHC: Provided further, That notwithstanding any provision of law governing Federal construction, $2,240,000 of the funds provided herein shall be provided to the Hopi Tribe to reduce the debt incurred by the Tribe in providing staff quarters to meet the housing needs associated with the new Hopi Health Center: Provided further, That $5,000,000 shall remain available until expended for the purpose of funding joint venture health care facility projects authorized under the Indian Health Care Improvement Act, as amended: Provided further, That priority, by rank order, shall be given to tribes with outpatient projects on the existing Indian Health Services priority list that have Service-approved planning documents, and can demonstrate by March 1, 2001, the financial capability necessary to provide an appropriate facility: Provided further, That joint venture funds unallocated after March 1, 2001, shall be made available for joint venture projects on a competitive basis giving priority to tribes that currently have no existing Federally-owned health care facility, have planning documents meeting Indian Health Service requirements prepared for approval by the Service and can demonstrate the financial capability needed to provide an appropriate facility: Provided further, That the Indian Health Service shall request additional staffing, operation and maintenance funds for these facilities in future budget requests: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: Provided further, That not to exceed $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings: Provided further, That notwithstanding the provisions of title III, section 306, of the Indian Health Care Improvement Act (Public Law 94–437, as amended), construction contracts authorized under title I of the Indian Self-Determination and Education Assistance Act of 1975, as amended, may be used rather than grants to fund small ambulatory facility construction projects: Provided further, That if a contract is used, the IHS is authorized to improve municipal, private, or tribal lands, and that at no time, during construction or after completion of the project will the Federal Government have any rights or title to any real or personal property acquired as a part of the contract.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title III of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: Provided further, That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding, said amounts to remain available until expended: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: Provided further, That the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $15,000,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any

certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $4,125,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, $387,755,000, of which not to exceed $47,088,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended, and including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: Provided further, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments for long term and swing space, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to the extent that federally supported activities are housed in the 900 H Street, N.W. building in the District of Columbia: Provided further, That this use of Federal appropriations shall not be construed as debt service, a Federal guarantee of, a transfer of risk to, or an obligation of, the Federal Government: Provided further, That no appropriated funds may be used to service debt which is incurred to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements to such building.

REPAIR, RESTORATION AND ALTERATION OF FACILITIES

For necessary expenses of repair, restoration, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $57,600,000, to remain available until expended, of which $7,600,000 is provided for repair, rehabilitation and alteration of facilities at the National Zoological Park: Provided, That contracts awarded for environmental systems, protection systems, and repair or restoration of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, $9,500,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

The Smithsonian Institution shall not use Federal funds in excess of the amount specified in Public Law 101–185 for the construction of the National Museum of the American Indian.

None of the funds in this or any other Act may be used for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage, monitor structure movement, or provide interim structural support.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $64,781,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $10,871,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $14,000,000.

CONSTRUCTION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $20,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $7,310,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $98,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, for program support, and for administering the functions of the Act, to remain available until expended: Provided, That funds previously appropriated to the National Endowment for the Arts ''Matching Grants'' account may be transferred to and merged with this account.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $104,604,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $15,656,000, to remain available until expended, of which $11,656,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out subtitle C of the Museum and Library Services Act of 1996, as amended, $24,907,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses.

CHALLENGE AMERICA ARTS FUND

CHALLENGE AMERICA GRANTS

For necessary expenses as authorized by Public Law 89–209, as amended, $7,000,000 for support for arts education and public outreach activities to be administered by the National Endowment for the Arts, to remain available until expended.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $1,078,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956(a)), as amended, $7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $3,189,000: Provided, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, $6,500,000: Provided, That all appointed members of the Commission will be compensated at a rate not to exceed the daily equivalent of the annual rate of pay for positions at level IV of the Executive Schedule for each day such member is engaged in the actual performance of duties.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96–388 (36 U.S.C. 1401), as amended, $34,439,000, of which $1,900,000 for the museum's repair and rehabilitation program and $1,264,000 for the museum's exhibitions program shall remain available until expended.

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $23,400,000 shall be available to the Presidio Trust, to remain available until expended. The Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed $10,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: Provided, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

SEC. 307. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2000.

SEC. 308. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 309. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: Provided, That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 310. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 311. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2001, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 312. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, 105–277, and 106–113 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2000 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 313. Notwithstanding any other provision of law, for fiscal year 2001 the Secretaries of Agriculture and the Interior are authorized to limit competition for watershed restoration project contracts as part of the ''Jobs in the Woods'' component of the President's Forest Plan for the Pacific Northwest or the Jobs in the Woods Program established in Region 10 of the Forest Service to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, northern California and Alaska that have been affected by reduced timber harvesting on Federal lands. The Secretaries shall consider the benefits to the local economy in evaluating bids and designing procurements which create economic opportunities for local contractors.

SEC. 314. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds $500,000.

SEC. 315. All interests created under leases, concessions, permits and other agreements associated with the properties administered by the Presidio Trust, hereafter shall be exempt from all taxes and special assessments of every kind by the State of California and its political subdivisions.

SEC. 316. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

SEC. 317. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 318. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 319. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

SEC. 320. ADVISORY COMMITTEE ON FOREST COUNTIES PAYMENTS.

(a) DEFINITIONS.—In this section:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Forest Counties Payments Committee established by this section.

(2) COMMITTEES OF JURISDICTION.—The term ''committees of jurisdiction'' means the Committee on Agriculture, the Committee on Resources, and the Committee on Appropriations of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate.

(3) ELIGIBLE COUNTY.—The term ''eligible county'' means a county that, for one or more of the fiscal years 1986 through 1999, received—

(A) a payment under title II of the Act of August 28, 1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), or the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f–1 et seq.); or

(B) a portion of an eligible State's payment, as described in paragraph (4).

(4) ELIGIBLE STATE.—The term ''eligible State'' means a State that, for one or more of the fiscal years 1986 through 1999, received a payment under the sixth paragraph under the heading of ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), or section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

(5) FEDERAL LANDS.—The term ''Federal lands'' means the following:

(A) Lands within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)), exclusive of the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).

(B) Such portions of the Oregon and California Railroad grant lands revested in the United States by the Act of June 9, 1916 (chapter 137; 39 Stat. 218), and the Coos Bay Wagon Road grant lands reconveyed to the United States by the Act of February 26, 1919 (chapter 47; 40 Stat. 1179), as are or may hereafter come under the jurisdiction of the Secretary of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, that shall be managed, except as provided in the former section 3 of the Act of August 28, 1937 (50 Stat. 875; 43 U.S.C. 1181c), for permanent forest production.

(6) SUSTAINABLE FORESTRY.—The term ''sustainable forestry'' means the practice of meeting the forest resource needs and values of the present without compromising the similar capability of future generations.

(b) ESTABLISHMENT OF ADVISORY COMMITTEE.—

(1) ESTABLISHMENT REQUIRED.—There is hereby established an advisory committee, to be known as the Forest Counties Payments Committee, to develop recommendations, consistent with sustainable forestry, regarding methods to ensure that States and counties in which Federal lands are situated receive adequate Federal payments to be used for the benefit of public education and other public purposes.

(2) MEMBERS.—The Advisory Committee shall be composed of the following members:

(A) The Chief of the Forest Service, or a designee of the Chief who has significant expertise in sustainable forestry.

(B) The Director of the Bureau of Land Management, or a designee of the Director who has significant expertise in sustainable forestry.

(C) The Director of the Office of Management and Budget, or the Director's designee.

(D) Two members who are elected members of the governing branches of eligible counties; one such member to be appointed by the President pro tempore of the Senate (in consultation with the chairmen and ranking members of the committees of jurisdiction of the Senate) and one such member to be appointed by the Speaker of the House of Representatives (in consultation with the chairmen and ranking members of the committees of jurisdiction of the House of Representatives) within 60 days of the date of the enactment of this Act.

(E) Two members who are elected members of school boards for, superintendents from, or teachers employed by, school districts in eligible counties; one such member to be appointed by the President pro tempore of the Senate (in consultation with the chairmen and ranking members of the committees of jurisdiction of the Senate) and one such member to be appointed by the Speaker of the House of Representatives (in consultation with the chairmen and ranking members of the committees of jurisdiction of the House of Representatives) within 60 days of the date of the enactment of this Act.

(3) GEOGRAPHIC REPRESENTATION.—In making appointments under subparagraphs (D) and (E) of paragraph (2), the President pro tempore of the Senate and the Speaker of the House of Representatives shall seek to ensure that the Advisory Committee members are selected from geographically diverse locations.

(4) ORGANIZATION OF ADVISORY COMMITTEE.—

(A) CHAIRPERSON.—The Chairperson of the Advisory Committee shall be selected from among the members appointed pursuant to subparagraphs (D) and (E) of paragraph (2).

(B) VACANCIES.—Any vacancy in the membership of the Advisory Committee shall be filled in the same manner as required by paragraph (2). A vacancy shall not impair the authority of the remaining members to perform the functions of the Advisory Committee under this section.

(C) COMPENSATION.—The members of the Advisory Committee who are not officers or employees of the United States, while attending meetings or other events held by the Advisory Committee or at which the members serve as representatives of the Advisory Committee or while otherwise serving at the request of the Chairperson of the Advisory Committee, shall each be entitled to receive compensation at a rate not in excess of the maximum rate of pay for grade GS–15, as provided in the General Schedule, including traveltime, and while away from their homes or regular places of business, shall each be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(5) STAFF AND RULES.—

(A) EXECUTIVE DIRECTOR.—The Advisory Committee shall have an Executive Director, who shall be appointed by the Advisory Committee and serve at the pleasure of the Advisory Committee. The Executive Director shall report to the Advisory Committee and assume such duties as the Advisory Committee may assign. The Executive Director shall be paid at a rate not in excess of the maximum rate of pay for grade GS–15, as provided in the General Schedule.

(B) OTHER STAFF.—In addition to authority to appoint personnel subject to the provisions of title 5, United States Code, governing appointments to the competitive service, and to pay such personnel in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, the Advisory Committee shall have authority to enter into contracts with private or public organizations which may furnish the Advisory Committee with such administrative and technical personnel as may be necessary to carry out the functions of the Advisory Committee under this section. To the extent practicable, such administrative and technical personnel, and other necessary support services, shall be provided for the Advisory Committee by the Chief of the Forest Service and the Director of the Bureau of Land Management.

(C) COMMITTEE RULES.—The Advisory Committee may establish such procedural and administrative rules as are necessary for the performance of its functions under this section.

(6) FEDERAL AGENCY COOPERATION.—The heads of the departments, agencies, and instrumentalities of the executive branch of the Federal Government shall cooperate with the Advisory Committee in the performance of its functions under this section and should furnish, as practicable, to the Advisory Committee information which the Advisory Committee deems necessary to carry out such functions.

(c) FUNCTIONS OF ADVISORY COMMITTEE.—

(1) DEVELOPMENT OF RECOMMENDATIONS.—

(A) IN GENERAL.—The Advisory Committee shall develop recommendations for policy or legislative initiatives (or both) regarding alternatives for, or substitutes to, the payments required to be made to eligible States and eligible counties under the provisions of law referred to in paragraphs (3) and (4) of subsection (a) in order to provide a long-term method to generate annual payments to eligible States and eligible counties.

(B) REPORTING REQUIREMENTS.—Not later than 18 months after the date of the enactment of this Act, the Advisory Committee shall submit to the committees of jurisdiction a final report containing the recommendations developed under this subsection. The Advisory Committee shall submit semiannual progress reports on its activities and expenditures to the committees of jurisdiction until the final report has been submitted.

(2) GUIDANCE FOR COMMITTEE.—In developing the recommendations required by paragraph (1), the Advisory Committee shall—

(A) evaluate the method by which payments are made to eligible States and eligible counties under the provisions of law referred to in paragraphs (3) and (4) of subsection (a), and related laws, and the use of such payments;

(B) consider the impact on eligible States and eligible counties of revenues derived from the historic multiple use of the Federal lands.

(C) evaluate the economic, environmental, and social benefits which accrue to counties containing Federal lands, including recreation, natural resources industries, and the value of environmental services that result from Federal lands; and

(D) evaluate the expenditures by counties on activities on Federal lands which are Federal responsibilities.

(3) MONITORING AND RELATED REPORTING ACTIVITIES.—The Advisory Committee shall monitor the payments made to eligible States and eligible counties under the provisions of law referred to in paragraphs (3) and (4) of subsection (a), and related laws, and submit to the committees of jurisdiction an annual report describing the amounts and sources of such payments and containing such comments as the Advisory Committee may have regarding such payments.

(4) TESTIMONY.—The Advisory Committee shall make itself available for testimony or comments on the reports required to be submitted by the Advisory Committee and on any legislation or regulations to implement any recommendations made in such reports in any congressional hearings or any rulemaking or other administrative decision process.

(d) FEDERAL ADVISORY COMMITTEE ACT REQUIREMENTS.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Advisory Committee.

(e) TERMINATION OF ADVISORY COMMITTEE.—The Advisory Committee shall terminate three years after the date of the enactment of this Act.

(f) FUNDING SOURCE.—At the request of the Executive Director of the Advisory Committee, the Secretary of Agriculture shall provide funds from any account available to the Secretary, not to exceed $200,000 in fiscal year 2001, for the work of the Advisory Committee necessary to meet the requirements of this section.

SEC. 321. No part of any appropriation contained in this Act shall be expended or obligated to complete and issue the 5-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 322. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

SEC. 323. Notwithstanding any other provision of law, none of the funds in this Act may be used for GSA Telecommunication Centers or the President's Council on Sustainable Development.

SEC. 324. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

SEC. 325. Amounts deposited during fiscal year 2000 in the roads and trails fund provided for in the fourteenth paragraph under the heading ''FOREST SERVICE'' of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The Secretary shall commence the projects during fiscal year 2001, but the projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 326. None of the funds provided in this or previous appropriations Acts for the agencies funded by this Act or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be transferred to and used to fund personnel, training, or other administrative activities of the Council on Environmental Quality or other offices in the Executive Office of the President for purposes related to the American Heritage Rivers program.

SEC. 327. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

SEC. 328. No timber sale in Region 10 shall be advertised if the indicated rate is deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar: Provided, That sales which are deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar may be advertised upon receipt of a written request by a prospective, informed bidder, who has the opportunity to review the Forest Service's cruise and harvest cost estimate for that timber. Program accomplishments shall be based on volume sold. Should Region 10 sell, in fiscal year 2001, the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan in sales which are not deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar, all of the western red cedar timber from those sales which is surplus to the needs of domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. Should Region 10 sell, in fiscal year 2001, less than the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan in sales which are not deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar, the volume of western red cedar timber available to domestic processors at prevailing domestic prices in the contiguous 48 United States shall be that volume: (i) which is surplus to the needs of domestic processors in Alaska; and (ii) is that percent of the surplus western red cedar volume determined by calculating the ratio of the total timber volume which has been sold on the Tongass to the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan. The percentage shall be calculated by Region 10 on a rolling basis as each sale is sold (for purposes of this amendment, a ''rolling basis'' shall mean that the determination of how much western red cedar is eligible for sale to various markets shall be made at the time each sale is awarded). Western red cedar shall be deemed ''surplus to the needs of domestic processors in Alaska'' when the timber sale holder has presented to the Forest Service documentation of the inability to sell western red cedar logs from a given sale to domestic Alaska processors at price equal to or greater than the log selling value stated in the contract. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

SEC. 329. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

SEC. 330. In fiscal years 2001 through 2005, the Secretaries of the Interior and Agriculture may pilot test agency-wide joint permitting and leasing programs, subject to annual review of Congress, and promulgate special rules as needed to test the feasibility of issuing unified permits, applications, and leases. The Secretaries of the Interior and Agriculture may make reciprocal delegations of their respective authorities, duties and responsibilities in support of the ''Service First'' initiative agency-wide to promote customer service and efficiency. Nothing herein shall alter, expand or limit the applicability of any public law or regulation to lands administered by the Bureau of Land Management or the Forest Service.

SEC. 331. FEDERAL AND STATE COOPERATIVE WATERSHED RESTORATION AND PROTECTION IN COLORADO. (a) USE OF COLORADO STATE FOREST SERVICE.—Until September 30, 2004, the Secretary of Agriculture, via cooperative agreement or contract (including sole source contract) as appropriate, may permit the Colorado State Forest Service to perform watershed restoration and protection services on National Forest System lands in the State of Colorado when similar and complementary watershed restoration and protection services are being performed by the State Forest Service on adjacent State or private lands. The types of services that may be extended to National Forest System lands include treatment of insect infected trees, reduction of hazardous fuels, and other activities to restore or improve watersheds or fish and wildlife habitat across ownership boundaries.

(b) STATE AS AGENT.—Except as provided in subsection (c), a cooperative agreement or contract under subsection (a) may authorize the State Forester of Colorado to serve as the agent for the Forest Service in providing all services necessary to facilitate the performance of watershed restoration and protection services under subsection (a). The services to be performed by the Colorado State Forest Service may be conducted with subcontracts utilizing State contract procedures. Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to services performed under a cooperative agreement or contract under subsection (a).

(c) RETENTION OF NEPA RESPONSIBILITIES.—With respect to any watershed restoration and protection services on National Forest System lands proposed for performance by the Colorado State Forest Service under subsection (a), any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) may not be delegated to the State Forester of Colorado or any other officer or employee of the Colorado State Forest Service.

SEC. 332. None of the funds appropriated or otherwise made available by this Act may be used to issue a record of decision implementing the Interior Columbia Basin Ecosystem Management Project until the Secretaries of Agriculture and the Interior submit to Congress a report evaluating, for the area to be covered by the project, both the effect of the year 2000 wildfires and the President's initiative for managing the impact of wildfires on communities and the environment.

SEC. 333. The Forest Service, in consultation with the Department of Labor, shall review Forest Service campground concessions policy to determine if modifications can be made to Forest Service contracts for campgrounds so that such concessions fall within the regulatory exemption of 29 CFR 4.122(b). The Forest Service shall offer in fiscal year 2001 such concession prospectuses under the regulatory exemption, except that, any prospectus that does not meet the requirements of the regulatory exemption shall be offered as a service contract in accordance with the requirements of 41 U.S.C. 351–358.

SEC. 334. A project undertaken by the Forest Service under the Recreation Fee Demonstration Program as authorized by section 315 of the De-

partment of the Interior and Related Agencies Appropriations Act for Fiscal Year 1996, as amended, shall not result in—

(1) displacement of the holder of an authorization to provide commercial recreation services on Federal lands. Prior to initiating any project, the Secretary shall consult with potentially affected holders to determine what impacts the project may have on the holders. Any modifications to the authorization shall be made within the terms and conditions of the authorization and authorities of the impacted agency.

(2) the return of a commercial recreation service to the Secretary for operation when such services have been provided in the past by a private sector provider, except when—

(A) the private sector provider fails to bid on such opportunities;

(B) the private sector provider terminates its relationship with the agency; or

(C) the agency revokes the permit for noncompliance with the terms and conditions of the authorization.

In such cases, the agency may use the Recreation Fee Demonstration Program to provide for operations until a subsequent operator can be found through the offering of a new prospectus.

SEC. 335. Section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)(D)(iii)) is amended by striking ''$750,000'' and inserting ''$10,000,000''.

SEC. 336. In section 315(f) of title III of section 101(c) of Public Law 104–134 (16 U.S.C. 460l–6a note), as amended, strike ''September 30, 2001'' and insert ''September 30, 2002'', and strike ''September 30, 2004'' and insert ''September 30, 2005''.

SEC. 337. None of the funds in this Act may be used by the Secretary of the Interior to issue a prospecting permit for hardrock mineral exploration on Mark Twain National Forest land in the Current River/Jack's Fork River—Eleven Point Watershed (not including Mark Twain National Forest land in Townships 31N and 32N, Range 2 and Range 3 West, on which mining activities are taking place as of the date of the enactment of this Act): Provided, That none of the funds in this Act may be used by the Secretary of the Interior to segregate or withdraw land in the Mark Twain National Forest, Missouri under section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714).

SEC. 338. The authority to enter into stewardship and end result contracts provided to the Forest Service in accordance with section 347 of title III of section 101(e) of division A of Public Law 105–825 is hereby expanded to authorize the Forest Service to enter into an additional 28 contracts subject to the same terms and conditions as provided in that section: Provided, That of the additional contracts authorized by this section at least 9 shall be allocated to Region 1 and at least 3 to Region 6.

SEC. 339. Any regulations or policies promulgated or adopted by the Departments of Agriculture or the Interior regarding recovery of costs for processing authorizations to occupy and use Federal lands under their control shall adhere to and incorporate the following principle arising from Office of Management and Budget Circular, A–25; no charge should be made for a service when the identification of the specific beneficiary is obscure, and the service can be considered primarily as benefiting broadly the general public.

SEC. 340. None of the funds made available in this Act may be used by the Secretary of the Interior or the Secretary of Agriculture to implement a final rule for estimating fair market value land use rental fees for fiberoptic communications rights-of-way on Federal lands that amends or replaces the linear right-of-way rental fee schedule published on July 8, 1987 (43 CFR 2803.1–2(c)(1)(I)). In determining rental fees for fiberoptic rights-of-way, the Secretaries shall use the rates contained in the linear right-of-way rental fee schedules in place on May 1, 2000.

SEC. 341. Notwithstanding any other provision of law, for fiscal year 2001, the Secretary of Agriculture is authorized to limit competition for fire and fuel treatment and watershed restoration contracts in the Giant Sequoia National Monument and the Sequoia National Forest. Preference for employment shall be given to dislocated and displaced workers in Tulare, Kern and Fresno Counties, California, for work associated with the establishment of the Giant Sequoia National Monument.

SEC. 344. From funds previously appropriated under the heading ''DEPARTMENT OF ENERGY, FOSSIL ENERGY RESEARCH AND DEVELOPMENT'', $4,000,000 is available for computational services at the National Energy Technology Laboratory.

SEC. 345. BACKCOUNTRY LANDING STRIP ACCESS. (a) IN GENERAL.—Funds made available by this Act shall not be used to permanently close aircraft landing strips, officially recognized by State or Federal aviation officials, without public notice, consultation with cognizant State and Federal aviation officials and the consent of the Federal Aviation Administration.

(b) AIRCRAFT LANDING STRIPS.—An aircraft landing strip referred to in subsection (a) is a landing strip on Federal land administered by the Secretary of the Interior or the Secretary of Agriculture that is commonly known, and is consistently used for aircraft landing and departure activities.

(c) PERMANENT CLOSURE.—For the purposes of subsection (a), an aircraft landing strip shall be considered to be closed permanently if the intended duration of the closure is more than 180 days in any calendar year.

SEC. 346. COLUMBIA RIVER GORGE NATIONAL SCENIC AREA. (a) LAND ACQUISITION.—Section 9 of the Columbia River Gorge National Scenic Area Act (16 U.S.C. 544g) is amended:

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following:

''(e) APPRAISALS.—

''(1) DEFINITION OF LANDOWNER.—In this subsection, the term 'landowner' means the owner of legal or equitable title as of September 1, 2000.

''(2) APPRAISAL STANDARDS.—Except as provided in paragraph (3), land acquired or conveyed by purchase or exchange under this section shall be appraised in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions.

''(3) SPECIAL MANAGEMENT AREAS.—

''(A) BEFORE APRIL 1, 2001.—Land within a special management area for which the landowner, before April 1, 2001, makes a written bona fide offer to convey to the Secretary for fair market value shall be appraised—

''(i) without regard to the effect of any zoning or land use restriction made in response to this Act; but

''(ii) subject to any other current zoning or land use restriction imposed by the State or locality in which the land is located on the date of the offer.

''(B) ON OR AFTER APRIL 1, 2001.—Land within a special management area for which the landowner, on or after April 1, 2001, makes a written bona fide offer to convey to the Secretary for fair market value shall be appraised subject to—

''(i) any zoning or land use restriction made in response to this Act; and

''(ii) any other current zoning or land use restriction that applies to the land on the date of the offer.

''(f) AUTHORIZATION FOR CERTAIN LAND EXCHANGES.—

''(1) IN GENERAL.—To facilitate priority land exchanges through which land within the boundaries of the White Salmon Wild and Scenic River or within the scenic area is conveyed to the United States, the Secretary may accept title to such land as the Secretary determines to be appropriate within the States, regardless of the State in which the land conveyed by the Secretary in exchange is located, in accordance with land exchange authorities available to the Secretary under applicable law.

''(2) SPECIAL RULE FOR LAND CERTAIN EXCHANGES.—Notwithstanding any other provision of law—

''(A) any exchange described in paragraph (1) for which an agreement to initiate has been executed as of September 30, 2000, shall continue; and

''(B) any timber stumpage proceeds collected under the exchange shall be retained by the Forest Service to complete the exchange.''.

(b) ADMINISTRATION OF SPECIAL MANAGEMENT AREAS.—Section 8(o) of the Columbia River Gorge National Scenic Area Act (16 U.S.C. 544f) is amended—

(1) by striking ''Any ordinance'' and inserting the following:

''(1) IN GENERAL.—Any ordinance'';

(2) in the first sentence, by striking ''the Uniform Appraisal Standards for Federal Land Acquisitions (Interagency Land Acquisition Conference, 1973).'' and inserting ''section 9(e).''; and

(3) by adding at the end the following:

''(2) APPLICABILITY.—This subsection shall not apply to any land offered to the Secretary for acquisition after March 31, 2001.''.

(c) PUBLICATION OF NOTICE.—

(1) Not later than November 1, 2000, the Secretary of Agriculture shall provide notice of the provisions contained in the amendments made by subsections (a) and (b) through—

(A) publication of a notice in the Federal Register and in newspapers of general circulation in the counties in the Columbia River Gorge National Scenic Area; and

(B) posting of a notice in each facility of the United States Postal Service located in those counties.

(2) If the counties wherein special management areas are located provide the Forest Service administrator of the Columbia River Gorge National Scenic Area lists of the names and addresses of landowners within the special management areas as of September 1, 2000, the Forest Service shall send to such names and addresses by certified first class mail notice of the provisions contained in the amendments made by subsections (a) and (b);

(A) The mailing shall occur within twenty working days of the receipt of the list; and

(B) The mailing shall constitute constructive notice to landowners, and proof of receipt by the addressee shall not be required.

(d) DESIGNATION OF SPECIAL MANAGEMENT AREAS.—Section 4(b)(2) of the Columbia River Gorge National Scenic Area Act (16 U.S.C. 544b(b)(2)) is amended—

(1) in paragraph (2), by striking ''in this section'' and inserting ''by paragraph (1)''; and

(2) by adding at the end the following:

''(3) MODIFICATION OF BOUNDARIES.—The boundaries of the special management areas are modified as depicted on a map dated September 20, 2000, which shall be on file and available for public inspection in the office of the Chief of the Forest Service in Washington, District of Columbia, and copies shall be available in the office of the Commission, and the headquarters of the scenic area.''.

(e) PAYMENTS TO LOCAL GOVERNMENTS.—Section 14(c)(3) of the Columbia River Gorge National Scenic Area Act (16 U.S.C. 544l(c)(3)) is amended—

(1) by striking ''(3) No payment'' and inserting the following:

''(3) LIMITATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no payment'';

(2) by striking ''fifth'' and inserting ''eighth''; and

(3) by adding at the end the following:

''(B) CONTINUATION OF CERTAIN PAYMENTS.—For any land or interest in land for which the Secretary is making a payment in fiscal year 2000, such payment shall be continued for a total of eight fiscal years.''.

SEC. 347. (a) EXCHANGE REQUIRED.—In exchange for the non-Federal lands and the additional consideration described in subsection (b), the Secretary of Agriculture shall convey to Kern County, California, all right, title, and interest of the United States in and to four parcels of land under the jurisdiction of the Forest Service in Kern County, as follows:

(1) Approximately 70 acres known as Camp Owen as depicted on the map entitled ''Camp Owen'', dated June 15, 2000.

(2) Approximately 4 acres known as Wofford Heights Park as depicted on the map entitled ''Wofford Heights Park'', dated June 15, 2000.

(3) Approximately 4 acres known as the French Gulch maintenance yard as depicted on the map entitled ''French Gulch Maintenance Yard'', dated June 15, 2000.

(4) Approximately 14 acres known as the Kernville Fish Hatchery as depicted on the map entitled ''Kernville Fish Hatchery'', dated June 15, 2000.

(b) CONSIDERATION.—

(1) CONVEYANCE OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in subsection (a), Kern County shall convey to the Secretary a parcel of land for fair market value consisting of approximately 52 acres as depicted on the map entitled ''Greenhorn Mountain Park'', located in Kern County, California, dated June 18, 2000.

(2) REPLACEMENT FACILITY.—As additional consideration for the conveyance of the storage facility located at the maintenance yard referred to in subsection (a)(3), Kern County shall provide a replacement storage facility of comparable size and condition, as acceptable to the Secretary, at the Greenhorn Ranger District Lake Isabella Maintenance Yard property.

(3) CASH EQUALIZATION PAYMENT.—As additional consideration for the conveyance of the Federal lands referred to in subsection (a), Kern County shall tender a cash equalization payment specified by the Secretary. The cash equalization payment shall be based upon an appraisal performed at the option of the Forest Service pursuant to section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(c) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal lands to be conveyed under this section must be acceptable to the Secretary, and the conveyance shall be subject to valid existing rights of record. The non-Federal lands shall conform with the title approval standards applicable to Federal land acquisitions.

(d) TIME FOR CONVEYANCE.—Subject to subsection (c), the Secretary shall complete the conveyance of the Federal lands under subsection (a) within 3 months after Kern County tenders to the Secretary the consideration required by subsection (b).

(e) STATUS OF ACQUIRED LANDS.—Upon approval and acceptance of title by the Secretary, the non-Federal lands conveyed to the United States under this section shall become part of Sequoia National Forest, and the boundaries of the national forest shall be adjusted to include the acquired lands. The Secretary shall manage the acquired lands for recreational purposes in accordance with the laws and regulations pertaining to the National Forest System. For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of the national forest, as adjusted pursuant to this section, shall be considered to be the boundaries of the national forest as of January 1, 1965.

(f) RELATIONSHIP TO ENVIRONMENTAL LIABILITY.—In connection with the conveyances under this section, the Secretary may require such additional terms and conditions related to environmental liability as the Secretary considers appropriate to protect the interests of the United States.

(g) LEGAL DESCRIPTIONS.—The exact acreage and legal description of the real property to be exchanged under this section shall be determined by a survey or surveys satisfactory to the Secretary. The costs of any such survey, as well as other administrative costs incurred to execute the land exchange (other than costs incurred by Kern County to comply with subsection (h)), shall be divided equally between the Secretary and Kern County.

(h) TREATMENT OF EXISTING UTILITY LINES AT CAMP OWEN.—Upon receipt of the Federal lands described in subsection (a)(1), Kern County shall grant an easement, and record the easement in the appropriate office, for permitted or licensed uses of those lands that are unrecorded as of the date of the conveyance.

(i) APPLICABLE LAW.—Except as otherwise provided in this section, any exchange of National Forest System land under this section shall be subject to the laws (including regulations) applicable to the conveyance and acquisition of land for the National Forest System.

SEC. 348. (a) ESTABLISHMENT.—Not later than March 1, 2001, the Secretary shall cause to be established an advisory group to provide continuing expert advice and counsel to the Director of the National Energy Technology Laboratory (NETL) with respect to the research and development activities NETL conducts and manages.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The advisory group shall be composed of—

(A) a balanced group of—

(i) representatives of academia;

(ii) representatives of industry;

(iii) representatives of non-governmental organizations; and

(iv) representatives of energy regulatory agencies;

(B) a representative of the DOE's Office of Fossil Energy;

(C) a representative of the DOE's Office of Energy Efficiency and Renewable Energy;

(D) a representative of the DOE's Office of Science; and

(E) others, as appropriate.

(c) DUTIES.—The advisory group shall provide advice, information, and recommendations to the Director—

(1) on management and strategic issues affecting the laboratory; and

(2) on the scientific and technical direction of the laboratory's R&D program;

(d) COMPENSATION; SUPPORT; PROCEDURES.—

(1) COMPENSATION AND TRAVEL.—Members of the advisory group who are not officers or employees of the United States, while attending conferences or meetings of the group or otherwise engaged in its business, or while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(2) ADMINISTRATIVE SUPPORT.—The NETL shall furnish to the advisory group clerical and administrative support.

(3) PROCEDURES AND REQUIREMENTS.—In carrying out its functions, the advisory group shall comply with the procedures and requirements that apply to similar groups providing advice and counsel to entities operating other Department of Energy laboratories rather than the procedures and requirements that apply to such a group providing advice directly to a Federal entity.

SEC. 349. (a) In furtherance of the purposes of the Umpqua Land Exchange Project (ULEP) and previous Congressional appropriations therefor, there is hereby appropriated the sum of $4,300,000 to be derived from the Land and Water Conservation Fund. Such amount shall be available to the Foundation for Voluntary Land Exchanges (''Foundation'') working in conjunction with the Secretary of the Interior, and with the U.S. Bureau of Land Management as the lead Federal agency, to complete a Final Land Ownership Adjustment Plan (''Plan'') for the area (''Basin''), comprising approximately 675,000 acres, as generally depicted on a map entitled ''Coast Range-Umpqua River Basin,'' dated August 2000. No more than 15 percent of this appropriation shall be used by the agency for defraying administrative overhead.

(b) In preparing the Plan, the Secretary shall identify, no later than March 31, 2001, those lands or interests in land with willing sellers which merit emergency purchase by the United States due to critical environmental values or possibility of imminent development. For lands or interests in land so identified, the Secretary and the Foundation shall arrange with landowners to complete appraisals and purchase clearances required by law so that the Secretary may thereafter consummate purchases as soon as funds therefor are appropriated by the Congress.

(c) Pursuant to the funding and direction of subsection (a), the Secretary shall, in cooperation with the Foundation, no later than December 31, 2002, complete the Plan utilizing the Multi-Resource Land Allocation Model (''Model'') developed for the ULEP. The Plan shall identify: (1) non-Federal Lands or interests in land in the Basin which, with the concurrence of willing non-Federal landowners, are recommended for acquisition or exchange by the United States; (2) Federal lands or interests in land in the Basin recommended for disposal into non-Federal ownership in exchange for the acquired lands of equal value; and (3) specific land exchanges or purchases to implement the Plan. In addition, no later than December 31, 2002, the Secretary, in cooperation with the Foundation, shall complete a draft Habitat Conservation Plan (''HCP'') covering the lands to be disposed of by the United States and consistent with the Plan, a comprehensive Final Environmental Impact Statement covering the Plan, and a comprehensive Biological Opinion analyzing the net impacts of the Plan at Plan scale over time in 5 year increments, taking into consideration all expected benefits to be achieved by the Plan and HCP, and any consistency determinations or amendments to any applicable Federal land management plans. The HCP shall cover all species analyzed in the Model (including species under the jurisdiction of the Secretary of Commerce).

(d) No later than March 31, 2002, the Secretary and the Foundation shall submit to the Committee on Resources of the U.S. House of Representatives, Committee on Energy and Natural Resources of the United States Senate, and the House and Senate Committees on Appropriations, a joint report summarizing the Plan and the land exchanges or purchases identified to implement the Plan, and outlining: (1) any Fiscal Year 2003 funding needed for land purchases; (2) any recommendations for actions to expedite or facilitate the specific land exchanges or purchases identified to implement the Plan, or the HCP; and (3) an action Plan for making the Model publicly available for additional land exchanges or other purposes upon completion of the exchanges.

(e) No later than June 15, 2003: (1) the Secretary with the Foundation and the financial participation and commitment of willing private landowners shall complete appraisals and other land purchase or exchange clearances required by law, including those pertaining to cultural and historic resources and hazardous materials and (2) the Secretary shall consummate with willing non-Federal landowners the specific land exchanges previously identified in subsection (c) to implement the Plan, and together with the Secretary of Commerce, shall issue the HCP.

SEC. 350. Notwithstanding section 351 of section 101(e) of division A, Public Law 105–277, the Indian Health Service is authorized to provide additional contract health service funds to Ketchikan Indian Corporation's recurring budget for hospital-related services for patients of Ketchikan Indian Corporation and the Organized Village of Saxman.

SEC. 351. (a) SHORT TITLE.—This section may be cited as the ''Boise Laboratory Replacement Act of 2000''.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) the existing facilities of the Rocky Mountain Research Station Boise laboratory are outdated and no longer serve as a modern research facility;

(B) the Boise laboratory site is in the heart of a Boise city redevelopment zone, and the existing laboratory facilities detract from community improvement efforts;

(C) it is desirable to colocate the Boise laboratory with 1 of the State institutions of higher learning in the Boise metropolitan area—

(i) to facilitate communications and sharing of research data between the agency and the Idaho scientific community;

(ii) to facilitate development and maintenance of the Boise laboratory as a modern, high quality research facility; and

(iii) to reduce costs, better use assets, and better serve the public; and

(D) it is desirable to make the Boise laboratory site available for inclusion in a planned facility that is being developed on adjacent property by the University of Idaho or the University of Idaho Foundation, a not-for-profit corporation acting on behalf of the University of Idaho, as a multiagency research and education facility to serve various agencies and educational institutions of the United States and the State.

(2) PURPOSE.—The purpose of this section is to authorize the Secretary—

(A) to sell or exchange the land and improvements currently occupied by the Boise laboratory site; and

(B) to acquire land, facilities, or interests in land and facilities, including condominium interests, to colocate the Rocky Mountain Research Station Boise laboratory with 1 of the State institutions of higher learning in the Boise metropolitan area, using—

(i) funds derived from sale or exchange of the existing Boise laboratory site; and

(ii) to the extent the funds received are insufficient to carry out the acquisition of replacement research facilities, funds subsequently made available by appropriation for the acquisition, construction, or improvement of the Rocky Mountain Research Station Boise laboratory.

(c) DEFINITIONS.—In this section:

(1) BOISE LABORATORY SITE.—The term ''Boise laboratory site'' means the approximately 3.26 acres of land and all improvements in section 10, T. 3 N., R. 2 E., Boise Meridian, as depicted on that Plat of Park View Addition to Boise, Ada County, Idaho, labeled ''Boise Lab Site—May 22, 2000'', located at 316 East Myrtle Street, Boise, Idaho.

(2) CONDOMINIUM INTEREST.—The term ''condominium interest'' means an estate in land consisting of (in accordance with law of the State)—

(A) an undivided interest in common of a portion of a parcel of real property; and

(B) a separate fee simple interest in another portion of the parcel.

(3) FAIR MARKET VALUE.—The term ''fair market value'' means the cash value of land on a specific date, as determined by an appraisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(5) STATE.—The term ''State'' means the State of Idaho.

(d) SALE OR EXCHANGE OF BOISE LABORATORY SITE.—

(1) IN GENERAL.—The Secretary may, under such terms and conditions as the Secretary may prescribe and subject to valid existing rights, sell or exchange any or all right, title, and interest of the United States in and to the Boise laboratory site.

(2) RIGHT OF FIRST REFUSAL.—

(A) IN GENERAL.—After a determination of fair market value of the Boise laboratory site is approved by the Secretary, the University of Idaho or the University of Idaho Foundation, a not-for-profit organization acting on behalf of the University of Idaho, shall be allowed 210 days from the effective date of value to exercise a right of first refusal to purchase the Boise laboratory site at fair market value.

(B) COOPERATIVE DEVELOPMENT.—If the University of Idaho or the University of Idaho Foundation exercises the right of first refusal under paragraph (A), to accomplish the purpose described in section (b)(2)(B), the Secretary shall, to the maximum extent practicable, cooperate with the University of Idaho in the development of a multiagency research and education facility on the Boise laboratory site and adjacent property.

(3) SOLICITATION OF OFFERS.—If the right of first refusal described in subsection (d)(2) is not exercised, the Secretary may solicit offers for purchase through sale or competitive exchange of any and all right, title, and interest of the United States in and to the Boise laboratory site.

(4) CONSIDERATION.—Consideration for sale or exchange of land under this subsection—

(A) shall be at least equal to the fair market value of the Boise laboratory site; and

(B) may include land, existing improvements, or improvements to be constructed to the specifications of the Secretary, including condominium interests, and cash, notwithstanding section 206(b) of Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(5) REJECTION OF OFFERS.—The Secretary may reject any offer made under this subsection if the Secretary determines that the offer is not adequate or not in the public interest.

(e) DISPOSITION OF FUNDS.—

(1) DEPOSIT OF PROCEEDS.—The Secretary shall deposit the proceeds of a sale or exchange under subsection (d) in the fund established under Public Law 90–171 (16 U.S.C. 484a) (commonly known as the ''Sisk Act'').

(2) USE OF PROCEEDS.—Funds deposited under subsection (a) shall be available to the Secretary, without further Act of appropriation, for—

(A) the acquisition of or interest in land, or the acquisition of or construction of facilities, including condominium interests—

(i) to colocate the Boise laboratory with 1 of the State institutions of higher learning in the Boise metropolitan area; and

(ii) to replace other functions of the Boise laboratory; and

(B) to the extent the funds are not necessary to carry out paragraph (A), the acquisition of other land or interests in land in the State.

TITLE IV—WILDLAND FIRE EMERGENCY APPROPRIATIONS

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire suppression operations, burned areas rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $353,740,000 to remain available until expended, of which $21,829,000 is for hazardous fuels reduction, $120,300,000 is for removal of hazardous fuels to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of Interior, $116,611,000 is for wildfire suppression, $85,000,000 is for burned areas rehabilitation, and $10,000,000 is for rural fire assistance: Provided, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: Provided further, That funds in this account are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That unobligated balances of amounts previously appropriated to the ''Fire Protection'' and ''Emergency Department of the Interior Firefighting Fund'' may be transferred and merged with this appropriation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., Protection of United States Property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That the entire amount appropriated is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That this amount shall be made available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

For an additional amount to cover necessary expenses for emergency rehabilitation, hazard reduction activities in the urban-wildland interface, support to federal emergency response, repaying firefighting funds borrowed from programs, and wildfire suppression activities of the Forest Service, $619,274,000, to remain available until expended, of which $179,000,000 is for wildfire suppression, $120,000,000 is for removal of hazardous fuels to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of Agriculture, $142,000,000 is for emergency rehabilitation, $44,000,000 is for capital improvement and maintenance of fire facilities, $16,000,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $50,494,000 is for state fire assistance, $8,280,000 is for volunteer fire assistance, $12,000,000 is for forest health activities on state, private, and federal lands, $12,500,000 is for economic action programs, and $35,000,000 is for assistance to nonfederal entities most affected by fire using all existing authorities under the State and Private Forestry appropriation; and of which $320,274,000 may be transferred to the ''State and Private Forestry'', ''National Forest System'', ''Forest and Rangeland Research'', and ''Capital Improvement and Maintenance'' accounts to fund state fire assistance, volunteer fire assistance, and forest health management, vegetation and watershed management, heritage

site rehabilitation, wildlife and fish habitat management, trails and facilities maintenance and restoration: Provided, That transfers of any amounts in excess of those authorized in this title, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in House Report No. 105–163: Provided further, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged businesses: Provided further, That the entire amount appropriated is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That this amount shall be made available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress: Provided further, That:

(1) In expending the funds provided with respect to this title for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretaries applicable to hazardous fuel reduction activities under the wildland fire management accounts. Notwithstanding Federal government procurement and contracting laws, the Secretaries may conduct fuel reduction treatments on Federal lands using grants and cooperative agreements. Notwithstanding Federal government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may award contracts, including contracts for monitoring activities, to—

(A) local private, nonprofit, or cooperative entities;

(B) Youth Conservation Corps crews or related partnerships, with State, local and nonprofit youth groups;

(C) small or micro-businesses; or

(D) other entities that will hire or train a significant percentage of local people to complete such contracts. The authorities described above relating to contracts, grants, and cooperative agreements are available until all funds provided in this title for hazardous fuels reduction activities in the urban wildland interface are obligated.

(2) Within 60 days after enactment, the Secretary of Agriculture and the Secretary of the Interior shall, after consultation with State and local fire-fighting agencies, jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands that are at high risk from wildfire, as defined by the Secretaries. This list shall include:

(A) an identification of communities around which hazardous fuel reduction treatments are ongoing; and

(B) an identification of communities around which the Secretaries are preparing to begin treatments in fiscal year 2001.

(3) Prior to May 1, 2001, the Secretary of Agriculture and the Secretary of the Interior shall jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands and at high risk from wildfire that are included in the list published pursuant to paragraph (2) but that are not included in subparagraphs (A) and (B) of paragraph (2), along with an identification of reasons, including but not limited to lack of available funds, why there are no treatments ongoing or being prepared for these communities.

(4) Within 30 days after enactment of this Act, the Secretary of Agriculture shall publish in the Federal Register the Forest Service's Cohesive Strategy for Protecting People and Sustaining Resources in Fire-Adapted Ecosystems. The documentation required by section 102(2)(C) of the National Environmental Policy Act accompanying the proposed regulations revising the National Forest System transportation policy; proposed roadless area protection regulation; and proposed Interior Columbia Basin Project; and the Sierra Nevada Framework/Sierra Nevada Forest Plan shall contain an analysis and explanation of any differences between the Cohesive Strategy and the policies and rule-making listed in this paragraph. Nothing in this title is intended or should require a delay in the rulemakings listed in this paragraph.

(5)(A) Funds provided to the Secretary of Agriculture by this title and to the Secretary of the Interior, the Secretary of Commerce, and the Council on Environmental Quality by this Act and any other applicable act appropriating funds for fiscal year 2001 shall be used as necessary to establish and implement the expedited procedures set forth in this paragraph for decisions to conduct hazardous fuel reduction treatments pursuant to paragraphs (1) and (2), and any post-burn treatments within the perimeters of areas burned by wildfire, on federal lands.

(B) The Secretary of Agriculture, the Secretary of the Interior, the Secretary of Commerce, and the Chairman of the Council on Environmental Quality shall use such funds specified in subparagraph (A) as necessary to evaluate the need for revised or expedited environmental compliance procedures including expedited procedures for the preparation of documentation required by section 102(2) of the National Environmental Policy Act (42 U.S.C. 4332(2)) for treatment decisions referred to in subparagraph (A). The Secretary of Agriculture, the Secretary of the Interior, the Chairman of the Council on Environmental Quality shall report to the relevant congressional committee of jurisdiction within 60 days of enactment of this Act to apprise the Congress of the decision to develop any expedited procedures or adopt or recommend any other measures. Each Secretary may employ any expedited procedures developed pursuant to this subsection for a treatment decision when the Secretary determines the procedures to be appropriate for the decision. These procedures shall ensure that the period of preparation for environmental documentation be expedited to the maximum extent practicable. Each Secretary and the Council shall effect any modifications to existing regulations and guidance as may be necessary to provide for the expedited procedures within 180 days of the date of enactment of this Act.

(C) With the funds specified in subparagraph (A), the Secretary, as defined in section 3(15) of the Endangered Species Act of 1973 (16 U.S.C. 1532(15)), may accord priority as appropriate to consultation or conferencing under section 7 of such Act (16 U.S.C. 1536) concerning any treatment decision referred to in subparagraph (A) for which consultation or conferencing is required.

(D) With the funds specified in subparagraph (A), administrative review of any treatment decision referred to in subparagraph (A) shall be conducted as expeditiously as possible but under no circumstances shall exceed any statutory deadline applicable to such review.

(E) No provision in this title shall be construed to override any existing environmental law.

TITLE V—EMERGENCY SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for ''Management of Lands and Resources'', $17,172,000 to remain available until expended, of which $15,687,000 shall be used to address restoration needs caused by wildland fires and $1,485,000 shall be used for the treatment of grasshopper and Mormon Cricket infestations on lands managed by the Bureau of Land Management: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for ''Resource Management'', $1,500,000, to remain available until expended, for support of the preparation and implementation of plans, programs, or agreements, identified by the State of Idaho, that address habitat for freshwater aquatic species on non-federal lands in the State voluntarily enrolled in such plans, programs, or agreements, of which $200,000 shall be made available to the Boise, Idaho field office to participate in the preparation and implementation of the plans, programs, or agreements, of which $300,000 shall be made available to the State of Idaho for preparation of the plans, programs, or agreements, including data collection and other activities associated with such preparation, and of which $1,000,000 shall be made available to the State of Idaho to fund habitat enhancement, maintenance, or restoration projects consistent with such plans, programs, or agreements: Provided, That the entire amount made available under this paragraph is designated by the Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For an additional amount for salmon restoration and conservation efforts in the State of Maine, $5,000,000, to remain available until expended, which amount shall be made available to the National Fish and Wildlife Foundation to carry out a competitively awarded grant program for State, local, or other organizations in Maine to fund on-the-ground projects to further Atlantic salmon conservation or restoration efforts in coordination with the State of Maine and the Maine Atlantic Salmon Conservation Plan, including projects to: (1) assist in land acquisition and conservation easements to benefit Atlantic salmon; (2) develop irrigation and water use management measures to minimize any adverse effects on salmon habitat; and (3) develop and phase in enhanced aquaculture cages to minimize escape of Atlantic salmon: Provided, That, of the amounts appropriated under this paragraph, $2,000,000 shall be made available to the Atlantic Salmon Commission for salmon restoration and conservation activities, including installing and upgrading weirs and fish collection facilities, conducting risk assessments, fish marking, and salmon genetics studies and testing, and developing and phasing in enhanced aquaculture cages to minimize escape of Atlantic salmon, and $500,000 shall be made available to the National Academy of Sciences to conduct a study of Atlantic salmon: Provided further, That amounts made available under this paragraph shall be provided to the National Fish and Wildlife Foundation not later than 15 days after the date of enactment of this Act: Provided further, That the entire amount made available under this paragraph is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for ''Construction'', $8,500,000, to remain available until expended,

to repair or replace buildings, equipment, roads, bridges, and water control structures damaged by natural disasters and conduct critical habitat restoration directly necessitated by natural disasters: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $5,300,000, to remain available until expended, to repair or replace visitor facilities, equipment, roads and trails, and cultural sites and artifacts at national park units damaged by natural disasters: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'', $2,700,000, to remain available until expended, to repair or replace stream monitoring equipment and associated facilities damaged by natural disasters: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For an additional amount for ''Operation of Indian Programs'', $1,200,000, to remain available until expended, for repair of the portions of the Yakama Nation's Signal Peak Road that have the most severe damage: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For an additional amount for ''Federal Trust Programs'' for unanticipated trust reform projects and costs related to the ongoing Cobell litigation, $27,600,000, to remain available until expended: Provided, That funds provided herein for trust management improvements and litigation support may, as needed, be transferred to or merged with the ''Operations of Indian Programs'' account in the Bureau of Indian Affairs, the ''Salaries and Expenses'' account in the Office of the Solicitor, the ''Salaries and Expenses'' account in Departmental Management, the ''Royalty and Offshore Minerals Management'' account in the Minerals Management Service, and the ''Management of Lands and Resources'' account in the Bureau of Land Management: Provided further, That the entire amount provided under this heading is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

For an additional amount for the Forest Service, notwithstanding any other provision of law, $9,294,000 for the Alaska Railroad for:

(1) safety related track repair, damage, and control costs from avalanches, hurricane force winds, and severe winter storms, and

(2) oil spill clean-up, recovery, and remediation arising out of the related train derailments during the period of winter blizzards beginning December 21, 1999 for which the President declared a disaster on February 17, 2000 pursuant to the Stafford Act, as amended, (FEMA DR–1316–AK) as a direct lump sum payment and an additional $2,000,000 for an avalanche prevention program in the Chugach National Forest, Kenai National Park, Kenai National Wildlife Refuge and nearby public lands to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL FOREST SYSTEM

For an additional amount for emergency expenses resulting from damage from windstorms, $7,249,000 to become available upon enactment of this Act, and to remain available until expended: Provided, That the entire amount shall be available only to the extent that the President submits to Congress an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TITLE VI—USER FEES UNDER FOREST SYSTEM RECREATION RESIDENCE PROGRAM

SEC. 601. SHORT TITLE.

This title may be cited as the ''Cabin User Fee Fairness Act of 2000''.

SEC. 602. FINDINGS.

Congress finds that—

(1) cabins located on forest land have provided a unique recreation experience to a large number of cabin owners, their families, and guests each year since Congress authorized the recreation residence program in 1915; and

(2) the fact that current appraisal procedures have, in certain circumstances, been inconsistently applied in determining fair market values for residential lots demonstrates that problems exist in accurately reflecting market values.

SEC. 603. PURPOSES.

The purposes of this title are—

(1) to ensure, to the maximum extent practicable, that the National Forest System recreation residence program is managed to preserve the opportunity for individual and family-oriented recreation; and

(2) to develop and implement a more consistent procedure for determining cabin user fees, taking into consideration the limitations of an authorization and other relevant market factors.

SEC. 604. DEFINITIONS.

In this title:

(1) AGENCY.—The term ''agency'' means the Forest Service.

(2) AUTHORIZATION.—The term ''authorization'' means a special use permit for the use and occupancy of National Forest System land by a cabin owner under the authority of the program.

(3) BASE CABIN USER FEE.—The term ''base cabin user fee'' means the fee for an authorization that results from the appraisal of a lot as determined in accordance with sections 606 and 607.

(4) CABIN.—The term ''cabin'' means a privately built and owned recreation residence that is authorized for use and occupancy on National Forest System land.

(5) CABIN OWNER.—The term ''cabin owner'' means—

(A) a person authorized by the agency to use and to occupy a cabin on National Forest System land; and

(B) an heir or assign of such a person.

(6) CABIN USER FEE.—The term ''cabin user fee'' means a special use fee paid annually by a cabin owner to the Secretary in accordance with this title.

(7) CARETAKER CABIN.—The term ''caretaker cabin'' means a caretaker residence occupied in limited cases in which caretaker services are necessary to maintain the security of a tract.

(8) CURRENT CABIN USER FEE.—The term ''current cabin user fee'' means the most recent cabin user fee that results from an annual adjustment to the base cabin user fee in accordance with section 608.

(9) LOT.—The term ''lot'' means a parcel of land in the National Forest System—

(A) on which a cabin owner is authorized to build, use, occupy, and maintain a cabin and related improvements; and

(B) that is considered to be in its natural, native state at the time at which a use of the lot described in subparagraph (A) is first permitted by the Secretary.

(10) NATURAL, NATIVE STATE.—The term ''natural, native state'' means the condition of a lot or site, free of any improvements, at the time at which the lot or site is first authorized for recreation residence use by the agency.

(11) PROGRAM.—The term ''program'' means the recreation residence program established under the authority of the last paragraph under the heading ''FOREST SERVICE'' in the Act of March 4, 1915 (38 Stat. 1101, chapter 144; 16 U.S.C. 497).

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(13) TRACT.—The term ''tract'' means an established location within a National Forest containing 1 or more cabins authorized in accordance with the program.

(14) TRACT ASSOCIATION.—The term ''tract association'' means a cabin owner association in which all cabin owners within a tract are eligible for membership.

(15) TYPICAL LOT.—The term ''typical lot'' means a cabin lot, or a group of cabin lots, in a tract that is selected for use in an appraisal as being representative of, and that has similar value characteristics as, other lots or groups of lots within the tract.

SEC. 605. ADMINISTRATION OF RECREATION RESIDENCE PROGRAM.

The Secretary shall ensure, to the maximum extent practicable, that the basis and procedure for calculating cabin user fees results in a fee for an authorization that reflects, in accordance with this title—

(1) the market value of a lot; and

(2) regional and local economic influences.

SEC. 606. APPRAISALS.

(a) REQUIREMENTS FOR CONDUCTING APPRAISALS.—In implementing and conducting an appraisal process for determining cabin user fees, the Secretary shall—

(1) complete an inventory of improvements that were paid for by—

(A) the agency;

(B) third parties; or

(C) cabin owners (or predecessors of cabin owners);

during the completion of which the Secretary shall presume that a cabin owner, or a predecessor of the owner, has paid for the capital costs of any utility, access, or facility serving the lot being appraised, unless the Forest Service produces evidence that the agency or a third party has paid for the capital costs;

(2) establish an appraisal process to determine the market value of the fee simple estate of a typical lot or lots considered to be in a natural, native state, subject to subsection (b)(4)(A);

(3) enter into a contract with an appropriate professional appraisal organization to manage the development of specific appraisal guidelines in accordance with subsection (b), subject to public comment and congressional review;

(4) require that an appraisal be performed by a State-certified general real estate appraiser, selected by the Secretary and licensed to practice in the State in which the lot is located;

(5) provide the appraiser with appraisal guidelines developed in accordance with this title;

(6) notwithstanding any other provision of law, require the appraiser to coordinate the appraisal closely with affected parties by seeking information, cooperation, and advice from cabin owners and tract associations;

(7) require that the appraiser perform the appraisal in compliance with—

(A) the most current edition of the Uniform Standards of Professional Appraisal Practice in effect on the date of the appraisal;

(B) the most current edition of the Uniform Appraisal Standards for Federal Land Acquisitions that is in effect on the date of the appraisal; and

(C) the specific appraisal guidelines developed in accordance with this title;

(8) require that the appraisal report—

(A) be a full narrative report, in compliance with the reporting standards of the Uniform Standards of Professional Appraisal Practice; and

(B) comply with the reporting guidelines established by the Uniform Appraisal Standards for Federal Land Acquisitions; and

(9) before accepting any appraisal, conduct a review of the appraisal to ensure that the guidelines made available to the appraiser have been followed and that the appraised values are properly supported.

(b) SPECIFIC APPRAISAL GUIDELINES.—In the development of specific appraisal guidelines in accordance with subsection (a)(3), the instructions to an appraiser shall require, at a minimum, the following:

(1) APPRAISAL OF A TYPICAL LOT.—

(A) IN GENERAL.—In conducting an appraisal under this section, the appraiser—

(i) shall not appraise each individual lot;

(ii) shall appraise a typical lot or lots, selected by the cabin owners and the agency in a manner consistent with the policy of the program; and

(iii) shall be provided, and give appropriate consideration to, any information contained in the inventory of improvements relating to the lot being appraised.

(B) ESTIMATE OF MARKET VALUE OF TYPICAL LOT.—

(i) IN GENERAL.—The appraiser shall estimate the market value of a typical lot in accordance with this title.

(ii) EQUIVALENCE TO LEGALLY SUBDIVIDED LOT.—In selecting a comparable sale under this title, the appraiser shall recognize that the typical lot will not usually be equivalent to a legally subdivided lot.

(2) EXCEPTION FOR CERTAIN SALES OF LAND.—In conducting an appraisal under this title, the appraiser—

(A) shall not select sales of comparable land that are sales of land within developed urban areas; and

(B) should not, in most circumstances, select a sale of comparable land that includes land that is encumbered by a conservation or recreational easement that is held by a government or institution, except land that is limited to use as a site for 1 home.

(3) ADJUSTMENTS FOR TYPICAL VALUE INFLUENCES.—

(A) IN GENERAL.—The appraiser shall consider, and adjust as appropriate, the price of sales of comparable land for all typical value influences described in subparagraph (B).

(B) VALUE INFLUENCES.—The typical value influences referred to in subparagraph (A) include—

(i) differences in the locations of the parcels;

(ii) accessibility, including limitations on access attributable to—

(I) weather;

(II) the condition of roads or trails;

(III) restrictions imposed by the agency; or

(IV) other factors;

(iii) the presence of marketable timber;

(iv) limitations on, or the absence of, services such as law enforcement, fire control, road maintenance, or snow plowing;

(v) the condition and regulatory compliance of any site improvements; and

(vi) any other typical value influences described in standard appraisal literature.

(4) ADJUSTMENTS TO SALES OF COMPARABLE PARCELS.—

(A) UTILITIES, ACCESS, OR FACILITIES.—

(i) AGENCY.—Utilities, access, or facilities serving a lot that are provided by the agency shall be included as features of the lot being appraised.

(ii) CABIN OWNERS.—Utilities, access, or facilities serving a lot that are provided by the cabin owner (or a predecessor of the cabin owner) shall not be included as a feature of the lot being appraised.

(iii) THIRD PARTIES.—Utilities, access, or facilities serving a lot that are provided by a third party shall not be included as a feature of the lot being appraised unless, in accordance with subsection (a)(1), the agency determines that the capital costs have not been or are not being paid by the cabin owner (or a predecessor of the cabin owner).

(iv) WITHDRAWAL OF UTILITY OR ACCESS BY AGENCY.—If, during the term of an authorization, the agency or an act of God creates a substantial and materially adverse change in—

(I) the provision or maintenance of any utility or access; or

(II) a qualitative feature of the lot or immediate surroundings;

the cabin owner shall have the right to request, and, at the discretion of the Secretary, obtain a new determination of the base cabin user fee at the expense of the agency.

(B) ADJUSTMENT FOR EXCLUSION.—In a case in which any comparable sale includes utilities, access, or facilities that are to be excluded in the appraisal of the subject lot, the price of the comparable sale shall be adjusted, as appropriate.

(C) ADJUSTMENT PROCESS.—

(i) IN GENERAL.—The appraiser shall consider and adjust, as appropriate, the price of each sale of a comparable parcel for all nonnatural features referred to in subparagraph (A)(ii) that—

(I)(aa) are present at, or add value to, the comparable parcel; but

(bb) are not present at the lot being appraised; or

(II) are not included in the appraisal as described in subparagraph (A).

(ii) ADJUSTMENTS.—

(I) IN GENERAL.—In a case in which the price of a parcel sold is to be adjusted in accordance with subparagraph (B), the adjustment may be based on an analysis of market or cost information or both.

(II) COST INFORMATION.—If cost information is used as the basis of an adjustment under subclause (I), the cost information shall be supported by direct market evidence.

(iii) ANALYSIS OF COST INFORMATION.—An analysis of cost information under clause (ii)(I) should include allowances, as appropriate, if the allowances are consistent with—

(I) the Uniform Standards of Professional Appraisal Practice in effect on the date of the analysis; and

(II) the Uniform Appraisal Standards for Federal Land Acquisition.

(D) REAPPRAISAL FOR AND RECALCULATION OF BASE CABIN USER FEE.—Periodically, but not less often than once every 10 years, the Secretary shall recalculate the base cabin user fee (including conducting any reappraisal required to recalculate the base cabin user fee).

SEC. 607. CABIN USER FEES.

(a) IN GENERAL.—The Secretary shall establish the cabin user fee as the amount that is equal to 5 percent of the market value of the lot, as determined in accordance with section 606, reflecting an adjustment to the typical market rate of return due to restrictions imposed by the permit, including—

(1) the limited term of the authorization;

(2) the absence of significant property rights normally attached to fee simple ownership; and

(3) the public right of access to, and use of, any open portion of the lot on which the cabin or other enclosed improvements are not located.

(b) FEE FOR CARETAKER CABIN.—The base cabin user fee for a lot on which a caretaker cabin is located shall not be greater than the base cabin user fee charged for the authorized use of a similar typical lot in the tract.

(c) ANNUAL CABIN USER FEE IN THE EVENT OF DETERMINATION NOT TO REISSUE AUTHORIZATION.—If the Secretary determines that an authorization should not be reissued at the end of a term, the Secretary shall—

(1) establish as the new base cabin user fee for the remaining term of the authorization the amount charged as the cabin user fee in the year that was 10 years before the year in which the authorization expires; and

(2) calculate the current cabin user fee for each of the remaining 9 years of the term of the authorization by multiplying—

(A) 1/10 of the new base cabin user fee; by

(B) the number of years remaining in the term of the authorization after the year for which the cabin user fee is being calculated.

(d) ANNUAL CABIN USER FEE IN EVENT OF CHANGED CONDITIONS.—If a review of a decision to convert a lot to an alternative public use indicates that the continuation of the authorization for use and occupancy of the cabin by the cabin owner is warranted, and the decision is subsequently reversed, the Secretary may require the cabin owner to pay any portion of annual cabin user fees that were forgone as a result of the expectation of termination of use and occupancy of the cabin by the cabin owner.

(e) TERMINATION OF FEE OBLIGATION IN LOSS RESULTING FROM ACTS OF GOD OR CATASTROPHIC EVENTS.—On a determination by the agency that, because of an act of God or a catastrophic event, a lot cannot be safely occupied and the authorization for the lot should accordingly be terminated, the fee obligation of the cabin owner shall terminate effective on the date of the occurrence of the act or event.

SEC. 608. ANNUAL ADJUSTMENT OF CABIN USER FEE.

(a) IN GENERAL.—The Secretary shall adjust the cabin user fee annually, using a rolling 5-year average of a published price index in accordance with subsection (b) or (c) that reports changes in rural or similar land values in the State, county, or market area in which the lot is located.

(b) INITIAL INDEX.—

(1) IN GENERAL.—For the period of 10 years beginning on the date of enactment of this title, the Secretary shall use changes in agricultural land prices in the appropriate State or county, as reported in the Index of Agricultural Land Prices published by the Department of Agriculture, to determine the annual adjustment to the cabin user fee in accordance with subsections (a) and (d).

(2) STATEWIDE CHANGES.—In determining the annual adjustment to the cabin user fee for an authorization located in a county in which agricultural land prices are influenced by the value influences described in section 606(b)(3), the Secretary shall use average statewide changes in the State in which the lot is located.

(c) NEW INDEX.—

(1) IN GENERAL.—Not later than 10 years after the date of enactment of this title, the Secretary may select and use an index other than the method of adjustment of a cabin user fee described in subsection (b)(2) to adjust a cabin user fee if the Secretary determines that a different index better reflects change in the value of a lot over time.

(2) SELECTION PROCESS.—Before selecting a new index, the Secretary shall—

(A) solicit and consider comments from the public; and

(B) not later than 60 days before the date on which the Secretary makes a final index selection, submit any proposed selection of a new index to—

(i) the Committee on Resources of the House of Representatives; and

(ii) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(d) LIMITATION.—In calculating an annual adjustment to the base cabin user fee as deter-

mined by the initial index described in section (b), the Secretary shall—

(1) limit any annual fee adjustment to an amount that is not more than 5 percent per year when the change in agricultural land values exceeds 5 percent in any 1 year; and

(2) apply the amount of any adjustment that exceeds 5 percent to the annual fee payment for the next year in which the change in the index factor is less than 5 percent.

SEC. 609. PAYMENT OF CABIN USER FEES.

(a) DUE DATE FOR PAYMENT OF FEES.—A cabin user fee shall be prepaid annually by the cabin owner.

(b) PAYMENT OF EQUAL OR LESSER FEE.—If, in accordance with section 607, the Secretary determines that the amount of a new base cabin user fee is equal to or less than the amount of the current base cabin user fee, the Secretary shall require payment of the new base cabin user fee by the cabin owner in accordance with subsection (a).

(c) PAYMENT OF GREATER FEE.—If, in accordance with section 607, the Secretary determines that the amount of a new base cabin user fee is greater than the amount of the current base cabin user fee, the Secretary shall—

(1) require full payment of the new base cabin user fee in the first year following completion of the fee determination procedure if the increase in the amount of the new base cabin user fee is not more than 100 percent of the current base cabin user fee; or

(2) phase in the increase over the current base cabin user fee in approximately equal increments over 3 years if the increase in the amount of the new base cabin user fee is more than 100 percent of the current base cabin user fee.

SEC. 610. RIGHT OF SECOND APPRAISAL.

(a) RIGHT OF SECOND APPRAISAL.—On receipt of notice from the Secretary of the determination of a new base cabin user fee, the cabin owner—

(1) not later than 60 days after the date on which the notice is received, may notify the Secretary of the intent of the cabin owner to obtain a second appraisal; and

(2) may obtain, within 1 year following the date of receipt of the notice under this subsection, at the expense of the cabin owner, a second appraisal of the typical lot on which the initial appraisal was conducted.

(b) CONDUCT OF SECOND APPRAISAL.—In conducting a second appraisal, the appraiser selected by the cabin owner shall—

(1) have qualifications equivalent to the appraiser that conducted the initial appraisal in accordance with section 606(a)(4);

(2) use the appraisal guidelines used in the initial appraisal in accordance with section 606(a)(5);

(3) consider all relevant factors in accordance with this title (including guidelines developed under section 606(a)(3)); and

(4) notify the Secretary of any material differences of fact or opinion between the initial appraisal conducted by the agency and the second appraisal.

(c) REQUEST FOR RECONSIDERATION OF BASE CABIN USER FEE.—A cabin owner shall submit to the Secretary any request for reconsideration of the base cabin user fee, based on the results of the second appraisal, not later than 60 days after the receipt of the report for the second appraisal.

(d) RECONSIDERATION OF BASE CABIN USER FEE.—On receipt of a request from the cabin owner under subsection (c) for reconsideration of a base cabin user fee, not later than 60 days after the date of receipt of the request, the Secretary shall—

(1) review the initial appraisal of the agency;

(2) review the results and commentary from the second appraisal;

(3) determine a new base cabin user fee in an amount that is—

(A) equal to the base cabin user fee determined by the initial or the second appraisal; or

(B) within the range of values, if any, between the initial and second appraisals; and

(4) notify the cabin owner of the amount of the new base cabin user fee.

SEC. 611. RIGHT OF APPEAL AND JUDICIAL REVIEW.

(a) RIGHT OF APPEAL.—Notwithstanding any action of a cabin owner to exercise rights in accordance with section 610, the Secretary shall by regulation grant the cabin owner the right to an administrative appeal of the determination of a new base cabin user fee.

(b) JUDICIAL REVIEW.—A cabin owner that is adversely affected by a final decision of the Secretary under this title may bring a civil action in United States district court.

SEC. 612. CONSISTENCY WITH OTHER LAW AND RIGHTS.

(a) CONSISTENCY WITH RIGHTS OF THE UNITED STATES.—Nothing in this title limits or restricts any right, title, or interest of the United States in or to any land or resource.

(b) SPECIAL RULE FOR ALASKA.—In determining a cabin user fee in the State of Alaska, the Secretary shall not establish or impose a cabin user fee or a condition affecting a cabin user fee that is inconsistent with 1303(d) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3193(d)).

SEC. 613. REGULATIONS.

Not later than 2 years after the date of enactment of this title, the Secretary shall promulgate regulations to carry out this title.

SEC. 614. TRANSITION PROVISIONS.

(a) ASSESSMENT OF ANNUAL FEES.—For the period of time determined under subsection (b), the Secretary shall charge each cabin owner an annual fee as follows:

(1) LOTS NOT APPRAISED SINCE SEPTEMBER 30, 1995.—For a lot that has not been appraised since September 30, 1995, the annual fee shall be equal to the amount of the annual fee in effect on the date of enactment of this title, adjusted annually to reflect changes in the Implicit Price Deflator-Gross National Product Index.

(2) LOTS APPRAISED ON OR AFTER SEPTEMBER 30, 1995.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for a lot that has been appraised on or after September 30, 1995, the annual fee shall be equal to the amount of the fee in effect on the date of enactment of this title, adjusted annually to reflect changes in the Implicit Price Deflator-Gross National Product Index.

(B) APPRAISALS RESULTING IN BASE FEE INCREASE.—

(i) IN GENERAL.—Except as provided in clause (ii), for a lot that has been appraised on or after September 30, 1995, for which the appraisal resulted in an increase of the base fee by an amount greater than $3,000, the annual fee shall be equal to the sum of $3,000 plus the amount of the annual fee in effect on October 1, 1996, adjusted annually to reflect the percentage change in the Implicit Price Deflator-Gross National Product Index.

(ii) FEES PAID AFTER REQUEST OF NEW APPRAISAL OR PEER REVIEW.—If—

(I) the cabin owner of a lot described in clause (i) requests a new appraisal or peer review under subsection (c); and

(II) the base cabin user fee established as a result of the appraisal or peer review is determined to be an amount that is 90 percent or more of the fee in effect for the lot as determined by an appraisal conducted on or after September 30, 1995;

the Secretary shall charge the cabin owner, in addition to the annual fee that would otherwise have been due under section 609, the difference between the base cabin user fee determined through the conduct of the new appraisal or peer review and the annual fee that would otherwise have been due under section 609, to be assessed retroactively for each year beginning with the year in which the previous appraisal was conducted, and to be paid in 3 equal annual installments.

(b) TERM.—

(1) LOTS NOT APPRAISED SINCE SEPTEMBER 30, 1995.—For a lot that has not been appraised since September 30, 1995, the Secretary shall charge fees in accordance with subsection (a)(2)(A) until—

(A) a base cabin user fee is determined in accordance with—

(i) this title; or

(ii) regulations and policies in effect on the date of enactment of this title; and

(B) the right of the cabin owner to a second appraisal under section 610 is exhausted.

(2) LOTS APPRAISED ON OR AFTER SEPTEMBER 30, 1995.—For a lot that has been appraised on or after September 30, 1995, the Secretary shall charge fees under subsection (a)(2) until—

(A) the cabin owner requests a new appraisal or peer review, and a base cabin user fee is established, under subsection (c); or

(B) in the absence of a request for a peer review or a new appraisal under subsection (c), the date that is 2 years after the date on which the Forest Service promulgates regulations and policies and develops appraisal guidelines under this title.

(c) REQUEST FOR NEW APPRAISAL UNDER NEW LAW.—

(1) IN GENERAL.—Not later than 2 years after the promulgation of final regulations and policies and the development of appraisal guidelines in accordance with section 606(a)(5), cabin owners that are subject to appraisals completed after September 30, 1995, but before the date of promulgation of final regulations under section 613, may request, in accordance with paragraph (2), that the Secretary—

(A) conduct a new appraisal and determine a new base cabin user fee in accordance with this title; or

(B) commission a peer review of the existing appraisals in accordance with paragraph (4).

(2) APPRAISAL GROUPINGS BY TYPICAL LOT.—A request for a new appraisal or for a peer review of existing appraisals under paragraph (1) shall be made by a majority of the cabin owners in a group of cabins represented in the appraisal process by a typical lot.

(3) CONDUCT OF NEW APPRAISAL.—On receipt of a request for an appraisal and fee determination in accordance with paragraph (2), the Secretary shall conduct the new appraisal and fee determination in accordance with this title.

(4) PEER REVIEW OF EXISTING APPRAISALS.—

(A) IN GENERAL.—On receipt of a request for peer review in accordance with paragraph (2), the Secretary shall obtain from an independent professional appraisal organization a review of the appraisal (including any report on the appraisal) that was used to establish the estimated fee simple value of the lots within the subject grouping.

(B) INCONSISTENCY.—If peer review described in subparagraph (A) results in a determination that an appraisal or appraisal report includes provisions or procedures that were implemented or conducted in a manner inconsistent with this title, the Secretary shall, as appropriate and in accordance with this title—

(i) revise an existing base cabin user fee; or

(ii) subject to an agreement with the cabin owners, conduct a new appraisal and fee determination.

(5) PAYMENT OF COSTS.—Cabin owners and the Secretary shall share, in equal proportion, the payment of all reasonable costs of any new appraisal or peer review.

(d) ASSUMPTION OF NEW BASE CABIN USER FEE.—In the absence of a request under subsection (c) for a new appraisal and fee determination from a cabin owner whose cabin user fee was determined as a result of an appraisal conducted after September 30, 1995, but before the date of promulgation of final regulations under section 613, the Secretary may consider the base cabin user fee resulting from the appraisal conducted between September 30, 1995 and the date of promulgation of the final regulations under section 613 to be the base cabin user fee that complies with this section.

TITLE VII—TREATMENT OF CERTAIN FUNDS FOR MINER BENEFITS

SEC. 701. (a) REALLOCATION OF INTEREST.—Notwithstanding any other provision of law, interest credited to the fund established by section 401 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231) for fiscal years 1992 through 1995 not transferred to the Combined Fund identified in section 402(h)(2) of such Act prior to the date of enactment of this Act shall be transferred to such Combined Fund—

(1) in such amounts as estimated by the trustees of such Fund to offset the amount of any deficit in net assets in the Combined Fund through August 31, 2001;

(2) in the amount of $2,200,000 for the purpose of the Combined Fund providing a refund of any premium (as described in section 9704(a) of the Internal Revenue Code of 1988), on a proportional basis, to those signatory operators or any related persons to such operators (as defined in section 9701(c) of the Internal Revenue Code of 1988) who have been denied such refunds as the result of final judgments or settlements if prior to the date of enactment of this Act such signatory operator (or any related persons to such operator)—

(A) had all of its beneficiary assignments made under section 9706 of the Internal Revenue Code of 1986 voided by the Commissioner of the Social Security Administration;

(B) was subject to a final judgment or final settlement of litigation adverse to a claim by such operator that the assignment of beneficiaries under section 9706 of the Internal Revenue Code of 1986 was unconstitutional as applied to it; and

(C) paid to the Combined Fund any premium amount that had not been refunded; and

(3) in such amounts as necessary for the purpose of the Combined Fund providing a monthly refund of any premium (as described in section 9704(a) of the Internal Revenue Code of 1986) paid by an assigned operator (as defined by section 9701(c)(5) of the Internal Revenue Code of 1986) commencing with the first monthly premium due date after the date of enactment of this Act and ending August 31, 2001, if according to the records of the Combined Fund such operator (or any related persons of such operator)—

(A) was not a signatory to the 1981 or later National Bituminous Coal Wage Agreement or any ''me too'' agreement related to such Coal Wage Agreement;

(B) reported credit hours to the UMWA 1974 Pension Plan on fewer than ten classified mine workers in every month during its last year of operations under the National Bituminous Coal Wage Agreement of 1978 or any ''me too'' agreement related to such Coal Wage Agreement;

(C) has had not more than 60 beneficiaries, including eligible dependents of retired miners, assigned to it under section 9706 of the Internal Revenue Code of 1986 not including beneficiary assignments relieved by the Social Security Administration;

(D) was assessed premiums by the Combined Fund in October 1999, made payments pursuant to that assessment and has no delinquency as of September 30, 2000; and

(E) is not directly engaged in the production or sale of coal and has no related person engaged in the production of coal as of September 30, 2000.

(b) SEPARABILITY CLAUSE.—If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title and the application of such provision to other persons or circumstances shall not be affected thereby.

TITLE VIII—LAND CONSERVATION, PRESERVATION AND INFRASTRUCTURE IMPROVEMENT

For activities authorized by law for the acquisition, conservation, and maintenance of Federal and non-Federal lands and resources, and for Payments in Lieu of Taxes, in addition to the amounts provided under previous titles of this Act, $686,000,000, to remain available until expended, of which $179,000,000 is for the acquisition of lands or interests in lands; and of which $50,000,000 is for ''National Park Service, Land Acquisition and State Assistance'' for the state assistance program; and of which $20,000,000 is for ''Forest Service, National Forest System'' for inventory and monitoring activities and planning; and of which $78,000,000 is for ''United States Fish and Wildlife Service, Cooperative Endangered Species Fund''; and of which $20,000,000 is for ''United States Fish and Wildlife Service, North American Wetlands Conservation Fund''; and of which $20,000,000 is for ''United States Geological Survey, Surveys, Investigations, and Research'' for science and cooperative programs; and of which $30,000,000 is for ''Forest Service, State and Private Forestry'' for the Forest Legacy program; and of which $50,000,000 is for ''United States Fish and Wildlife Service, State Wildlife Grants''; and of which $20,000,000 is for ''National Park Service, Urban Park and Recreation Fund''; and of which $15,000,000 is for ''National Park Service, Historic Preservation Fund'' for grants to states and Indian tribes; and of which $4,000,000 is for ''Forest Service, State and Private Forestry'' for urban and community forestry programs; and of which $50,000,000 is for ''Bureau of Land Management, Payments in Lieu of Taxes''; and of which $150,000,000 is for ''Federal Infrastructure Improvement'' for the deferred maintenance needs of the Federal land management agencies: Provided, That of the funds provided under this heading for the acquisition of lands or interests in lands, $130,000,000 shall be available to the Department of the Interior and $49,000,000 shall be available to the Department of Agriculture, Forest Service: Provided further, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the House Committee on Appropriations and the Senate Committee on Appropriations provide to the Secretaries, in writing, a list of specific acquisitions to be undertaken with such funds: Provided further, That of the funds provided under this heading for ''Federal Infrastructure Improvement'' for the deferred maintenance needs of the Federal land management agencies, $25,000,000 shall be for the Bureau of Land Management, $25,000,000 shall be for the United States Fish and Wildlife Service, $50,000,000 shall be for the National Park Service and $50,000,000 shall be for the Forest Service.

SEC. 801. (a) CATEGORIES.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended—

(1) in paragraph (6), by—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

(B) in subparagraph (C), by inserting ''and'' after the semicolon; and

(C) adding at the end the following:

''(D) for the conservation spending category: $1,760,000,000, in new budget authority and $1,232,000,000 in outlays;'';

(2) in paragraph (7), by—

(A) in subparagraph (A), by striking ''and'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; and''; and

(C) adding at the end the following:

''(C) for the conservation spending category: $1,920,000,000, in new budget authority and $1,872,000,000 in outlays;''; and

(3) by inserting after paragraph (7) the following:

''(8) with respect to fiscal year 2004 for the conservation spending category: $2,080,000,000, in new budget authority and $2,032,000,000 in outlays;

''(9) with respect to fiscal year 2005 for the conservation spending category: $2,240,000,000, in new budget authority and $2,192,000,000 in outlays;

''(10) with respect to fiscal year 2006 for the conservation spending category: $2,400,000,000, in new budget authority and $2,352,000,000 in outlays;

''(11) with respect to each fiscal year 2002 through 2006 for the Federal and State Land and Water Conservation Fund sub-category of the conservation spending category: $540,000,000 in new budget authority and the outlays flowing therefrom;

''(12) with respect to each fiscal year 2002 through 2006 for the State and Other Conservation sub-category of the conservation spending category: $300,000,000 in new budget authority and the outlays flowing therefrom;

''(13) with respect to each fiscal year 2002 through 2006 for the Urban and Historic Preservation sub-category of the conservation spending category: $160,000,000 in new budget authority and the outlays flowing therefrom;

''(14) with respect to each fiscal year 2002 through 2006 for the Payments in Lieu of Taxes sub-category of the conservation spending category: $50,000,000 in new budget authority and the outlays flowing therefrom;

''(15) with respect to each fiscal year 2002 through 2006 for the Federal Deferred Maintenance sub-category of the conservation spending category: $150,000,000 in new budget authority and the outlays flowing therefrom;

''(16) with respect to fiscal year 2002 for the Coastal Assistance sub-category of the conservation spending category: $440,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2003 for the Coastal Assistance sub-category of the conservation spending category: $480,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2004 for the Coastal Assistance sub-category of the conservation spending category: $520,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2005 for the Coastal Assistance sub-category of the conservation spending category: $560,000,000 in new budget authority and the outlays flowing therefrom; and with respect to fiscal year 2006 for the Coastal Assistance sub-category of the conservation spending category: $600,000,000 in new budget authority and the outlays flowing therefrom;''.

(b) ADDITION TO DISCRETIONARY SPENDING LIMITS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

''(H) CONSERVATION SPENDING.—(i) If a bill or resolution making appropriations for any fiscal year appropriates an amount for the conservation spending category that is less than the limit for the conservation spending category as specified in subsection (c), then the adjustment for new budget authority and outlays for the following fiscal year for that category shall be the amount of new budget authority and outlays that equals the difference between the amount appropriated and the amount of that category specified in subsection (c).

''(ii) If a bill or resolution making appropriations for any fiscal year appropriates an amount for any conservation spending sub-category that is less than the limit for that conservation spending sub-category as specified in subsections (c)(11)–(c)(16), then the adjustment for new budget authority for the following fiscal year for that sub-category shall be the amount of new budget authority that equals the difference between the amount appropriated and the amount of that sub-category specified in subsection (c)(11)–(c)(16).

''(iii) The total amount provided for any conservation activity within the conservation spending category may not exceed any authorized ceiling for that activity.''.

(c) CATEGORIES DEFINED.—Section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(4)) is amended by adding at the end the following:

''(E) The term 'conservation spending category' means discretionary appropriations for

conservation activities in the following budget accounts or portions thereof providing appropriations to preserve and protect lands, habitat, wildlife, and other natural resources, to provide recreational opportunities, and for related purposes:

''(i) 14–5033 Bureau of Land Management Land Acquisition.

''(ii) 14–5020 Fish and Wildlife Service Land Acquisition.

''(iii) 14–5035 National Park Service Land Acquisition and State Assistance.

''(iv) 12–9923 Forest Service Land Acquisition.

''(v) 14–5143 Fish and Wildlife Service Cooperative Endangered Species Conservation Fund.

''(vi) 14–5241 Fish and Wildlife Service North American Wetlands Conservation Fund.

''(vii) 14–1694 Fish and Wildlife Service State Wildlife Grants.

''(viii) 14–0804 United States Geological Survey Surveys, Investigations, and Research, the State Planning Partnership programs: Community/Federal Information Partnership, Urban Dynamics, and Decision Support for Resource Management.

''(ix) 12–1105 Forest Service State and Private Forestry, the Forest Legacy Program, Urban and Community Forestry, and Smart Growth Partnerships.

''(x) 14–1031 National Park Service Urban Park and Recreation Recovery program.

''(xi) 14–5140 National Park Service Historic Preservation Fund.

''(xii) Youth Conservation Corps.

''(xiii) 14–1114 Bureau of Land Management Payments in Lieu of Taxes.

''(xiv) Federal Infrastructure Improvement (as established in title VIII of the Department of the Interior and Related Agencies Appropriations Act, 2001).

''(xv) 13–1460 NOAA Procurement Acquisition and Construction, the National Marine Sanctuaries and the National Estuarine Research Reserve Systems.

''(xvi) 13–1450 NOAA Operations, Research, and Facilities, the Coastal Zone Management Act programs, the National Marine Sanctuaries, the National Estuarine Research Reserve Systems, and Coral Restoration programs.

''(xvii) 13–1451 NOAA Pacific Coastal Salmon Recovery.

''(F) The term 'Federal and State Land and Water Conservation Fund sub-category' means discretionary appropriations for activities in the accounts described in (E)(i)–(E)(iv) or portions thereof.

''(G) The term 'State and Other Conservation sub-category' means discretionary appropriations for activities in the accounts described in (E)(v)–(E)(ix), with the exception of Urban and Community Forestry as described in (E)(ix), or portions thereof.

''(H) The term 'Urban and Historic Preservation sub-category' means discretionary appropriations for activities in the accounts described in (E)(ix)–(E)(xii), with the exception of Forest Legacy and Smart Growth Partnerships as described in (E)(ix), or portions thereof.

''(I) The term 'Payments in Lieu of Taxes sub-category' means discretionary appropriations for activities in the account described in (E)(xiii) or portions thereof.

''(J) The term 'Federal Deferred Maintenance sub-category' means discretionary appropriations for activities in the account described in (E)(xiv) or portions thereof.

''(K) The term 'Coastal Assistance sub-category' means discretionary appropriations for activities in the accounts described in (E)(xv)–(E)(xvii) or portions thereof.''.

TITLE IX

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $5,000,000,000.

This Act may be cited as the ''Department of the Interior and Related Agencies Appropriations Act, 2001''.

And the Senate agree to the same.

RALPH REGULA,
JIM KOLBE,
JOE SKEEN,
CHARLES H. TAYLOR,
GEORGE R. NETHERCUTT, Jr.,
ZACK WAMP,
JACK KINGSTON,
JOHN E. PETERSON,
BILL YOUNG,
NORMAN DICKS,
JOHN P. MURTHA,
JAMES P. MORAN,
BUD CRAMER,
MAURICE D. HINCHEY,
DAVID R. OBEY,
Managers on the part of the House.

SLADE GORTON,
TED STEVENS,
THAD COCHRAN,
PETE V. DOMENICI,
CONRAD BURNS,
ROBERT F. BENNETT,
JUDD GREGG,
BEN NIGHTHORSE CAMPBELL,
ROBERT C. BYRD,
PATRICK LEAHY,
FRITZ HOLLINGS,
HARRY REID,
BYRON L. DORGAN,
HERB KOHL,
DIANNE FEINSTEIN,
Managers on the part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LAHOOD, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 348 / Nays 69

¶102.17 [Roll No. 507]

YEAS—348

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Coble
Collins
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hastings (WA)
Hayes
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (PA)
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—69

Archer
Barr
Barton
Berry
Blunt
Brady (TX)
Bryant
Burr
Burton
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coburn
Combest
Cox
Crane
DeMint
Duncan
Emerson
Gibbons
Goode
Graham
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hayworth
Hoekstra
Hostettler

Hulshof
Hutchinson
Istook
Jefferson
John
Johnson, Sam
Jones (NC)
Largent
Metcalf
Miller, Gary
Myrick
Peterson (MN)
Petri
Pickering
Pitts
Pombo
Ramstad
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Smith (MI)
Stearns
Stupak
Talent
Tancredo
Tauzin
Thornberry
Tiahrt
Toomey
Vitter
Young (AK)

NOT VOTING—16

Baca
Dunn
Eshoo
Franks (NJ)
Hastings (FL)
Hefley
King (NY)
Lazio
Martinez
McCollum
McIntosh
Paul
Riley
Souder
Vento
Wexler

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶102.18 H. RES. 278—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 278) expressing the sense of the House of Representatives regarding the importance of education, early detection and treatment, and other efforts in the fight against breast cancer.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 420 / Nays 0

¶102.19 [Roll No. 508]

YEAS—420

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Coburn
Dunn
Eshoo
Franks (NJ)
Hastings (FL)
Hefley
King (NY)
Lazio
McCollum
McIntosh
Paul
Riley
Vento
Wexler

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶102.20 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 110

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 604):

Resolved, That upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 110) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶102.21 CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 604, called up the joint resolution (H.J. Res. 110) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 415 / Nays 1

¶102.22 [Roll No. 509]

YEAS—415

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

DeFazio

NOT VOTING—17

Ballenger
Dunn
Eshoo
Franks (NJ)
Hastings (FL)
Hefley
Hinojosa
Houghton
King (NY)
Lazio
McCollum
McIntosh
Meehan
Paul
Riley
Vento
Wexler

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶102.23 AGREEING TO THE AMENDMENTS OF THE SENATE WITH AN AMENDMENT TO H.R. 707

Mrs. FOWLER moved to suspend the rules and agree to the following resolution (H. Res. 607):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill H.R. 707, with the amendment of the Senate thereto, and to have concurred in the amendment of the Senate to the text with the following amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Disaster Mitigation Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PREDISASTER HAZARD MITIGATION

Sec. 101. Findings and purpose.
Sec. 102. Predisaster hazard mitigation.
Sec. 103. Interagency task force.
Sec. 104. Mitigation planning; minimum standards for public and private structures.

TITLE II—STREAMLINING AND COST REDUCTION

Sec. 201. Technical amendments.
Sec. 202. Management costs.
Sec. 203. Public notice, comment, and consultation requirements.
Sec. 204. State administration of hazard mitigation grant program.
Sec. 205. Assistance to repair, restore, reconstruct, or replace damaged facilities.
Sec. 206. Federal assistance to individuals and households.
Sec. 207. Community disaster loans.
Sec. 208. Report on State management of small disasters initiative.
Sec. 209. Study regarding cost reduction.

TITLE III—MISCELLANEOUS

Sec. 301. Technical correction of short title.
Sec. 302. Definitions.
Sec. 303. Fire management assistance.
Sec. 304. President's Council on Domestic Terrorism Preparedness.
Sec. 305. Disaster grant closeout procedures.
Sec. 306. Public safety officer benefits for certain Federal and State employees.
Sec. 307. Buy American.
Sec. 308. Treatment of certain real property.
Sec. 309. Study of participation by Indian tribes in emergency management.

TITLE I—PREDISASTER HAZARD MITIGATION

SEC. 101. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) natural disasters, including earthquakes, tsunamis, tornadoes, hurricanes, flooding, and wildfires, pose great danger to human life and to property throughout the United States;

(2) greater emphasis needs to be placed on—

(A) identifying and assessing the risks to States and local governments (including Indian tribes) from natural disasters;

(B) implementing adequate measures to reduce losses from natural disasters; and

(C) ensuring that the critical services and facilities of communities will continue to function after a natural disaster;

(3) expenditures for postdisaster assistance are increasing without commensurate reductions in the likelihood of future losses from natural disasters;

(4) in the expenditure of Federal funds under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), high priority should be given to mitigation of hazards at the local level; and

(5) with a unified effort of economic incentives, awareness and education, technical assistance, and demonstrated Federal support, States and local governments (including Indian tribes) will be able to—

(A) form effective community-based partnerships for hazard mitigation purposes;

(B) implement effective hazard mitigation measures that reduce the potential damage from natural disasters;

(C) ensure continued functionality of critical services;

(D) leverage additional non-Federal resources in meeting natural disaster resistance goals; and

(E) make commitments to long-term hazard mitigation efforts to be applied to new and existing structures.

(b) PURPOSE.—The purpose of this title is to establish a national disaster hazard mitigation program—

(1) to reduce the loss of life and property, human suffering, economic disruption, and disaster assistance costs resulting from natural disasters; and

(2) to provide a source of predisaster hazard mitigation funding that will assist States and local governments (including Indian tribes) in implementing effective hazard mitigation measures that are designed to ensure the continued functionality of critical services and facilities after a natural disaster.

SEC. 102. PREDISASTER HAZARD MITIGATION.

(a) IN GENERAL.—Title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.) is amended by adding at the end the following:

"SEC. 203. PREDISASTER HAZARD MITIGATION.

''(a) DEFINITION OF SMALL IMPOVERISHED COMMUNITY.—In this section, the term 'small impoverished community' means a community of 3,000 or fewer individuals that is economically disadvantaged, as determined by the State in which the community is located and based on criteria established by the President.

''(b) ESTABLISHMENT OF PROGRAM.—The President may establish a program to provide technical and financial assistance to States and local governments to assist in the implementation of predisaster hazard mitigation measures that are cost-effective and are designed to reduce injuries, loss of life, and damage and destruction of property, including damage to critical services and facilities under the jurisdiction of the States or local governments.

''(c) APPROVAL BY PRESIDENT.—If the President determines that a State or local government has identified natural disaster hazards in areas under its jurisdiction and has demonstrated the ability to form effective public-private natural disaster hazard mitigation partnerships, the President, using amounts in the National Predisaster Mitigation Fund established under subsection (i) (referred to in this section as the 'Fund'), may provide technical and financial assistance to the State or local government to be used in accordance with subsection (e).

''(d) STATE RECOMMENDATIONS.—

''(1) IN GENERAL.—

''(A) RECOMMENDATIONS.—The Governor of each State may recommend to the President not fewer than 5 local governments to receive assistance under this section.

''(B) DEADLINE FOR SUBMISSION.—The recommendations under subparagraph (A) shall be submitted to the President not later than October 1, 2001, and each October 1st thereafter or such later date in the year as the President may establish.

''(C) CRITERIA.—In making recommendations under subparagraph (A), a Governor shall consider the criteria specified in subsection (g).

''(2) USE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), in providing assistance to local governments under this section, the President shall select from local governments recommended by the Governors under this subsection.

''(B) EXTRAORDINARY CIRCUMSTANCES.—In providing assistance to local governments under this section, the President may select a local government that has not been recommended by a Governor under this subsection if the President determines that extraordinary circumstances justify the selection and that making the selection will further the purpose of this section.

''(3) EFFECT OF FAILURE TO NOMINATE.—If a Governor of a State fails to submit recommendations under this subsection in a timely manner, the President may select, subject to the criteria specified in subsection (g), any local governments of the State to receive assistance under this section.

''(e) USES OF TECHNICAL AND FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—Technical and financial assistance provided under this section—

''(A) shall be used by States and local governments principally to implement predisaster hazard mitigation measures that are cost-effective and are described in proposals approved by the President under this section; and

''(B) may be used—

''(i) to support effective public-private natural disaster hazard mitigation partnerships;

''(ii) to improve the assessment of a community's vulnerability to natural hazards; or

''(iii) to establish hazard mitigation priorities, and an appropriate hazard mitigation plan, for a community.

''(2) DISSEMINATION.—A State or local government may use not more than 10 percent of the financial assistance received by the State or local government under this section for a fiscal year to fund activities to disseminate information regarding cost-effective mitigation technologies.

''(f) ALLOCATION OF FUNDS.—The amount of financial assistance made available to a State (including amounts made available to local governments of the State) under this section for a fiscal year—

''(1) shall be not less than the lesser of—

''(A) $500,000; or

''(B) the amount that is equal to 1.0 percent of the total funds appropriated to carry out this section for the fiscal year;

''(2) shall not exceed 15 percent of the total funds described in paragraph (1)(B); and

''(3) shall be subject to the criteria specified in subsection (g).

''(g) CRITERIA FOR ASSISTANCE AWARDS.—In determining whether to provide technical and financial assistance to a State or local government under this section, the President shall take into account—

''(1) the extent and nature of the hazards to be mitigated;

''(2) the degree of commitment of the State or local government to reduce damages from future natural disasters;

''(3) the degree of commitment by the State or local government to support ongoing non-Federal support for the hazard mitigation measures to be carried out using the technical and financial assistance;

''(4) the extent to which the hazard mitigation measures to be carried out using the technical and financial assistance contribute to the mitigation goals and priorities established by the State;

''(5) the extent to which the technical and financial assistance is consistent with other assistance provided under this Act;

''(6) the extent to which prioritized, cost-effective mitigation activities that produce meaningful and definable outcomes are clearly identified;

''(7) if the State or local government has submitted a mitigation plan under section 322, the extent to which the activities identified under paragraph (6) are consistent with the mitigation plan;

''(8) the opportunity to fund activities that maximize net benefits to society;

''(9) the extent to which assistance will fund mitigation activities in small impoverished communities; and

''(10) such other criteria as the President establishes in consultation with State and local governments.

''(h) FEDERAL SHARE.—

''(1) IN GENERAL.—Financial assistance provided under this section may contribute up to 75 percent of the total cost of mitigation activities approved by the President.

''(2) SMALL IMPOVERISHED COMMUNITIES.—Notwithstanding paragraph (1), the President may contribute up to 90 percent of the total cost of a mitigation activity carried out in a small impoverished community.

''(i) NATIONAL PREDISASTER MITIGATION FUND.—

''(1) ESTABLISHMENT.—The President may establish in the Treasury of the United States a fund to be known as the 'National Predisaster Mitigation Fund', to be used in carrying out this section.

''(2) TRANSFERS TO FUND.—There shall be deposited in the Fund—

''(A) amounts appropriated to carry out this section, which shall remain available until expended; and

''(B) sums available from gifts, bequests, or donations of services or property received by the President for the purpose of predisaster hazard mitigation.

''(3) EXPENDITURES FROM FUND.—Upon request by the President, the Secretary of the Treasury shall transfer from the Fund to the President such amounts as the President determines are necessary to provide technical and financial assistance under this section.

''(4) INVESTMENT OF AMOUNTS.—

''(A) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

''(B) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under subparagraph (A), obligations may be acquired—

''(i) on original issue at the issue price; or

''(ii) by purchase of outstanding obligations at the market price.

''(C) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

''(D) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

''(E) TRANSFERS OF AMOUNTS.—

''(i) IN GENERAL.—The amounts required to be transferred to the Fund under this subsection shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

''(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

''(j) LIMITATION ON TOTAL AMOUNT OF FINANCIAL ASSISTANCE.—The President shall not provide financial assistance under this section in an amount greater than the amount available in the Fund.

''(k) MULTIHAZARD ADVISORY MAPS.—

''(1) DEFINITION OF MULTIHAZARD ADVISORY MAP.—In this subsection, the term 'multihazard advisory map' means a map on which hazard data concerning each type of natural disaster is identified simultaneously for the purpose of showing areas of hazard overlap.

''(2) DEVELOPMENT OF MAPS.—In consultation with States, local governments, and appropriate Federal agencies, the President shall develop multihazard advisory maps for areas, in not fewer than 5 States, that are subject to commonly recurring natural hazards (including flooding, hurricanes and severe winds, and seismic events).

''(3) USE OF TECHNOLOGY.—In developing multihazard advisory maps under this subsection, the President shall use, to the maximum extent practicable, the most cost-effective and efficient technology available.

''(4) USE OF MAPS.—

''(A) ADVISORY NATURE.—The multihazard advisory maps shall be considered to be advisory and shall not require the development of any new policy by, or impose any new policy on, any government or private entity.

''(B) AVAILABILITY OF MAPS.—The multihazard advisory maps shall be made available to the appropriate State and local governments for the purposes of—

''(i) informing the general public about the risks of natural hazards in the areas described in paragraph (2);

''(ii) supporting the activities described in subsection (e); and

''(iii) other public uses.

''(l) REPORT ON FEDERAL AND STATE ADMINISTRATION.—Not later than 18 months after the date of enactment of this section, the President, in consultation with State and local governments, shall submit to Congress a report evaluating efforts to implement this section and recommending a process for transferring greater authority and responsibility for administering the assistance program established under this section to capable States.

''(m) TERMINATION OF AUTHORITY.—The authority provided by this section terminates December 31, 2003.''.

(b) CONFORMING AMENDMENT.—Title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.) is amended by striking the title heading and inserting the following:

''TITLE II—DISASTER PREPAREDNESS AND MITIGATION ASSISTANCE''.

SEC. 103. INTERAGENCY TASK FORCE.

Title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.) (as amended by section 102(a)) is amended by adding at the end the following:

''SEC. 204. INTERAGENCY TASK FORCE.

''(a) IN GENERAL.—The President shall establish a Federal interagency task force for the purpose of coordinating the implementation of predisaster hazard mitigation programs administered by the Federal Government.

''(b) CHAIRPERSON.—The Director of the Federal Emergency Management Agency shall serve as the chairperson of the task force.

''(c) MEMBERSHIP.—The membership of the task force shall include representatives of—

''(1) relevant Federal agencies;

''(2) State and local government organizations (including Indian tribes); and

''(3) the American Red Cross.''.

SEC. 104. MITIGATION PLANNING; MINIMUM STANDARDS FOR PUBLIC AND PRIVATE STRUCTURES.

(a) IN GENERAL.—Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) is amended by adding at the end the following:

''SEC. 322. MITIGATION PLANNING.

''(a) REQUIREMENT OF MITIGATION PLAN.—As a condition of receipt of an increased Federal share for hazard mitigation measures under subsection (e), a State, local, or tribal government shall develop and submit for approval to the President a mitigation plan that outlines processes for identifying the natural hazards, risks, and vulnerabilities of the area under the jurisdiction of the government.

''(b) LOCAL AND TRIBAL PLANS.—Each mitigation plan developed by a local or tribal government shall—

''(1) describe actions to mitigate hazards, risks, and vulnerabilities identified under the plan; and

''(2) establish a strategy to implement those actions.

''(c) STATE PLANS.—The State process of development of a mitigation plan under this section shall—

''(1) identify the natural hazards, risks, and vulnerabilities of areas in the State;

''(2) support development of local mitigation plans;

''(3) provide for technical assistance to local and tribal governments for mitigation planning; and

''(4) identify and prioritize mitigation actions that the State will support, as resources become available.

''(d) FUNDING.—

''(1) IN GENERAL.—Federal contributions under section 404 may be used to fund the development and updating of mitigation plans under this section.

''(2) MAXIMUM FEDERAL CONTRIBUTION.—With respect to any mitigation plan, a State, local, or tribal government may use an amount of Federal contributions under section 404 not to exceed 7 percent of the amount of such contributions available to the government as of a date determined by the government.

''(e) INCREASED FEDERAL SHARE FOR HAZARD MITIGATION MEASURES.—

''(1) IN GENERAL.—If, at the time of the declaration of a major disaster, a State has in effect an approved mitigation plan under this section, the President may increase to 20 percent, with respect to the major disaster, the maximum percentage specified in the last sentence of section 404(a).

''(2) FACTORS FOR CONSIDERATION.—In determining whether to increase the maximum percentage under paragraph (1), the President shall consider whether the State has established—

''(A) eligibility criteria for property acquisition and other types of mitigation measures;

''(B) requirements for cost effectiveness that are related to the eligibility criteria;

''(C) a system of priorities that is related to the eligibility criteria; and

''(D) a process by which an assessment of the effectiveness of a mitigation action may be carried out after the mitigation action is complete.

''SEC. 323. MINIMUM STANDARDS FOR PUBLIC AND PRIVATE STRUCTURES.

''(a) IN GENERAL.—As a condition of receipt of a disaster loan or grant under this Act—

''(1) the recipient shall carry out any repair or construction to be financed with the loan or grant in accordance with applicable standards of safety, decency, and sanitation and in conformity with applicable codes, specifications, and standards; and

''(2) the President may require safe land use and construction practices, after adequate consultation with appropriate State and local government officials.

''(b) EVIDENCE OF COMPLIANCE.—A recipient of a disaster loan or grant under this Act shall provide such evidence of compliance with this section as the President may require by regulation.''.

(b) LOSSES FROM STRAIGHT LINE WINDS.—The President shall increase the maximum percentage specified in the last sentence of section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(a)) from 15 percent to 20 percent with respect to any major disaster that is in the State of Minnesota and for which assistance is being provided as of the date of enactment of this Act, except that additional assistance provided under this subsection shall not exceed $6,000,000. The mitigation measures assisted under this subsection shall be related to losses in the State of Minnesota from straight line winds.

(c) CONFORMING AMENDMENTS.—

(1) Section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(a)) is amended—

(A) in the second sentence, by striking ''section 409'' and inserting ''section 322''; and

(B) in the third sentence, by striking ''The total'' and inserting ''Subject to section 322, the total''.

(2) Section 409 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5176) is repealed.

TITLE II—STREAMLINING AND COST REDUCTION

SEC. 201. TECHNICAL AMENDMENTS.

Section 311 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5154) is amended in subsections (a)(1), (b), and (c) by striking ''section 803 of the Public Works and Economic Development Act of 1965'' each place it appears and inserting ''section 209(c)(2) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149(c)(2))''.

SEC. 202. MANAGEMENT COSTS.

(a) IN GENERAL.—Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) (as amended by section 104(a)) is amended by adding at the end the following:

''SEC. 324. MANAGEMENT COSTS.

''(a) DEFINITION OF MANAGEMENT COST.—In this section, the term 'management cost' includes any indirect cost, any administrative expense, and any other expense not directly chargeable to a specific project under a major disaster, emergency, or disaster preparedness or mitigation activity or measure.

''(b) ESTABLISHMENT OF MANAGEMENT COST RATES.—Notwithstanding any other provision of law (including any administrative rule or guidance), the President shall by regulation establish management cost rates, for grantees and subgrantees, that shall be used to determine contributions under this Act for management costs.

''(c) REVIEW.—The President shall review the management cost rates established under subsection (b) not later than 3 years after the date of establishment of the rates and periodically thereafter.''.

(b) APPLICABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), subsections (a) and (b) of section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as added by subsection (a)) shall apply to major disasters declared under that Act on or after the date of enactment of this Act.

(2) INTERIM AUTHORITY.—Until the date on which the President establishes the management cost rates under section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as added by subsection (a)), section 406(f) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(f)) (as in effect on the day before the date of enactment of this Act) shall be used to establish management cost rates.

SEC. 203. PUBLIC NOTICE, COMMENT, AND CONSULTATION REQUIREMENTS.

Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) (as amended by section 202(a)) is amended by adding at the end the following:

''SEC. 325. PUBLIC NOTICE, COMMENT, AND CONSULTATION REQUIREMENTS.

''(a) PUBLIC NOTICE AND COMMENT CONCERNING NEW OR MODIFIED POLICIES.—

''(1) IN GENERAL.—The President shall provide for public notice and opportunity for comment before adopting any new or modified policy that—

''(A) governs implementation of the public assistance program administered by the Federal Emergency Management Agency under this Act; and

''(B) could result in a significant reduction of assistance under the program.

''(2) APPLICATION.—Any policy adopted under paragraph (1) shall apply only to a major disaster or emergency declared on or after the date on which the policy is adopted.

''(b) CONSULTATION CONCERNING INTERIM POLICIES.—

''(1) IN GENERAL.—Before adopting any interim policy under the public assistance pro-

gram to address specific conditions that relate to a major disaster or emergency that has been declared under this Act, the President, to the maximum extent practicable, shall solicit the views and recommendations of grantees and subgrantees with respect to the major disaster or emergency concerning the potential interim policy, if the interim policy is likely—

''(A) to result in a significant reduction of assistance to applicants for the assistance with respect to the major disaster or emergency; or

''(B) to change the terms of a written agreement to which the Federal Government is a party concerning the declaration of the major disaster or emergency.

''(2) NO LEGAL RIGHT OF ACTION.—Nothing in this subsection confers a legal right of action on any party.

''(c) PUBLIC ACCESS.—The President shall promote public access to policies governing the implementation of the public assistance program.''.

SEC. 204. STATE ADMINISTRATION OF HAZARD MITIGATION GRANT PROGRAM.

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by adding at the end the following:

''(c) PROGRAM ADMINISTRATION BY STATES.—

''(1) IN GENERAL.—A State desiring to administer the hazard mitigation grant program established by this section with respect to hazard mitigation assistance in the State may submit to the President an application for the delegation of the authority to administer the program.

''(2) CRITERIA.—The President, in consultation and coordination with States and local governments, shall establish criteria for the approval of applications submitted under paragraph (1). The criteria shall include, at a minimum—

''(A) the demonstrated ability of the State to manage the grant program under this section;

''(B) there being in effect an approved mitigation plan under section 322; and

''(C) a demonstrated commitment to mitigation activities.

''(3) APPROVAL.—The President shall approve an application submitted under paragraph (1) that meets the criteria established under paragraph (2).

''(4) WITHDRAWAL OF APPROVAL.—If, after approving an application of a State submitted under paragraph (1), the President determines that the State is not administering the hazard mitigation grant program established by this section in a manner satisfactory to the President, the President shall withdraw the approval.

''(5) AUDITS.—The President shall provide for periodic audits of the hazard mitigation grant programs administered by States under this subsection.''.

SEC. 205. ASSISTANCE TO REPAIR, RESTORE, RECONSTRUCT, OR REPLACE DAMAGED FACILITIES.

(a) CONTRIBUTIONS.—Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) is amended by striking subsection (a) and inserting the following:

''(a) CONTRIBUTIONS.—

''(1) IN GENERAL.—The President may make contributions—

''(A) to a State or local government for the repair, restoration, reconstruction, or replacement of a public facility damaged or destroyed by a major disaster and for associated expenses incurred by the government; and

''(B) subject to paragraph (3), to a person that owns or operates a private nonprofit facility damaged or destroyed by a major disaster for the repair, restoration, reconstruction, or replacement of the facility and for associated expenses incurred by the person.

''(2) ASSOCIATED EXPENSES.—For the purposes of this section, associated expenses shall include—

''(A) the costs of mobilizing and employing the National Guard for performance of eligible work;

''(B) the costs of using prison labor to perform eligible work, including wages actually paid, transportation to a worksite, and extraordinary costs of guards, food, and lodging; and

''(C) base and overtime wages for the employees and extra hires of a State, local government, or person described in paragraph (1) that perform eligible work, plus fringe benefits on such wages to the extent that such benefits were being paid before the major disaster.

''(3) CONDITIONS FOR ASSISTANCE TO PRIVATE NONPROFIT FACILITIES.—

''(A) IN GENERAL.—The President may make contributions to a private nonprofit facility under paragraph (1)(B) only if—

''(i) the facility provides critical services (as defined by the President) in the event of a major disaster; or

''(ii) the owner or operator of the facility—

''(I) has applied for a disaster loan under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and

''(II)(aa) has been determined to be ineligible for such a loan; or

''(bb) has obtained such a loan in the maximum amount for which the Small Business Administration determines the facility is eligible.

''(B) DEFINITION OF CRITICAL SERVICES.—In this paragraph, the term 'critical services' includes power, water (including water provided by an irrigation organization or facility), sewer, wastewater treatment, communications, and emergency medical care.

''(4) NOTIFICATION TO CONGRESS.—Before making any contribution under this section in an amount greater than $20,000,000, the President shall notify—

''(A) the Committee on Environment and Public Works of the Senate;

''(B) the Committee on Transportation and Infrastructure of the House of Representatives;

''(C) the Committee on Appropriations of the Senate; and

''(D) the Committee on Appropriations of the House of Representatives.''.

(b) FEDERAL SHARE.—Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) is amended by striking subsection (b) and inserting the following:

''(b) FEDERAL SHARE.—

''(1) MINIMUM FEDERAL SHARE.—Except as provided in paragraph (2), the Federal share of assistance under this section shall be not less than 75 percent of the eligible cost of repair, restoration, reconstruction, or replacement carried out under this section.

''(2) REDUCED FEDERAL SHARE.—The President shall promulgate regulations to reduce the Federal share of assistance under this section to not less than 25 percent in the case of the repair, restoration, reconstruction, or replacement of any eligible public facility or private nonprofit facility following an event associated with a major disaster—

''(A) that has been damaged, on more than 1 occasion within the preceding 10-year period, by the same type of event; and

''(B) the owner of which has failed to implement appropriate mitigation measures to address the hazard that caused the damage to the facility.''.

(c) LARGE IN-LIEU CONTRIBUTIONS.—Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) is amended by striking subsection (c) and inserting the following:

''(c) LARGE IN-LIEU CONTRIBUTIONS.—

''(1) FOR PUBLIC FACILITIES.—

''(A) IN GENERAL.—In any case in which a State or local government determines that the public welfare would not best be served by repairing, restoring, reconstructing, or replacing any public facility owned or controlled by the State or local government, the State or local government may elect to receive, in lieu of a contribution under subsection (a)(1)(A), a contribution in an amount equal to 75 percent of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstructing, or replacing the facility and of management expenses.

''(B) AREAS WITH UNSTABLE SOIL.—In any case in which a State or local government determines that the public welfare would not best be served by repairing, restoring, reconstructing, or replacing any public facility owned or controlled by the State or local government because soil instability in the disaster area makes repair, restoration, reconstruction, or replacement infeasible, the State or local government may elect to receive, in lieu of a contribution under subsection (a)(1)(A), a contribution in an amount equal to 90 percent of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstructing, or replacing the facility and of management expenses.

''(C) USE OF FUNDS.—Funds contributed to a State or local government under this paragraph may be used—

''(i) to repair, restore, or expand other selected public facilities;

''(ii) to construct new facilities; or

''(iii) to fund hazard mitigation measures that the State or local government determines to be necessary to meet a need for governmental services and functions in the area affected by the major disaster.

''(D) LIMITATIONS.—Funds made available to a State or local government under this paragraph may not be used for—

''(i) any public facility located in a regulatory floodway (as defined in section 59.1 of title 44, Code of Federal Regulations (or a successor regulation)); or

''(ii) any uninsured public facility located in a special flood hazard area identified by the Director of the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

''(2) FOR PRIVATE NONPROFIT FACILITIES.—

''(A) IN GENERAL.—In any case in which a person that owns or operates a private nonprofit facility determines that the public welfare would not best be served by repairing, restoring, reconstructing, or replacing the facility, the person may elect to receive, in lieu of a contribution under subsection (a)(1)(B), a contribution in an amount equal to 75 percent of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstructing, or replacing the facility and of management expenses.

''(B) USE OF FUNDS.—Funds contributed to a person under this paragraph may be used—

''(i) to repair, restore, or expand other selected private nonprofit facilities owned or operated by the person;

''(ii) to construct new private nonprofit facilities to be owned or operated by the person; or

''(iii) to fund hazard mitigation measures that the person determines to be necessary to meet a need for the person's services and functions in the area affected by the major disaster.

''(C) LIMITATIONS.—Funds made available to a person under this paragraph may not be used for—

''(i) any private nonprofit facility located in a regulatory floodway (as defined in sec-

tion 59.1 of title 44, Code of Federal Regulations (or a successor regulation)); or

''(ii) any uninsured private nonprofit facility located in a special flood hazard area identified by the Director of the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).''.

(d) ELIGIBLE COST.—

(1) IN GENERAL.—Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) is amended by striking subsection (e) and inserting the following:

''(e) ELIGIBLE COST.—

''(1) DETERMINATION.—

''(A) IN GENERAL.—For the purposes of this section, the President shall estimate the eligible cost of repairing, restoring, reconstructing, or replacing a public facility or private nonprofit facility—

''(i) on the basis of the design of the facility as the facility existed immediately before the major disaster; and

''(ii) in conformity with codes, specifications, and standards (including floodplain management and hazard mitigation criteria required by the President or under the Coastal Barrier Resources Act (16 U.S.C. 3501 et seq.)) applicable at the time at which the disaster occurred.

''(B) COST ESTIMATION PROCEDURES.—

''(i) IN GENERAL.—Subject to paragraph (2), the President shall use the cost estimation procedures established under paragraph (3) to determine the eligible cost under this subsection.

''(ii) APPLICABILITY.—The procedures specified in this paragraph and paragraph (2) shall apply only to projects the eligible cost of which is equal to or greater than the amount specified in section 422.

''(2) MODIFICATION OF ELIGIBLE COST.—

''(A) ACTUAL COST GREATER THAN CEILING PERCENTAGE OF ESTIMATED COST.—In any case in which the actual cost of repairing, restoring, reconstructing, or replacing a facility under this section is greater than the ceiling percentage established under paragraph (3) of the cost estimated under paragraph (1), the President may determine that the eligible cost includes a portion of the actual cost of the repair, restoration, reconstruction, or replacement that exceeds the cost estimated under paragraph (1).

''(B) ACTUAL COST LESS THAN ESTIMATED COST.—

''(i) GREATER THAN OR EQUAL TO FLOOR PERCENTAGE OF ESTIMATED COST.—In any case in which the actual cost of repairing, restoring, reconstructing, or replacing a facility under this section is less than 100 percent of the cost estimated under paragraph (1), but is greater than or equal to the floor percentage established under paragraph (3) of the cost estimated under paragraph (1), the State or local government or person receiving funds under this section shall use the excess funds to carry out cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster.

''(ii) LESS THAN FLOOR PERCENTAGE OF ESTIMATED COST.—In any case in which the actual cost of repairing, restoring, reconstructing, or replacing a facility under this section is less than the floor percentage established under paragraph (3) of the cost estimated under paragraph (1), the State or local government or person receiving assistance under this section shall reimburse the President in the amount of the difference.

''(C) NO EFFECT ON APPEALS PROCESS.—Nothing in this paragraph affects any right of appeal under section 423.

''(3) EXPERT PANEL.—

''(A) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this paragraph, the President, acting through the Director of the Federal Emergency Management Agency, shall establish an expert panel, which shall include representatives from the construction industry and State and local government.

''(B) DUTIES.—The expert panel shall develop recommendations concerning—

''(i) procedures for estimating the cost of repairing, restoring, reconstructing, or replacing a facility consistent with industry practices; and

''(ii) the ceiling and floor percentages referred to in paragraph (2).

''(C) REGULATIONS.—Taking into account the recommendations of the expert panel under subparagraph (B), the President shall promulgate regulations that establish—

''(i) cost estimation procedures described in subparagraph (B)(i); and

''(ii) the ceiling and floor percentages referred to in paragraph (2).

''(D) REVIEW BY PRESIDENT.—Not later than 2 years after the date of promulgation of regulations under subparagraph (C) and periodically thereafter, the President shall review the cost estimation procedures and the ceiling and floor percentages established under this paragraph.

''(E) REPORT TO CONGRESS.—Not later than 1 year after the date of promulgation of regulations under subparagraph (C), 3 years after that date, and at the end of each 2-year period thereafter, the expert panel shall submit to Congress a report on the appropriateness of the cost estimation procedures.

''(4) SPECIAL RULE.—In any case in which the facility being repaired, restored, reconstructed, or replaced under this section was under construction on the date of the major disaster, the cost of repairing, restoring, reconstructing, or replacing the facility shall include, for the purposes of this section, only those costs that, under the contract for the construction, are the owner's responsibility and not the contractor's responsibility.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) takes effect on the date of enactment of this Act and applies to funds appropriated after the date of enactment of this Act, except that paragraph (1) of section 406(e) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as amended by paragraph (1)) takes effect on the date on which the cost estimation procedures established under paragraph (3) of that section take effect.

(e) CONFORMING AMENDMENT.—Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) is amended by striking subsection (f).

SEC. 206. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

(a) IN GENERAL.—Section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) is amended to read as follows:

''SEC. 408. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

''(a) IN GENERAL.—

''(1) PROVISION OF ASSISTANCE.—In accordance with this section, the President, in consultation with the Governor of a State, may provide financial assistance, and, if necessary, direct services, to individuals and households in the State who, as a direct result of a major disaster, have necessary expenses and serious needs in cases in which the individuals and households are unable to meet such expenses or needs through other means.

''(2) RELATIONSHIP TO OTHER ASSISTANCE.—Under paragraph (1), an individual or household shall not be denied assistance under paragraph (1), (3), or (4) of subsection (c) solely on the basis that the individual or household has not applied for or received any loan or other financial assistance from the Small Business Administration or any other Federal agency.

''(b) HOUSING ASSISTANCE.—

''(1) ELIGIBILITY.—The President may provide financial or other assistance under this section to individuals and households to respond to the disaster-related housing needs of individuals and households who are displaced from their predisaster primary residences or whose predisaster primary residences are rendered uninhabitable as a result of damage caused by a major disaster.

''(2) DETERMINATION OF APPROPRIATE TYPES OF ASSISTANCE.—

''(A) IN GENERAL.—The President shall determine appropriate types of housing assistance to be provided under this section to individuals and households described in subsection (a)(1) based on considerations of cost effectiveness, convenience to the individuals and households, and such other factors as the President may consider appropriate.

''(B) MULTIPLE TYPES OF ASSISTANCE.—One or more types of housing assistance may be made available under this section, based on the suitability and availability of the types of assistance, to meet the needs of individuals and households in the particular disaster situation.

''(c) TYPES OF HOUSING ASSISTANCE.—

''(1) TEMPORARY HOUSING.—

''(A) FINANCIAL ASSISTANCE.—

''(i) IN GENERAL.—The President may provide financial assistance to individuals or households to rent alternate housing accommodations, existing rental units, manufactured housing, recreational vehicles, or other readily fabricated dwellings.

''(ii) AMOUNT.—The amount of assistance under clause (i) shall be based on the fair market rent for the accommodation provided plus the cost of any transportation, utility hookups, or unit installation not provided directly by the President.

''(B) DIRECT ASSISTANCE.—

''(i) IN GENERAL.—The President may provide temporary housing units, acquired by purchase or lease, directly to individuals or households who, because of a lack of available housing resources, would be unable to make use of the assistance provided under subparagraph (A).

''(ii) PERIOD OF ASSISTANCE.—The President may not provide direct assistance under clause (i) with respect to a major disaster after the end of the 18-month period beginning on the date of the declaration of the major disaster by the President, except that the President may extend that period if the President determines that due to extraordinary circumstances an extension would be in the public interest.

''(iii) COLLECTION OF RENTAL CHARGES.—After the end of the 18-month period referred to in clause (ii), the President may charge fair market rent for each temporary housing unit provided.

''(2) REPAIRS.—

''(A) IN GENERAL.—The President may provide financial assistance for—

''(i) the repair of owner-occupied private residences, utilities, and residential infrastructure (such as a private access route) damaged by a major disaster to a safe and sanitary living or functioning condition; and

''(ii) eligible hazard mitigation measures that reduce the likelihood of future damage to such residences, utilities, or infrastructure.

''(B) RELATIONSHIP TO OTHER ASSISTANCE.—A recipient of assistance provided under this paragraph shall not be required to show that the assistance can be met through other means, except insurance proceeds.

''(C) MAXIMUM AMOUNT OF ASSISTANCE.—The amount of assistance provided to a household under this paragraph shall not exceed $5,000, as adjusted annually to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

''(3) REPLACEMENT.—

''(A) IN GENERAL.—The President may provide financial assistance for the replacement of owner-occupied private residences damaged by a major disaster.

''(B) MAXIMUM AMOUNT OF ASSISTANCE.—The amount of assistance provided to a household under this paragraph shall not exceed $10,000, as adjusted annually to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

''(C) APPLICABILITY OF FLOOD INSURANCE REQUIREMENT.—With respect to assistance provided under this paragraph, the President may not waive any provision of Federal law requiring the purchase of flood insurance as a condition of the receipt of Federal disaster assistance.

''(4) PERMANENT HOUSING CONSTRUCTION.—The President may provide financial assistance or direct assistance to individuals or households to construct permanent housing in insular areas outside the continental United States and in other remote locations in cases in which—

''(A) no alternative housing resources are available; and

''(B) the types of temporary housing assistance described in paragraph (1) are unavailable, infeasible, or not cost-effective.

''(d) TERMS AND CONDITIONS RELATING TO HOUSING ASSISTANCE.—

''(1) SITES.—

''(A) IN GENERAL.—Any readily fabricated dwelling provided under this section shall, whenever practicable, be located on a site that—

''(i) is complete with utilities; and

''(ii) is provided by the State or local government, by the owner of the site, or by the occupant who was displaced by the major disaster.

''(B) SITES PROVIDED BY THE PRESIDENT.—A readily fabricated dwelling may be located on a site provided by the President if the President determines that such a site would be more economical or accessible.

''(2) DISPOSAL OF UNITS.—

''(A) SALE TO OCCUPANTS.—

''(i) IN GENERAL.—Notwithstanding any other provision of law, a temporary housing unit purchased under this section by the President for the purpose of housing disaster victims may be sold directly to the individual or household who is occupying the unit if the individual or household lacks permanent housing.

''(ii) SALE PRICE.—A sale of a temporary housing unit under clause (i) shall be at a price that is fair and equitable.

''(iii) DEPOSIT OF PROCEEDS.—Notwithstanding any other provision of law, the proceeds of a sale under clause (i) shall be deposited in the appropriate Disaster Relief Fund account.

''(iv) HAZARD AND FLOOD INSURANCE.—A sale of a temporary housing unit under clause (i) shall be made on the condition that the individual or household purchasing the housing unit agrees to obtain and maintain hazard and flood insurance on the housing unit.

''(v) USE OF GSA SERVICES.—The President may use the services of the General Services Administration to accomplish a sale under clause (i).

''(B) OTHER METHODS OF DISPOSAL.—If not disposed of under subparagraph (A), a temporary housing unit purchased under this section by the President for the purpose of housing disaster victims—

''(i) may be sold to any person; or

''(ii) may be sold, transferred, donated, or otherwise made available directly to a State or other governmental entity or to a voluntary organization for the sole purpose of providing temporary housing to disaster victims in major disasters and emergencies if, as a condition of the sale, transfer, or donation, the State, other governmental agency, or voluntary organization agrees—

''(I) to comply with the nondiscrimination provisions of section 308; and

''(II) to obtain and maintain hazard and flood insurance on the housing unit.

''(e) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—

''(1) MEDICAL, DENTAL, AND FUNERAL EXPENSES.—The President, in consultation with the Governor of a State, may provide financial assistance under this section to an individual or household in the State who is adversely affected by a major disaster to meet disaster-related medical, dental, and funeral expenses.

''(2) PERSONAL PROPERTY, TRANSPORTATION, AND OTHER EXPENSES.—The President, in consultation with the Governor of a State, may provide financial assistance under this section to an individual or household described in paragraph (1) to address personal property, transportation, and other necessary expenses or serious needs resulting from the major disaster.

''(f) STATE ROLE.—

''(1) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—

''(A) GRANT TO STATE.—Subject to subsection (g), a Governor may request a grant from the President to provide financial assistance to individuals and households in the State under subsection (e).

''(B) ADMINISTRATIVE COSTS.—A State that receives a grant under subparagraph (A) may expend not more than 5 percent of the amount of the grant for the administrative costs of providing financial assistance to individuals and households in the State under subsection (e).

''(2) ACCESS TO RECORDS.—In providing assistance to individuals and households under this section, the President shall provide for the substantial and ongoing involvement of the States in which the individuals and households are located, including by providing to the States access to the electronic records of individuals and households receiving assistance under this section in order for the States to make available any additional State and local assistance to the individuals and households.

''(g) COST SHARING.—

''(1) FEDERAL SHARE.—Except as provided in paragraph (2), the Federal share of the costs eligible to be paid using assistance provided under this section shall be 100 percent.

''(2) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—In the case of financial assistance provided under subsection (e)—

''(A) the Federal share shall be 75 percent; and

''(B) the non-Federal share shall be paid from funds made available by the State.

''(h) MAXIMUM AMOUNT OF ASSISTANCE.—

''(1) IN GENERAL.—No individual or household shall receive financial assistance greater than $25,000 under this section with respect to a single major disaster.

''(2) ADJUSTMENT OF LIMIT.—The limit established under paragraph (1) shall be adjusted annually to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

''(i) RULES AND REGULATIONS.—The President shall prescribe rules and regulations to carry out this section, including criteria, standards, and procedures for determining eligibility for assistance.''.

(b) CONFORMING AMENDMENT.—Section 502(a)(6) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5192(a)(6)) is amended by striking ''temporary housing''.

(c) ELIMINATION OF INDIVIDUAL AND FAMILY GRANT PROGRAMS.—Section 411 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5178) is repealed.

(d) EFFECTIVE DATE.—The amendments made by this section take effect 18 months after the date of enactment of this Act.

SEC. 207. COMMUNITY DISASTER LOANS.

Section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184) is amended—

(1) by striking ''(a) The President'' and inserting the following:

''(a) IN GENERAL.—The President'';

(2) by striking ''The amount'' and inserting the following:

''(b) AMOUNT.—The amount'';

(3) by striking ''Repayment'' and inserting the following:

''(c) REPAYMENT.—

''(1) CANCELLATION.—Repayment'';

(4) by striking ''(b) Any loans'' and inserting the following:

''(d) EFFECT ON OTHER ASSISTANCE.—Any loans'';

(5) in subsection (b) (as designated by paragraph (2))—

(A) by striking ''and shall'' and inserting ''shall''; and

(B) by inserting before the period at the end the following: '', and shall not exceed $5,000,000''; and

(6) in subsection (c) (as designated by paragraph (3)), by adding at the end the following:

''(2) CONDITION ON CONTINUING ELIGIBILITY.—A local government shall not be eligible for further assistance under this section during any period in which the local government is in arrears with respect to a required repayment of a loan under this section.''.

SEC. 208. REPORT ON STATE MANAGEMENT OF SMALL DISASTERS INITIATIVE.

Not later than 3 years after the date of enactment of this Act, the President shall submit to Congress a report describing the results of the State Management of Small Disasters Initiative, including—

(1) identification of any administrative or financial benefits of the initiative; and

(2) recommendations concerning the conditions, if any, under which States should be allowed the option to administer parts of the assistance program under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172).

SEC. 209. STUDY REGARDING COST REDUCTION.

Not later than 3 years after the date of enactment of this Act, the Director of the Congressional Budget Office shall complete a study estimating the reduction in Federal disaster assistance that has resulted and is likely to result from the enactment of this Act.

TITLE III—MISCELLANEOUS

SEC. 301. TECHNICAL CORRECTION OF SHORT TITLE.

The first section of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 note) is amended to read as follows:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Robert T. Stafford Disaster Relief and Emergency Assistance Act'.''.

SEC. 302. DEFINITIONS.

Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended—

(1) in each of paragraphs (3) and (4), by striking ''the Northern'' and all that follows through ''Pacific Islands'' and inserting ''and the Commonwealth of the Northern Mariana Islands'';

(2) by striking paragraph (6) and inserting the following:

''(6) LOCAL GOVERNMENT.—The term 'local government' means—

''(A) a county, municipality, city, town, township, local public authority, school dis-

trict, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government;

''(B) an Indian tribe or authorized tribal organization, or Alaska Native village or organization; and

''(C) a rural community, unincorporated town or village, or other public entity, for which an application for assistance is made by a State or political subdivision of a State.''; and

(3) in paragraph (9), by inserting ''irrigation,'' after ''utility,''.

SEC. 303. FIRE MANAGEMENT ASSISTANCE.

(a) IN GENERAL.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended to read as follows:

''SEC. 420. FIRE MANAGEMENT ASSISTANCE.

''(a) IN GENERAL.—The President is authorized to provide assistance, including grants, equipment, supplies, and personnel, to any State or local government for the mitigation, management, and control of any fire on public or private forest land or grassland that threatens such destruction as would constitute a major disaster.

''(b) COORDINATION WITH STATE AND TRIBAL DEPARTMENTS OF FORESTRY.—In providing assistance under this section, the President shall coordinate with State and tribal departments of forestry.

''(c) ESSENTIAL ASSISTANCE.—In providing assistance under this section, the President may use the authority provided under section 403.

''(d) RULES AND REGULATIONS.—The President shall prescribe such rules and regulations as are necessary to carry out this section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect 1 year after the date of enactment of this Act.

SEC. 304. PRESIDENT'S COUNCIL ON DOMESTIC TERRORISM PREPAREDNESS.

Title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195 et seq.) is amended by adding at the end the following:

''Subtitle C—President's Council on Domestic Terrorism Preparedness

''SEC. 651. ESTABLISHMENT OF COUNCIL.

''(a) IN GENERAL.—There is established a council to be known as the President's Council on Domestic Terrorism Preparedness (in this subtitle referred to as the 'Council').

''(b) MEMBERSHIP.—The Council shall be composed of the following members:

''(1) The President.

''(2) The Director of the Federal Emergency Management Agency.

''(3) The Attorney General.

''(4) The Secretary of Defense.

''(5) The Director of the Office of Management and Budget.

''(6) The Assistant to the President for National Security Affairs.

''(7) Any additional members appointed by the President.

''(c) CHAIRMAN.—

''(1) IN GENERAL.—The President shall serve as the chairman of the Council.

''(2) EXECUTIVE CHAIRMAN.—The President may appoint an Executive Chairman of the Council (in this subtitle referred to as the 'Executive Chairman'). The Executive Chairman shall represent the President as chairman of the Council, including in communications with Congress and State Governors.

''(3) SENATE CONFIRMATION.—An individual selected to be the Executive Chairman under paragraph (2) shall be appointed by and with the advice and consent of the Senate, except that Senate confirmation shall not be required if, on the date of appointment, the individual holds a position for which Senate confirmation was required.

''(d) FIRST MEETING.—The first meeting of the Council shall be held not later than 90 days after the date of the enactment of this Act.

''SEC. 652. DUTIES OF COUNCIL.

''The Council shall carry out the following duties:

''(1) Establish the policies, objectives, and priorities of the Federal Government for enhancing the capabilities of State and local emergency preparedness and response personnel in early detection and warning of and response to all domestic terrorist attacks, including attacks involving weapons of mass destruction.

''(2) Publish a Domestic Terrorism Preparedness Plan and an annual strategy for carrying out the plan in accordance with section 653, including the end state of preparedness for emergency responders established under section 653(b)(1)(D).

''(3) To the extent practicable, rely on existing resources (including planning documents, equipment lists, and program inventories) in the execution of its duties.

''(4) Consult with and utilize existing interagency boards and committees, existing governmental entities, and non-governmental organizations in the execution of its duties.

''(5) Ensure that a biennial review of the terrorist attack preparedness programs of State and local governmental entities is conducted and provide recommendations to the entities based on the reviews.

''(6) Provide for the creation of a State and local advisory group for the Council, to be composed of individuals involved in State and local emergency preparedness and response to terrorist attacks.

''(7) Provide for the establishment by the Council's State and local advisory group of voluntary guidelines for the terrorist attack preparedness programs of State and local governmental entities in accordance with section 655.

''(8) Designate a Federal entity to consult with, and serve as a contact for, State and local governmental entities implementing terrorist attack preparedness programs.

''(9) Coordinate and oversee the implementation by Federal departments and agencies of the policies, objectives, and priorities established under paragraph (1) and the fulfillment of the responsibilities of such departments and agencies under the Domestic Terrorism Preparedness Plan.

''(10) Make recommendations to the heads of appropriate Federal departments and agencies regarding—

''(A) changes in the organization, management, and resource allocations of the departments and agencies; and

''(B) the allocation of personnel to and within the departments and agencies,

to implement the Domestic Terrorism Preparedness Plan.

''(11) Assess all Federal terrorism preparedness programs and ensure that each program complies with the Domestic Terrorism Preparedness Plan.

''(12) Identify duplication, fragmentation, and overlap within Federal terrorism preparedness programs and eliminate such duplication, fragmentation and overlap.

''(13) Evaluate Federal emergency response assets and make recommendations regarding the organization, need, and geographic location of such assets.

''(14) Establish general policies regarding financial assistance to States based on potential risk and threat, response capabilities, and ability to achieve the end state of preparedness for emergency responders established under section 653(b)(1)(D).

''(15) Notify a Federal department or agency in writing if the Council finds that its policies are not in compliance with its responsibilities under the Domestic Terrorism Preparedness Plan.

''SEC. 653. DOMESTIC TERRORISM PREPAREDNESS PLAN AND ANNUAL STRATEGY.

''(a) DEVELOPMENT OF PLAN.—Not later than 180 days after the date of the first meeting of the Council, the Council shall develop a Domestic Terrorism Preparedness Plan and transmit a copy of the plan to Congress.

''(b) CONTENTS.—

''(1) IN GENERAL.—The Domestic Terrorism Preparedness Plan shall include the following:

''(A) A statement of the policies, objectives, and priorities established by the Council under section 652(1).

''(B) A plan for implementing such policies, objectives, and priorities that is based on a threat, risk, and capability assessment and includes measurable objectives to be achieved in each of the following 5 years for enhancing domestic preparedness against a terrorist attack.

''(C) A description of the specific role of each Federal department and agency, and the roles of State and local governmental entities, under the plan developed under subparagraph (B).

''(D) A definition of an end state of preparedness for emergency responders that sets forth measurable, minimum standards of acceptability for preparedness.

''(2) EVALUATION OF FEDERAL RESPONSE TEAMS.—In preparing the description under paragraph (1)(C), the Council shall evaluate each Federal response team and the assistance that the team offers to State and local emergency personnel when responding to a terrorist attack. The evaluation shall include an assessment of how the Federal response team will assist State and local emergency personnel after the personnel has achieved the end state of preparedness for emergency responders established under paragraph (1)(D).

''(c) ANNUAL STRATEGY.—

''(1) IN GENERAL.—The Council shall develop and transmit to Congress, on the date of transmittal of the Domestic Terrorism Preparedness Plan and, in each of the succeeding 4 fiscal years, on the date that the President submits an annual budget to Congress in accordance with section 1105(a) of title 31, United States Code, an annual strategy for carrying out the Domestic Terrorism Preparedness Plan in the fiscal year following the fiscal year in which the strategy is submitted.

''(2) CONTENTS.—The annual strategy for a fiscal year shall include the following:

''(A) An inventory of Federal training and exercise programs, response teams, grant programs, and other programs and activities related to domestic preparedness against a terrorist attack conducted in the preceding fiscal year and a determination as to whether any of such programs or activities may be duplicative. The inventory shall consist of a complete description of each such program and activity, including the funding level and purpose of and goal to be achieved by the program or activity.

''(B) If the Council determines under subparagraph (A) that certain programs and activities are duplicative, a detailed plan for consolidating, eliminating, or modifying the programs and activities.

''(C) An inventory of Federal training and exercise programs, grant programs, response teams, and other programs and activities to be conducted in such fiscal year under the Domestic Terrorism Preparedness Plan and measurable objectives to be achieved in such fiscal year for enhancing domestic preparedness against a terrorist attack. The inven-

tory shall provide for implementation of any plan developed under subparagraph (B), relating to duplicative programs and activities.

''(D) A complete assessment of how resource allocation recommendations developed under section 654(a) are intended to implement the annual strategy.

''(d) CONSULTATION.—

''(1) IN GENERAL.—In developing the Domestic Terrorism Preparedness Plan and each annual strategy for carrying out the plan, the Council shall consult with—

''(A) the head of each Federal department and agency that will have responsibilities under the Domestic Terrorism Preparedness Plan or annual strategy;

''(B) Congress;

''(C) State and local officials;

''(D) congressionally authorized panels; and

''(E) emergency preparedness organizations with memberships that include State and local emergency responders.

''(2) REPORTS.—As part of the Domestic Terrorism Preparedness Plan and each annual strategy for carrying out the plan, the Council shall include a written statement indicating the persons consulted under this subsection and the recommendations made by such persons.

''(e) TRANSMISSION OF CLASSIFIED INFORMATION.—Any part of the Domestic Terrorism Preparedness Plan or an annual strategy for carrying out the plan that involves information properly classified under criteria established by an Executive order shall be presented to Congress separately.

''(f) RISK OF TERRORIST ATTACKS AGAINST TRANSPORTATION FACILITIES.—

''(1) IN GENERAL.—In developing the plan and risk assessment under subsection (b), the Council shall designate an entity to assess the risk of terrorist attacks against transportation facilities, personnel, and passengers.

''(2) CONTENTS.—In developing the plan and risk assessment under subsection (b), the Council shall ensure that the following three tasks are accomplished:

''(A) An examination of the extent to which transportation facilities, personnel, and passengers have been the target of terrorist attacks and the extent to which such facilities, personnel, and passengers are vulnerable to such attacks.

''(B) An evaluation of Federal laws that can be used to combat terrorist attacks against transportation facilities, personnel, and passengers, and the extent to which such laws are enforced. The evaluation may also include a review of applicable State laws.

''(C) An evaluation of available technologies and practices to determine the best means of protecting transportation facilities, personnel, and passengers against terrorist attacks.

''(3) CONSULTATION.—In developing the plan and risk assessment under subsection (b), the Council shall consult with the Secretary of Transportation, representatives of persons providing transportation, and representatives of employees of such persons.

''(g) MONITORING.—The Council, with the assistance of the Inspector General of the relevant Federal department or agency as needed, shall monitor the implementation of the Domestic Terrorism Preparedness Plan, including conducting program and performance audits and evaluations.

''SEC. 654. NATIONAL DOMESTIC PREPAREDNESS BUDGET.

''(a) RECOMMENDATIONS REGARDING RESOURCE ALLOCATIONS.—

''(1) TRANSMITTAL TO COUNCIL.—Each Federal Government program manager, agency head, and department head with responsibilities under the Domestic Terrorism Preparedness Plan shall transmit to the Council for each fiscal year recommended resource allocations for programs and activities relating to such responsibilities on or before the earlier of—

''(A) the 45th day before the date of the budget submission of the department or agency to the Director of the Office of Management and Budget for the fiscal year; or

''(B) August 15 of the fiscal year preceding the fiscal year for which the recommendations are being made.

''(2) TRANSMITTAL TO THE OFFICE OF MANAGEMENT AND BUDGET.—The Council shall develop for each fiscal year recommendations regarding resource allocations for each program and activity identified in the annual strategy completed under section 653 for the fiscal year. Such recommendations shall be submitted to the relevant departments and agencies and to the Director of the Office of Management and Budget. The Director of the Office of Management and Budget shall consider such recommendations in formulating the annual budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, and shall provide to the Council a written explanation in any case in which the Director does not accept such a recommendation.

''(3) RECORDS.—The Council shall maintain records regarding recommendations made and written explanations received under paragraph (2) and shall provide such records to Congress upon request. The Council may not fulfill such a request before the date of submission of the relevant annual budget of the President to Congress under section 1105(a) of title 31, United States Code.

''(4) NEW PROGRAMS OR REALLOCATION OF RESOURCES.—The head of a Federal department or agency shall consult with the Council before acting to enhance the capabilities of State and local emergency preparedness and response personnel with respect to terrorist attacks by—

''(A) establishing a new program or office; or

''(B) reallocating resources, including Federal response teams.

''SEC. 655. VOLUNTARY GUIDELINES FOR STATE AND LOCAL PROGRAMS.

''The Council shall provide for the establishment of voluntary guidelines for the terrorist attack preparedness programs of State and local governmental entities for the purpose of providing guidance in the development and implementation of such programs. The guidelines shall address equipment, exercises, and training and shall establish a desired threshold level of preparedness for State and local emergency responders.

''SEC. 656. POWERS OF COUNCIL.

''In carrying out this subtitle, the Council may—

''(1) direct, with the concurrence of the Secretary of a department or head of an agency, the temporary reassignment within the Federal Government of personnel employed by such department or agency;

''(2) use for administrative purposes, on a reimbursable basis, the available services, equipment, personnel, and facilities of Federal, State, and local agencies;

''(3) procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, relating to appointments in the Federal Service, at rates of compensation for individuals not to exceed the daily equivalent of the rate of pay payable for GS–18 of the General Schedule under section 5332 of title 5, United States Code;

''(4) accept and use donations of property from Federal, State, and local government agencies;

''(5) use the mails in the same manner as any other department or agency of the executive branch; and

''(6) request the assistance of the Inspector General of a Federal department or agency in conducting audits and evaluations under section 653(g).

''SEC. 657. ROLE OF COUNCIL IN NATIONAL SECURITY COUNCIL EFFORTS.

''The Council may, in the Council's role as principal adviser to the National Security Council on Federal efforts to assist State and local governmental entities in domestic terrorist attack preparedness matters, and subject to the direction of the President, attend and participate in meetings of the National Security Council. The Council may, subject to the direction of the President, participate in the National Security Council's working group structure.

''SEC. 658. EXECUTIVE DIRECTOR AND STAFF OF COUNCIL.

''(a) EXECUTIVE DIRECTOR.—The Council shall have an Executive Director who shall be appointed by the President.

''(b) STAFF.—The Executive Director may appoint such personnel as the Executive Director considers appropriate. Such personnel shall be assigned to the Council on a full-time basis and shall report to the Executive Director.

''(c) ADMINISTRATIVE SUPPORT SERVICES.—The Executive Office of the President shall provide to the Council, on a reimbursable basis, such administrative support services, including office space, as the Council may request.

''SEC. 659. COORDINATION WITH EXECUTIVE BRANCH DEPARTMENTS AND AGENCIES.

''(a) REQUESTS FOR ASSISTANCE.—The head of each Federal department and agency with responsibilities under the Domestic Terrorism Preparedness Plan shall cooperate with the Council and, subject to laws governing disclosure of information, provide such assistance, information, and advice as the Council may request.

''(b) CERTIFICATION OF POLICY CHANGES BY COUNCIL.—

''(1) IN GENERAL.—The head of each Federal department and agency with responsibilities under the Domestic Terrorism Preparedness Plan shall, unless exigent circumstances require otherwise, notify the Council in writing regarding any proposed change in policies relating to the activities of such department or agency under the Domestic Terrorism Preparedness Plan prior to implementation of such change. The Council shall promptly review such proposed change and certify to the department or agency head in writing whether such change is consistent with the Domestic Terrorism Preparedness Plan.

''(2) NOTICE IN EXIGENT CIRCUMSTANCES.—If prior notice of a proposed change under paragraph (1) is not possible, the department or agency head shall notify the Council as soon as practicable. The Council shall review such change and certify to the department or agency head in writing whether such change is consistent with the Domestic Terrorism Preparedness Plan.

''SEC. 660. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out this subtitle $9,000,000 for fiscal year 2001 and such sums as may be necessary for each of fiscal years 2002 through 2005. Such sums shall remain available until expended.''.

SEC. 305. DISASTER GRANT CLOSEOUT PROCEDURES.

Title VII of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5101 et seq.) is amended by adding at the end the following:

''SEC. 705. DISASTER GRANT CLOSEOUT PROCEDURES.

''(a) STATUTE OF LIMITATIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no administrative action to

recover any payment made to a State or local government for disaster or emergency assistance under this Act shall be initiated in any forum after the date that is 3 years after the date of transmission of the final expenditure report for the disaster or emergency.

''(2) FRAUD EXCEPTION.—The limitation under paragraph (1) shall apply unless there is evidence of civil or criminal fraud.

''(b) REBUTTAL OF PRESUMPTION OF RECORD MAINTENANCE.—

''(1) IN GENERAL.—In any dispute arising under this section after the date that is 3 years after the date of transmission of the final expenditure report for the disaster or emergency, there shall be a presumption that accounting records were maintained that adequately identify the source and application of funds provided for financially assisted activities.

''(2) AFFIRMATIVE EVIDENCE.—The presumption described in paragraph (1) may be rebutted only on production of affirmative evidence that the State or local government did not maintain documentation described in that paragraph.

''(3) INABILITY TO PRODUCE DOCUMENTATION.—The inability of the Federal, State, or local government to produce source documentation supporting expenditure reports later than 3 years after the date of transmission of the final expenditure report shall not constitute evidence to rebut the presumption described in paragraph (1).

''(4) RIGHT OF ACCESS.—The period during which the Federal, State, or local government has the right to access source documentation shall not be limited to the required 3-year retention period referred to in paragraph (3), but shall last as long as the records are maintained.

''(c) BINDING NATURE OF GRANT REQUIREMENTS.—A State or local government shall not be liable for reimbursement or any other penalty for any payment made under this Act if—

''(1) the payment was authorized by an approved agreement specifying the costs;

''(2) the costs were reasonable; and

''(3) the purpose of the grant was accomplished.''.

SEC. 306. PUBLIC SAFETY OFFICER BENEFITS FOR CERTAIN FEDERAL AND STATE EMPLOYEES.

(a) IN GENERAL.—Section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b) is amended by striking paragraph (7) and inserting the following:

''(7) 'public safety officer' means—

''(A) an individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, as a firefighter, or as a member of a rescue squad or ambulance crew;

''(B) an employee of the Federal Emergency Management Agency who is performing official duties of the Agency in an area, if those official duties—

''(i) are related to a major disaster or emergency that has been, or is later, declared to exist with respect to the area under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

''(ii) are determined by the Director of the Federal Emergency Management Agency to be hazardous duties; or

''(C) an employee of a State, local, or tribal emergency management or civil defense agency who is performing official duties in cooperation with the Federal Emergency Management Agency in an area, if those official duties—

''(i) are related to a major disaster or emergency that has been, or is later, declared to exist with respect to the area under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

''(ii) are determined by the head of the agency to be hazardous duties.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies only to employees described in subparagraphs (B) and (C) of section 1204(7) of the Omnibus Crime Control and Safe Streets Act of 1968 (as amended by subsection (a)) who are injured or who die in the line of duty on or after the date of enactment of this Act.

SEC. 307. BUY AMERICAN.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds authorized to be appropriated under this Act or any amendment made by this Act may be expended by an entity unless the entity, in expending the funds, complies with the Buy American Act (41 U.S.C. 10a et seq.).

(b) DEBARMENT OF PERSONS CONVICTED OF FRAUDULENT USE OF ''MADE IN AMERICA'' LABELS.—

(1) IN GENERAL.—If the Director of the Federal Emergency Management Agency determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Director shall determine, not later than 90 days after determining that the person has been so convicted, whether the person should be debarred from contracting under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(2) DEFINITION OF DEBAR.—In this subsection, the term ''debar'' has the meaning given the term in section 2393(c) of title 10, United States Code.

SEC. 308. TREATMENT OF CERTAIN REAL PROPERTY.

(a) IN GENERAL.—Notwithstanding the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.), or any other provision of law, or any flood risk zone identified, delineated, or established under any such law (by flood insurance rate map or otherwise), the real property described in subsection (b) shall not be considered to be, or to have been, located in any area having special flood hazards (including any floodway or floodplain).

(b) REAL PROPERTY.—The real property described in this subsection is all land and improvements on the land located in the Maple Terrace Subdivisions in the city of Sycamore, DeKalb County, Illinois, including—

(1) Maple Terrace Phase I;

(2) Maple Terrace Phase II;

(3) Maple Terrace Phase III Unit 1;

(4) Maple Terrace Phase III Unit 2;

(5) Maple Terrace Phase III Unit 3;

(6) Maple Terrace Phase IV Unit 1;

(7) Maple Terrace Phase IV Unit 2; and

(8) Maple Terrace Phase IV Unit 3.

(c) REVISION OF FLOOD INSURANCE RATE LOT MAPS.—As soon as practicable after the date of enactment of this Act, the Director of the Federal Emergency Management Agency shall revise the appropriate flood insurance rate lot maps of the agency to reflect the treatment under subsection (a) of the real property described in subsection (b).

SEC. 309. STUDY OF PARTICIPATION BY INDIAN TRIBES IN EMERGENCY MANAGEMENT.

(a) DEFINITION OF INDIAN TRIBE.—In this section, the term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) STUDY.—

(1) IN GENERAL.—The Director of the Federal Emergency Management Agency shall conduct a study of participation by Indian tribes in emergency management.

(2) REQUIRED ELEMENTS.—The study shall—

(A) survey participation by Indian tribes in training, predisaster and postdisaster mitigation, disaster preparedness, and disaster recovery programs at the Federal and State levels; and

(B) review and assess the capacity of Indian tribes to participate in cost-shared emergency management programs and to participate in the management of the programs.

(3) CONSULTATION.—In conducting the study, the Director shall consult with Indian tribes.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Director shall submit a report on the study under subsection (b) to—

(1) the Committee on Environment and Public Works of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Appropriations of the Senate; and

(4) the Committee on Appropriations of the House of Representatives.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mrs. FOWLER and Mr. OBERSTAR, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶102.24 FURTHER MESSAGE FROM THE SENATE

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

H.R. 3767. An Act to amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under section 217 of such Act.

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

S. 2045. An Act to amend the Immigration and Nationality Act with respect to H–1B nonimmigrant aliens.

¶102.25 NEEDLESTICK SAFETY AND PREVENTION

Mr. BALLENGER moved to suspend the rules and pass the bill (H.R. 5178) to require changes in the bloodborne pathogens standard in effect under the Occupational Safety and Health Act of 1970; as amended.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. BALLENGER and Mr. OWENS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.26 PORTABLE SKILLS TRAINING

Mr. MCKEON moved to suspend the rules and pass the bill (H.R. 4216) to amend the Workforce Investment Act of 1998 to authorize reimbursement to employers for portable skills training; as amended.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. MCKEON and Mr. ANDREWS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Workforce Investment Act of 1998 to expand the flexibility of customized training, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.27 INDEPENDENT TELECOMMUNICATIONS CONSUMER ENHANCEMENT

Mrs. CUBIN moved to suspend the rules and pass the bill (H.R. 3850) to amend the Communications Act of 1934 to promote deployment of advanced services and foster the development of competition for the benefit of consumers in all regions of the nation by relieving unnecessary burdens on the Nation's two percent local exchange telecommunications carriers, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mrs. CUBIN and Mr. GORDON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.28 COLON CANCER

Mrs. CUBIN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 133):

Whereas colorectal cancer is the second leading cause of cancer deaths in the United States for men and women combined;

Whereas it is estimated that in 1999, 129,400 new cases of colorectal cancer will be diagnosed in men and women in the United States;

Whereas the disease is expected to kill 56,600 individuals in this country in 1999;

Whereas adopting a healthy diet at a young age can significantly reduce the risk of developing colorectal cancer;

Whereas research has shown that a high fiber, low fat diet, with minimal amounts of red meat and maximum amounts of fruits and vegetables, can significantly reduce the risk of developing colorectal cancer;

Whereas colorectal cancer is increasingly diagnosed in individuals below age 50;

Whereas regular screenings can save large numbers of lives;

Whereas the Centers for Disease Control and Prevention, the Health Care Financing Administration, and the National Cancer Institute have initiated the Screen for Life Campaign, targeted at individuals age 50 and older, to spread the message of the importance of colorectal cancer screening tests; and

Whereas education can help inform the public of methods of prevention and symptoms of early detection: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes—

(A) the severity of the issue of colorectal cancer;

(B) the preventable nature of the disease;

(C) the importance of the Screen for Life Campaign; and

(2) calls on health educators, elected officials, and the people of the United States—

(A) to broaden the message of the Screen for Life Campaign to reach all individuals; and

(B) to learn about colorectal cancer and its preventive nature, and learn to recognize the risk factors and symptoms which enable early detection and treatment.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mrs. CUBIN and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Ms. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶102.29 FAIRNESS AND VOLUNTARY ARBITRATION

Mrs. BONO moved to suspend the rules and pass the bill (H.R. 534) to amend chapter 1 of title 9 of the United States Code to permit each party to certain contracts to accept or reject arbitration as a means of settling disputes under the contracts; as amended.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mrs. BONO and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. OSE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.30 STRENGTHENING ABUSE AND NEGLECT COURTS

Mr. HYDE moved to suspend the rules and pass the bill of the Senate (S. 2272) to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997.

The SPEAKER pro tempore, Mr. OSE, recognized Mr. HYDE and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. OSE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶102.31 PENALTIES FOR PERSONS HARBORING CERTAIN ALIENS

Mr. ROGAN moved to suspend the rules and pass the bill (H.R. 238) to

amend section 274 of the Immigration and Nationality Act to impose mandatory minimum sentences, and increase certain sentences, for bringing in and harboring certain aliens and to amend title 18, United States Code, to provide enhanced penalties for persons committing such offenses while armed; as amended.

The SPEAKER pro tempore, Mr. OSE, recognized Mr. ROGAN and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. OSE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to improve the prevention and punishment of criminal smuggling, transporting, and harboring of aliens, and for other purposes.''.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.32 CHILD SEX CRIMES WIRETAPPING

Mr. HUTCHINSON moved to suspend the rules and pass the bill (H.R. 3484) to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. OSE, recognized Mr. HUTCHINSON and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. OSE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.33 H-1B NONIMMIGRANT ALIENS

Mr. CANNON moved to suspend the rules and pass the bill of the Senate (S. 2045) to amend the Immigration and Nationality Act with respect to H-1B nonimmigrant aliens.

The SPEAKER pro tempore, Mr. OSE, recognized Mr. CANNON and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. OSE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶102.34 TRUTH IN REGULATING

Mr. RYAN of Wisconsin moved to suspend the rules and pass the bill of the Senate (S. 1198) to amend chapter 8 of title 5, United States Code, to provide for a report by the General Accounting Office to Congress on agency regulatory actions, and for other purposes.

The SPEAKER pro tempore, Mr. OSE, recognized Mr. RYAN of Wisconsin and Mr. KUCINICH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. OSE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶102.35 WASHINGTON COUNTY, UTAH PROPERTY

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 4721) to provide for all right, title, and interest in and to certain property in Washington County, Utah, to be vested in the United States; as amended.

The SPEAKER pro tempore, Mr. OSE, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. OSE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.36 HISTORICALLY WOMEN'S PUBLIC COLLEGES OR UNIVERSITIES

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 4503) to provide for the preservation and restoration of historic buildings at historically women's public colleges or universities; as amended.

The SPEAKER pro tempore, Mr. OSE, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. OSE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.37 SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY IRRIGATION WORKS

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 2820) to provide for the ownership and operation of the irrigation works on the Salt River Pima-Maricopa Indian Community's reservation in Maricopa County, Arizona, by the Salt River Pima-Maricopa Indian Community; as amended.

The SPEAKER pro tempore, Mr. OSE, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. OSE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.38 FREDERICK DOUGLASS GARDENS

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 5331) to authorize the Frederick Douglass Gardens, Inc., to establish a memorial and gardens on Department of the Interior lands in the District of Columbia or its environs in honor and commemoration of Frederick Douglass.

The SPEAKER pro tempore, Mr. OSE, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.39 EL CAMINO REAL DE TIERRA ADENTRO NATIONAL HISTORIC TRAIL

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 366) to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶102.40 NORTHERN COLORADO WATER CONSERVANCY DISTRICT

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 4389) to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.41 VETERANS' ORAL HISTORY PROJECT

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 5212) to direct the American Folklife Center at the Library of Congress to establish a program to collect video and audio recordings of personal histories and testimonials of American war veterans, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mr. HOYER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE , announced that two-thirds of the Members present had voted in the affirmative.

Mr. KIND demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 4, 2000.

¶102.42 RUSSIAN ANTI-SHIP MISSILE NONPROLIFERATION

Mr. ROHRABACHER moved to suspend the rules and pass the bill (H.R. 4022) regarding the sale and transfer of Moskit anti-ship missiles by the Russian Federation; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. ROHRABACHER and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill , as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶102.43 TAIWAN'S PARTICIPATION IN THE UNITED NATIONS

Mr. ROHRABACHER moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 390); as amended:

Whereas Taiwan has dramatically improved its record on human rights and routinely holds free and fair elections in a multiparty system, as evidenced most recently by Taiwan's second democratic presidential election of March 18, 2000, in which Mr. Chen Shui-bian was elected as president;

Whereas the 23,000,000 people on Taiwan are not represented in the United Nations and many other international organizations, and their human rights as citizens of the world are therefore severely abridged;

Whereas Taiwan has in recent years repeatedly expressed its strong desire to participate in the United Nations and other international organizations;

Whereas Taiwan has much to contribute to the work and funding of the United Nations and other international organizations;

Whereas the world community has reacted positively to Taiwan's desire for international participation, as shown by Taiwan's membership in the Asian Development Bank and Taiwan's admission to the Asia-Pacific Economic Cooperation group as a full member and to the World Trade Organization as an observer;

Whereas the United States has supported Taiwan's participation in these bodies and, in the Taiwan Policy Review of September 1994, declared an intention of a stronger and more active policy of support for Taiwan's participation in appropriate international organizations;

Whereas Public Law 106–137 required the Secretary of State to submit a report to the Congress on administration efforts to support Taiwan's participation in international organizations, in particular the World Health Organization; and

Whereas in such report the Secretary of State failed to endorse Taiwan's participation in international organizations and thereby did not follow the spirit of the 1994 Taiwan Policy Review: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) Taiwan and its 23,000,000 people deserve appropriate meaningful participation in the United Nations and other international organizations such as the World Health Organization; and

(2) the United States should fulfill the commitment it made in the 1994 Taiwan Policy Review to more actively support Taiwan's participation in appropriate international organizations.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. ROHRABACHER and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: ''A concurrent resolution expressing the sense of the Congress regarding Taiwan's participation in the United Nations and other international organizations.''.

A motion to reconsider the votes whereby the rules were suspended and said concurrent resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶102.44 COMMITTEE ELECTION—MAJORITY

Mr. GUTKNECHT submitted the following privileged resolution (H. Res. 608):

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

Committee on Transportation and Infrastructure: Mr. Martinez of California;

Committee on Armed Services: Mrs. Wilson of New Mexico.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶102.45 RECESS—10 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock p.m., subject to the call of the Chair.

¶102.46 AFTER RECESS—11:17 P.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶102.47 PROVIDING FOR THE CONSIDERATION OF H.R. 4828

Mrs. MYRICK, by direction of the Committee on Rules, reported (Rept. No. 106–930) the resolution (H. Res. 609) providing for consideration of the bill (H.R. 4828) to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶102.48 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker.

H.R. 3363. For the relief of Akal Security, Incorporated.

H.R. 4115. To authorize appropriations for the United States Holocaust memorial museum, and for other purposes.

H.R. 4733. Making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4931. To provide for the training or orientation or individuals, during a Presidential transition, who the President intends to appoint to certain key positions, to provide for a study and report on improving the financial disclosure process for certain Presidential nominees, and for other purposes.

H.R. 5193. To amend the National Housing Act to temporarily extend the applicability of the downpayment simplification provisions for the PHA single family housing mortgage insurance program.

¶102.49 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 704. An Act to amend title 18, United States Code, to combat the overutilization of prison health care services and control rising prisoner health care costs.

S. 179. An Act to designate the Federal courthouse at 145 East Simpson Avenue in Jackson, Wyoming, as the ''Clifford P. Hansen Federal Courthouse''.

And then,

¶102.50 ADJOURNMENT

On motion of Mrs. MYRICK, at 11 o'clock and 18 minutes p.m., the House adjourned.

¶102.51 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BLILEY: Committee on Commerce. H.R. 3850. A bill to amend the Communications Act of 1934 to promote deployment of advanced services and foster the development of competition for the benefit of consumers in all regions of the nation by relieving unnecessary burdens on the Nation's two percent local exchange telecommunications carriers, and for other purposes, with an amendment (Rept. No. 106–926). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEKAS: Committee on the Judiciary. H.R. 1293. A bill to amend title 46, United States Code, to provide equitable treatment with respect to State and local income taxes for certain individuals who perform duties on vessels (Rept. No. 106–927, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4721. A bill to provide for all right, title, and interest in and to certain property in Washington County, Utah, to be vested in the United States; with an amendment (Rept. No. 106–928). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4828. A bill to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes; with an amendment (Rept. No. 106–929, Pt. 1).

Mrs. MYRICK: Committee on Rules. House Resolution 609. Resolution providing for consideration of the bill (H.R. 4828) to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes (Rept. No. 106–930). Referred to the House Calendar.

¶102.52 TIME LIMITATION OF REFERRED BILL

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

H.R. 1293. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 3, 2000.

H.R. 4828. Referral to the Committee on Agriculture extended for a period ending not later than October 3, 2000.

¶102.53 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Transportation and Infrastructure discharged. H.R. 1293 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 5 of rule X the Committee on Agriculture discharged. H.R. 4828 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶102.54 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. POMBO (for himself and Mr. LANTOS):

H.R. 5360. A bill to direct the Secretary of Agriculture to conduct a comprehensive evaluation of, and make necessary recommendations to Congress regarding, Federal and State laws that regulate private ownership of exotic wild animals; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR (for himself, Mr. DINGELL, Mr. INSLEE, Mr. UDALL of New Mexico, Mr. PASCRELL, Mr. LEWIS of Georgia, Mr. PALLONE, Mr. SMITH of Washington, and Mr. TIERNEY):

H.R. 5361. A bill to amend title 49, United States Code, to require periodic inspections of pipelines and improve the safety of our Nation's pipeline system; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DREIER (for himself and Mr. MOAKLEY):

H.R. 5362. A bill to increase the amount of fees charged to employers who are petitioners for the employment of H–1B non-immigrant workers, and for other purposes; to the Committee on the Judiciary.

By Mr. GILMAN:

H.R. 5363. A bill to provide for the review by Congress of proposed construction of court facilities; to the Committee on Transportation and Infrastructure.

By Mr. BERMAN (for himself and Mr. BOUCHER):

H.R. 5364. A bill to amend title 35, United States Code, to provide for improvements in the quality of patents on certain inventions; to the Committee on the Judiciary.

By Mr. COX (for himself, Mr. BLILEY, Mr. TAUZIN, Mr. DREIER, Mr. DAVIS of Virginia, Mr. GOODLATTE, Mr. WELLER, Mr. DOOLEY of California, Ms. ESHOO, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. CROWLEY, and Mr. GONZALEZ):

H.R. 5365. A bill to impose a temporary moratorium on the elimination of the existing ''pooling of interests'' method of accounting for business mergers and acquisitions, and for other purposes; to the Committee on Commerce.

By Mr. DINGELL:

H.R. 5366. A bill to abolish the Council on Environmental Quality; to the Committee on Resources.

By Mr. GANSKE (for himself and Mr. GUTKNECHT):

H.R. 5367. A bill to require the implementation of the recommendations of the General Accounting Office on improving the administration of the Packers and Stockyards Act, 1921, by the Department of Agriculture; to the Committee on Agriculture.

By Mr. NEY:

H.R. 5368. A bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Ohio; to the Committee on Commerce.

By Ms. PRYCE of Ohio (for herself, Mr. HYDE, Mr. CAMP, Mrs. JOHNSON of Connecticut, and Mr. EWING):

H.R. 5369. A bill to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997; to the Committee on the Judiciary.

By Mr. RADANOVICH:

H.R. 5370. A bill to authorize the President to award a gold medal on behalf of the Congress to Peter F. Drucker, the father of modern management, in recognition of his accomplishments as a journalist, a writer, an economist, and a philosopher; to the Committee on Banking and Financial Services.

By Mr. SCHAFFER:

H.R. 5371. A bill to authorize the Secretary of the Interior to establish the Sand Creek Massacre National Historic Site in the State of Colorado; to the Committee on Resources.

By Mr. SMITH of Michigan:

H.R. 5372. A bill to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes; to the Committee on Agriculture.

By Mr. TANCREDO (for himself, Mr. JONES of North Carolina, and Mr. MCCOLLUM):

H.R. 5373. A bill to guarantee the right of individuals to receive Social Security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Ways and Means.

By Mr. UDALL of New Mexico:

H.R. 5374. A bill to settle the land claims of the Pueblo of Santo Domingo; to the Committee on Resources.

By Mr. WALSH (for himself, Mr. BOEHLERT, Mr. GILMAN, Mr. REYNOLDS, Mr. QUINN, Mr. LAZIO, Mr. HOUGHTON, Mr. MCHUGH, and Mr. SWEENEY):

H.R. 5375. A bill to establish the Erie Canalway National Heritage Corridor in the State of New York, and for other purposes; to the Committee on Resources.

By Mr. BORSKI (for himself, Mr. LIPINSKI, Mr. BRADY of Pennsylvania, Ms. MILLENDER-MCDONALD, Ms. KAPTUR, Mr. MCGOVERN, Mr. BROWN of Ohio, Mr. KLECZKA, Mr. DINGELL, Mr. GEJDENSON, Mr. QUINN, Mr. HOYER, Mr. SMITH of New Jersey, Mr. KANJORSKI, Mr. SAXTON, Mr. FROST, Mr. ROHRABACHER, Mr. KLINK, Mr. ENGLISH, Mr. MURTHA, Mr. HOLDEN, Mr. FATTAH, Mr. DOYLE, Mr. MCDERMOTT, Mr. MASCARA, Mr. PALLONE, Mr. LARSON, Mr. PASCRELL, Mr. HOEFFEL, Mr. STUPAK, and Mr. KUCINICH):

H. Con. Res. 416. Concurrent resolution recognizing the historical significance of the 20th anniversary of the workers' strikes in Poland that led to the creation of the independent trade union Solidarnosc, and for other purposes; to the Committee on International Relations.

By Mr. ROHRABACHER (for himself, Mr. LANTOS, Mr. BURTON of Indiana, and Mr. FALEOMAVAEGA):

H. Res. 606. A resolution calling upon the President to provide for the appropriate training of Foreign Service officers and other executive branch personnel in the primacy of democratic values and internationally-recognized human rights; to the Committee on International Relations.

By Mr. SHUSTER:

H. Res. 607. A resolution providing for the concurrence by the House with an amendment in the Senate amendment to H.R. 707; considered and agreed to.

By Mr. GUTKNECHT:

H. Res. 608. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

¶102.55 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. BARR of Georgia introduced A bill (H.R. 5376) for the relief of Sandra J. Pilot; which was referred to the Committee on the Judiciary.

¶102.56 ADDITIONAL SPONSORS

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

H.R. 49: Mr. STRICKLAND.
H.R. 71: Mr. WALDEN of Oregon.
H.R. 82: Mr. MANZULLO.
H.R. 284: Mr. WALSH and Mr. GEKAS.
H.R. 303: Mr. GREENWOOD.
H.R. 632: Mr. COX.
H.R. 700: Mr. WALDEN of Oregon.
H.R. 842: Mr. CHABOT, Mr. RAHALL, Mr. WISE, and Mr. KUCINICH.
H.R. 1071: Mr. HOLT, Ms. SLAUGHTER, and Mr. PICKETT.
H.R. 1182: Mr. GREEN of Wisconsin.
H.R. 1196: Mr. MOAKLEY.
H.R. 1303: Mr. BEREUTER, and Mr. SAXTON.
H.R. 1422: Mr. CLEMENT.
H.R. 1560: Mr. CRANE.
H.R. 1595: Mr. NADLER.
H.R. 1671: Mr. GIBBONS.
H.R. 1689: Mr. LOBIONDO.
H.R. 2000: Mr. GREENWOOD.
H.R. 2166: Mr. HOLT, Ms. WOOLSEY, Mrs. NORTHRUP, Mr. MICA, and Ms. BALDWIN.
H.R. 2355: Mr. LAMPSON.
H.R. 2451: Mr. PICKERING.
H.R. 2620: Mr. WELLER and Mr. WELDON of Florida.
H.R. 2702: Mrs. KELLY.
H.R. 2814: Ms. LEE.
H.R. 2835: Ms. WOOLSEY.
H.R. 2894: Mr. PICKERING.
H.R. 3083: Mr. HASTINGS of Florida.
H.R. 3433: Mr. FATTAH.
H.R. 4025: Mr. MICA.
H.R. 4145: Mr. BROWN of Ohio.
H.R. 4162: Mr. OLVER.
H.R. 4281: Mr. HASTINGS of Washington.
H.R. 4328: Mr. OSE and Mr. SANDLIN.
H.R. 4487: Mr. ALLEN.
H.R. 4493: Mr. MCNULTY.
H.R. 4498: Mrs. THURMAN.
H.R. 4527: Mr. WOLF, Mr. PHELPS, Mr. BECERRA, Mr. TIERNEY, Mr. HILL of Indiana, Ms. SANCHEZ, MR. GONZALEZ, Mrs. NAPOLITANO, Ms. BERKLEY, Mr. MOORE, Mr. OLVER, Mr. KIND, Mr. ABERCROMBIE, Mr. KUCINICH, Mr. WEINER, Mr. FRANK of Massachusetts, Mr. JEFFERSON, Mr. MEEKS of New York, Mr. THOMPSON of California, Mrs. LOWEY, Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mr. DIXON, Mr. MILLER of Florida, Mr. MCDERMOTT, Mr. GEKAS, Mrs. WILSON, Mr. HOEFFEL, Mr. BALDACCI, Mr. DOYLE, Mr. GEORGE MILLER of California, Mr. HERGER, Mr. BACA, Ms. VELÁZQUEZ, Mr. SABO, Mr. HULSHOF, Mr. BAIRD, Mrs. BONO, Mr. EVANS, Ms. KILPATRICK, and Mr. KOLBE.
H.R. 4570: Mr. PORTER, Mr. FATTAH, and Mr. WATKINS.
H.R. 4650: Mr. TOOMEY.
H.R. 4672: Mr. SMITH of Texas.
H.R. 4728: Ms. ESHOO, Mr. HAYWORTH, Mr. WATKINS, Mr. PICKERING, Mr. WICKER, Mr. MILLENDER-MCDONALD, Mr. COBURN, Mr. TURNER, Mr. HEFLEY, Mr. BILIRAKIS, Ms. PRYCE of Ohio, and Mr. SHAFFER.
H.R. 4792: Mrs. LOWEY and Mr. DINGELL.
H.R. 4825: Mr. WATT of North Carolina, Mr. INSLEE, Mr. JONES of North Carolina, Mr. MOORE, Mrs. ROUKEMA, Mr. HINCHEY, Mr. SAXTON, and Mr. MORAN of Virginia.
H.R. 4874: Mr. WEYGAND.
H.R. 4935: Ms. SCHAKOWSKY.
H.R. 4971: Mr. STEARNS, Mrs. MEEK of Florida, and Mr. CANADY of Florida.
H.R. 5015: Ms. KAPTUR and Mr. FROST.
H.R. 5055: Ms. KILPATRICK and Mr. GONZALEZ.
H.R. 5068: Mr. MICA, Mr. SCARBOROUGH, Mr. BILIRAKIS, and Mr. STEARNS.
H.R. 5081: Mr. ABERCROMBIE.
H.R. 5132: Mr. SHAYS, Ms. KAPTUR, Mr. FILNER, Mr. ABERCROMBIE, and Ms. MCKINNEY.
H.R. 5147: Mr. EVANS, Mr. TIERNEY, Mr. WEINER, Mr. MCGOVERN, Mr. CAPUANO, Mr. DEFAZIO, Mr. ABERCROMBIE, and Mr. MCDERMOTT.
H.R. 5151: Mr. ISAKSON.
H.R. 5166: Mr. EVANS.
H.R. 5178: Mrs. KELLY and Mr. KLINK.
H.R. 5180: Mr. DOYLE, Mr. KUYKENDALL, and Mr. GOODE.
H.R. 5212: Mrs. MYRICK, Mr. LIPINSKI, Mr. STEARNS, Mr. MCHUGH, and Mr. GIBBONS.
H.R. 5236: Mr. RODRIGUEZ.
H.R. 5237: Mr. RODRIGUEZ.
H.R. 5242: Mrs. LOWEY, Mr. FOSSELLA, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. CROWLEY, and Ms. SLAUGHTER.
H.R. 5262: Ms. LOFGREN and Mr. FROST.
H.R. 5265: Mr. HEFLEY.
H.R. 5268: Mr. FILNER, Mr. KINGSTON, Mr. DAVIS of Illinois, and Mr. SISISKY.
H.R. 5271: Mr. HOLDEN, Mr. LIPINSKI, Mr. RANGEL, Mr. KUCINICH, and Mr. MASCARA.
H.R. 5275: Mr. STRICKLAND and Mr. BOEHLERT.
H.R. 5306: Mr. STUMP, Mr. SESSIONS, Mr. MCINTOSH, Mr. EHRLICH, Mr. RILEY, Mr. STEVENS, Mr. WATTS of Oklahoma, Mr. EVERETT, and Mr. PAUL.
H.R. 5311: Mr. SANDERS, Mr. FILNER, Ms. KAPTUR, Mrs. JONES of Ohio, Mr. ABERCROMBIE, Mr. FROST, Ms. MCKINNEY, Mr. RAHALL, Ms. MILLENDER-MCDONALD, Mr. BONIOR, and Mr. KUCINICH.
H.R. 5331: Mr. CARDIN, and Ms. BERKLEY.
H.R. 5345: Mr. BACA, Mr. DIXON, Mr. BOEHLERT, and Mr. MCHUGH.
H.J. Res. 48: Mr. WELLER.
H. Con. Res. 77: Mr. SAXTON.
H. Con. Res. 283: Mr. CONDIT.
H. Con. Res. 323: Mr. UDALL of Colorado.
H. Con. Res. 337: Mr. COX, Mr. KING, and Mr. WELLER.
H. Con. Res. 364: Mr. TURNER.
H. Con. Res. 373: Mr. DEFAZIO.
H. Con. Res. 384: Mr. HAYWORTH, Mr. BONILLA, and Mr. COX.
H. Con. Res. 395: Ms. HOOLEY of Oregon.
H. Con. Res. 404: Mr. FILNER, Mr. FALEOMAVAEGA, Mr. TOWNS, Mr. HINCHEY, Ms. BERKLEY, Mr. TURNER, and Mr. HUTCHINSON.
H. Res. 347: Mr. WALSH.
H. Res. 458: Mr. BACHUS, Mr. DEFAZIO, Mr. BALLENGER, Mr. WATT of North Carolina, Mr. LANTOS, and Mr. TAUZIN.

WEDNESDAY, OCTOBER 4, 2000 (103)

¶103.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SHAW, who laid before the House the following communication:

WASHINGTON, DC,
October 4, 2000.

I hereby appoint the Honorable E. CLAY SHAW, Jr., to act as Speaker pro tempore on this day.

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

¶103.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHAW, announced he had examined and approved the Journal of the proceedings of Tuesday, October 3, 2000.

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

¶103.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10436. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's ''Major'' final rule—Fair Market Rents: Increased Fair Market Rents and Higher Payment Standards for Certain Areas [Docket No. FR 4606–1–01] (RIN: 2501–AC75) received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10437. A letter from the Executive Director, Emergency Oil and Gas Guaranteed Loan Board, transmitting the Board's final rule—Emergency Oil and Gas Guaranteed Loan Program; Financial Statements (RIN: 3003–ZA00) received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10438. A letter from the Executive Director, Emergency Steel Loan Guarantee Board, transmitting the Board's final rule—Emergency Steel Guarantee Loan Program; Participation in Unguaranteed Tranche (RIN: 3003–ZA00) received October 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10439. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans—North Carolina: Approval of Revisions to the North Carolina State Implementation Plan; Technical Correction [NC–087–9939; FRL–6881–1] received October 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10440. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revised 15% Plan for Northern Virginia Portion of the Metropolitan Washington, D.C. Ozone Nonattainment Area [VA088–5051a; FRL–6880–8] received October 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10441. A letter from the Chief, Office of Plans and Policy, Federal Communications Commission, transmitting the Commission's final rule—Compatibility Between Cable Systems And Consumer Electrontics Equipment [PP Docket No. 00–67] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10442. A letter from the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Domestic Licensing of Special Nuclear Material; Possession of a Critical Mass of Special Nuclear Material (RIN: 3150–AF22) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10443. A letter from the Director, International Cooperation, Office of the Under Secretary of Defense, Department of Defense, transmitting a copy of Transmittal No. 13–00 which constitutes a Request for Final Approval for the project arrangement with Australia concerning Advanced Armament Technologies (''Metal Storm Project''), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

10444. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 113–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10445. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 117–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10446. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 096–00], pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

10447. A letter from the Director, Federal Emergency Management Agency, transmitting the revised Strategic Plan FY 2000 Through FY 2006; to the Committee on Government Reform.

10448. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the Commercial Activities Inventory as required by the Federal Activities Inventory Reform Act of 1998 (the FAIR ACT); to the Committee on Government Reform.

10449. A letter from the Chairman, National Labor Relations Board, transmitting the Office of the Inspector General Fiscal Year 2000 A–76 Submission Annual Inventory Submission as required under the Federal Activities Inventory Reform Act of 1998; to the Committee on Government Reform.

10450. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the National Labor Relations Board's Strategic Plan for Fiscal Years 2000 through 2002; to the Committee on Government Reform.

10451. A letter from the Director, National Science Foundation, transmitting the Government Performance and Results Act Stategic Plan for FY 2001–2006; to the Committee on Government Reform.

10452. A letter from the Commissioner, Social Security Administration, transmitting a copy of the strategic plan entitled, ''Mastering the Challenge''; to the Committee on Government Reform.

10453. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Landing Requirements for Passengers Arriving From Cuba [INS No. 2045–00] (RIN: 1115–AF72) received October 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10454. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Agency, transmitting the Agency's final rule—Adjustment of Civil Penalties for Inflation Miscellaneous Administrative Changes (RIN: 3150–AG59) received October 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10455. A letter from the the Assistant Secretary of the Army, the Department of Defense, transmitting a notification from the Secretary of the Army supporting the authorization and, subject to the Sacramento Area Flood Control Agency adopting and enforcing measures which would preserve the project's level of flood protection, plans to implement the South Sacramento County Streams through the normal budget process; (H. Doc. No. 106—298); to the Committee on Transportation and Infrastructure and ordered to be printed.

10456. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Air Tour Operators in the State of Hawaii [Docket No. 27919; Special Federal Aviation Regulation (SFAR 71) (RIN: 2120–AG–44) received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10457. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Identification of Approved and Disapproved Elements of the Great Lakes Guidance Submission From the State of New York, and Final Rule [FRL–6881–9]—received October 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10458. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—amending the NASA Federal Acquisition Regulation Supplement (NFS) to conform to changes made in the Federal Acquisition Regulation (FAR) by Federal Acquisition Circular (FAC) 97–19 and make editorial corrections and miscellaneous changes dealing with NASA internal and administrative matters—received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

10459. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Implemention of Public Law 105–33, Section 9302, Relating to the Imposition of Permit Requirements on the Manufacturer of Roll-Your-Own Tobacco (98R–370P) [T.D. ATF–429; Ref: T.D. ATF–424, T.D. ATF–424a, T.D. ATF–427 and Notice No. 889] (RIN: 1512–AB92) received October 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶103.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 1800. An Act to amend the Violent Crime Control and Law Enforcement Act of 1994 to ensure that certain information regarding prisoners is reported to the Attorney General.

H.R. 2752. An Act to direct the Secretary of the Interior to sell certain public land in Lincoln County through a competitive process.

H.R. 2773. An Act to amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.

H.R. 4579. An Act to provide for the exchange of certain lands within the State of Utah.

H.R. 4583. An Act to extend the authorization for the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1143. An Act to establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes.

H.R. 3084. An Act to authorize the Secretary of the Interior to contribute funds for the establishment of an interpretative center on the life and contributions of President Abraham Lincoln.

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

S. 2440. An Act to amend title 49, United States Code, to improve airport security.

S. Con. Res. 60. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. Wisconsin and all those who served aboard her.

S. Con. Res. 70. Concurrent resolution requesting that the United States Postal Service issue a commemorative postage stamp honoring the national veterans service organizations of the United States.

S. Con. Res. 141. Concurrent resolution to authorize the printing of copies of the publication entitled ''The United States Capitol'' as a Senate document.

¶103.5 DISTRICT OF COLUMBIA APPROPRIATIONS FY 2001

On motion of Mr. ISTOOK, by unanimous consent, the bill (H.R. 4942) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. ISTOOK, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶103.6 MOTION TO INSTRUCT CONFEREES—H.R. 4942

Mr. MORAN of Virginia moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 4942, be instructed to recede from disagreement with the amendment of the Senate.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that the yeas had it.

Mr. ISTOOK objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 190 / Nays ..... 219 }

¶103.7 [Roll No. 510]

YEAS—190

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

NAYS—219

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

NOT VOTING—24

Baca
Brown (FL)
English
Eshoo
Fossella
Franks (NJ)
Gephardt
Hastings (FL)
Hefley
Hilleary
Houghton
Hoyer
King (NY)
Klink
Lazio
McCollum
McIntosh
Meehan
Paul
Riley
Skelton
Sweeney
Vento
Wise

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶103.8 APPOINTMENT OF CONFEREES—H.R. 4942

Thereupon, the SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, appointed Messrs. ISTOOK, CUNNINGHAM, TIAHRT, ADERHOLT, Mrs. EMERSON, Messrs. SUNUNU, YOUNG of Florida, MORAN of Virginia, DIXON, MOLLOHAN, and OBEY, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶103.9 H.R. 5212—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5212) to direct the American Folklife Center at the Library of Congress to establish a program to collect video and audio recordings of personal histories and testimonials of American war veterans, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 407 / Nays 0

¶103.10 [Roll No. 511]

YEAS—407

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—26

Baca
Barrett (WI)
Brown (FL)
Clayton
English
Eshoo
Fossella
Franks (NJ)
Gephardt
Hastings (FL)
Hefley
Hilleary
Houghton
Hoyer
King (NY)
Klink
Lazio
McCollum
McIntosh
Meehan
Paul
Riley
Skelton
Sweeney
Vento
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶103.11 PROVIDING FOR THE CONSIDERATION OF H.R. 4828

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 609):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4828) to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. That amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶103.12 STEENS MOUNTAIN WILDERNESS

The SPEAKER pro tempore, Mr. GANSKE, pursuant to House Resolution 609 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4828) to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes.

The SPEAKER pro tempore, Mr. GANSKE, by unanimous consent, designated Mrs. BIGGERT as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. KNOLLENBERG, assumed the Chair.

When Mrs. BIGGERT, Chairman, pursuant to House Resolution 609, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; PURPOSES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Steens Mountain Cooperative Management and Protection Act of 2000''.

(b) PURPOSES.—The purposes of this Act are the following:

(1) To maintain the cultural, economic, ecological, and social health of the Steens Mountain area in Harney County, Oregon.

(2) To designate the Steens Mountain Wilderness Area.

(3) To designate the Steens Mountain Cooperative Management and Protection Area.

(4) To provide for the acquisition of private lands through exchange for inclusion in the Wilderness Area and the Cooperative Management and Protection Area.

(5) To provide for and expand cooperative management activities between public and private landowners in the vicinity of the Wilderness Area and surrounding lands.

(6) To authorize the purchase of land and development and nondevelopment rights.

(7) To designate additional components of the National Wild and Scenic Rivers System.

(8) To establish a reserve for redband trout and a wildlands juniper management area.

(9) To establish a citizens' management advisory council for the Cooperative Management and Protection Area.

(10) To maintain and enhance cooperative and innovative management practices between the public and private land managers in the Cooperative Management and Protection Area.

(11) To promote viable and sustainable grazing and recreation operations on private and public lands.

(12) To conserve, protect, and manage for healthy watersheds and the long-term ecological integrity of Steens Mountain.

(13) To authorize only such uses on Federal lands in the Cooperative Management and Protection Area that are consistent with the purposes of this Act.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; purposes; table of contents.
Sec. 2. Definitions.
Sec. 3. Maps and legal descriptions.
Sec. 4. Valid existing rights.
Sec. 5. Protection of tribal rights.
TITLE I—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA
Subtitle A—Designation and Purposes
Sec. 101. Designation of Steens Mountain Cooperative Management and Protection Area.
Sec. 102. Purpose and objectives of Cooperative Management and protection Area.
Subtitle B—Management of Federal Lands
Sec. 111. Management authorities and purposes.
Sec. 112. Roads and travel access.
Sec. 113. Land use authorities.
Sec. 114. Land acquisition authority.
Sec. 115. Special use permits.
Subtitle C—Cooperative Management
Sec. 121. Cooperative management agreements.
Sec. 122. Cooperative efforts to control development and encourage conservation.
Subtitle D—Advisory Council
Sec. 131. Establishment of advisory council.
Sec. 132. Advisory role in management activities.
Sec. 133. Science committee.
TITLE II—STEENS MOUNTAIN WILDERNESS AREA
Sec. 201. Designation of Steens Mountain Wilderness Area.
Sec. 202. Administration of Wilderness Area.
Sec. 203. Water rights.
Sec. 204. Treatment of wilderness study areas.
TITLE III—WILD AND SCENIC RIVERS AND TROUT RESERVE
Sec. 301. Designation of streams for wild and scenic river status in Steens Mountain area.
Sec. 302. Donner und Blitzen River redband trout reserve.
TITLE IV—MINERAL WITHDRAWAL AREA
Sec. 401. Designation of mineral withdrawal area.
Sec. 402. Treatment of State lands and mineral interests.
TITLE V—ESTABLISHMENT OF WILDLANDS JUNIPER MANAGEMENT AREA
Sec. 501. Wildlands juniper management area.
Sec. 502. Release from wilderness study area status.
TITLE VI—LAND EXCHANGES
Sec. 601. Land exchange, Roaring Springs Ranch.
Sec. 602. Land exchanges, C.M. Otley and Otley Brothers.
Sec. 603. Land exchange, Tom J. Davis Livestock, Incorporated.
Sec. 604. Land exchange, Lowther (Clemens) Ranch.
Sec. 605. General provisions applicable to land exchanges.
TITLE VII—FUNDING AUTHORITIES
Sec. 701. Authorization of appropriations.
Sec. 702. Use of land and water conservation fund.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADVISORY COUNCIL.—The term ''advisory council'' means the Steens Mountain Advisory Council established by title IV.

(2) COOPERATIVE MANAGEMENT AGREEMENT.—An agreement to plan or implement (or both) cooperative recreation, ecological, grazing, fishery, vegetation, prescribed fire, cultural site protection, wildfire or other measures to beneficially meet public use needs and the public land and private land objectives of this Act.

(3) COOPERATIVE MANAGEMENT AND PROTECTION AREA.—The term ''Cooperative Management and Protection Area'' means the Steens Mountain Cooperative Management and Protection Area designated by title I.

(4) EASEMENTS.—

(A) CONSERVATION EASEMENT.—The term ''conservation easement'' means a binding contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area under which the landowner, permanently or during a time period specified in the agreement, agrees to conserve or restore habitat, open space, scenic, or other ecological resource values on the land covered by the easement.

(B) NONDEVELOPMENT EASEMENT.—The term ''nondevelopment easement'' means a binding contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area that will, permanently or during a time period specified in the agreement—

(i) prevent or restrict development on the land covered by the easement; or

(ii) protect open space or viewshed.

(5) ECOLOGICAL INTEGRITY.—The term ''ecological integrity'' means a landscape where ecological processes are functioning to maintain the structure, composition, activity, and resilience of the landscape over time, including—

(A) a complex of plant communities, habitats and conditions representative of variable and sustainable successional conditions; and

(B) the maintenance of biological diversity, soil fertility, and genetic interchange.

(6) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Cooperative Management and Protection Area and the Wilderness Area required to be prepared by section 111(b).

(7) REDBAND TROUT RESERVE.—The term ''Redband Trout Reserve'' means the Donner und Blitzen Redband Trout Reserve designated by section 302.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Bureau of Land Management.

(9) SCIENCE COMMITTEE.—The term ''science committee'' means the committee of independent scientists appointed under section 133.

(10) WILDERNESS AREA.—The term ''Wilderness Area'' means the Steens Mountain Wilderness Area designated by title II.

SEC. 3. MAPS AND LEGAL DESCRIPTIONS.

(a) PREPARATION AND SUBMISSION.—As soon as practicable after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress maps and legal descriptions of the following:

(1) The Cooperative Management and Protection Area.

(2) The Wilderness Area.

(3) The wild and scenic river segments and redband trout reserve designated by title III.

(4) The mineral withdrawal area designated by title IV.

(5) The wildlands juniper management area established by title V.

(6) The land exchanges required by title VI.

(b) LEGAL EFFECT AND CORRECTION.—The maps and legal descriptions referred to in subsection (a) shall have the same force and effect as if included in this Act, except the Secretary may correct clerical and typographical errors in such maps and legal descriptions.

(c) PUBLIC AVAILABILITY.—Copies of the maps and legal descriptions referred to in subsection (a) shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management and in the appropriate office of the Bureau of Land Management in the State of Oregon.

SEC. 4. VALID EXISTING RIGHTS.

Nothing in this Act shall effect any valid existing right.

SEC. 5. PROTECTION OF TRIBAL RIGHTS.

Nothing in this Act shall be construed to diminish the rights of any Indian tribe. Nothing in this Act shall be construed to diminish tribal rights, including those of the Burns Paiute Tribe, regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food gathering activities.

TITLE I—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA

Subtitle A—Designation and Purposes

SEC. 101. DESIGNATION OF STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA.

(a) DESIGNATION.—The Secretary shall designate the Steens Mountain Cooperative Management and Protection Area consisting of approximately 425,550 acres of Federal land located in Harney County, Oregon, in the vicinity of Steens Mountain, as generally depicted on the map entitled ''Steens Mountain Boundary Map'' and dated September 18, 2000.

(b) CONTENTS OF MAP.—In addition to the general boundaries of the Cooperative Management and Protection Area, the map referred to in subsection (a) also depicts the general boundaries of the following:

(1) The no livestock grazing area described in section 113(e).

(2) The mineral withdrawal area designated by title IV.

(3) The wildlands juniper management area established by title V.

SEC. 102. PURPOSE AND OBJECTIVES OF COOPERATIVE MANAGEMENT AND PROTECTION AREA.

(a) PURPOSE.—The purpose of the Cooperative Management and Protection Area is to conserve, protect, and manage the long-term ecological integrity of Steens Mountain for future and present generations.

(b) OBJECTIVES.—To further the purpose specified in subsection (a), and consistent with such purpose, the Secretary shall manage the Cooperative Management and Protection Area for the benefit of present and future generations—

(1) to maintain and enhance cooperative and innovative management projects, programs and agreements between tribal, public, and private interests in the Cooperative Management and Protection Area;

(2) to promote grazing, recreation, historic, and other uses that are sustainable;

(3) to conserve, protect and to ensure traditional access to cultural, gathering, religious, and archaeological sites by the Burns Paiute Tribe on Federal lands and to promote cooperation with private landowners;

(4) to ensure the conservation, protection, and improved management of the ecological, social, and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources; and

(5) to promote and foster cooperation, communication, and understanding and to reduce conflict between Steens Mountain users and interests.

Subtitle B—Management of Federal Lands

SEC. 111. MANAGEMENT AUTHORITIES AND PURPOSES.

(a) IN GENERAL.—The Secretary shall manage all Federal lands included in the Cooperative Management and Protection Area pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable provisions of law, including this Act, in a manner that—

(1) ensures the conservation, protection, and improved management of the ecological, social and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources, North American Indian tribal and cultural and archaeological resource sites, and additional cultural and historic sites; and

(2) recognizes and allows current and historic recreational use.

(b) MANAGEMENT PLAN.—Within four years after the date of the enactment of this Act, the Secretary shall develop a comprehensive plan for the long-range protection and management of the Federal lands included in the Cooperative Management and Protection Area, including the Wilderness Area. The plan shall—

(1) describe the appropriate uses and management of the Cooperative Management and Protection Area consistent with this Act;

(2) incorporate, as appropriate, decisions contained in any current or future management or activity plan for the Cooperative Management and Protection Area and use information developed in previous studies of the lands within or adjacent to the Cooperative Management and Protection Area;

(3) provide for coordination with State, county, and private local landowners and the Burns Paiute Tribe; and

(4) determine measurable and achievable management objectives, consistent with the management objectives in section 102, to ensure the ecological integrity of the area.

(c) MONITORING.—The Secretary shall implement a monitoring program for Federal lands in the Cooperative Management and Protection Area so that progress towards ecological integrity objectives can be determined.

SEC. 112. ROADS AND TRAVEL ACCESS.

(a) TRANSPORTATION PLAN.—The management plan shall include, as an integral part, a comprehensive transportation plan for the Federal lands included in the Cooperative Management and Protection Area, which shall address the maintenance, improvement, and closure of roads and trails as well as travel access.

(b) PROHIBITION ON OFF-ROAD MOTORIZED TRAVEL.—

(1) PROHIBITION.—The use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area—

(A) is prohibited off road; and

(B) is limited to such roads and trails as may be designated for their use as part of the management plan.

(2) EXCEPTIONS.—Paragraph (1) does not prohibit the use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area if the Secretary determines that such use—

(A) is needed for administrative purposes or to respond to an emergency; or

(B) is appropriate for the construction or maintenance of agricultural facilities, fish and wildlife management, or ecological restoration projects, except in areas designated as wilderness or managed under the provisions of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782).

(c) ROAD CLOSURES.—Any determination to permanently close an existing road in the Cooperative Management and Protection Area or to restrict the access of motorized or mechanized vehicles on certain roads shall be made in consultation with the advisory council and the public.

(d) PROHIBITION ON NEW CONSTRUCTION.—

(1) PROHIBITION, EXCEPTION.—No new road or trail for motorized or mechanized vehicles may be constructed on Federal lands in the Cooperative Management and Protection Area unless the Secretary determines that the road or trail is necessary for public safety or protection of the environment. Any determination under this subsection shall be made in consultation with the advisory council and the public.

(2) TRAILS.—Nothing in this subsection is intended to limit the authority of the Secretary to construct or maintain trails for nonmotorized or nonmechanized use.

(e) ACCESS TO NONFEDERALLY OWNED LANDS.—

(1) REASONABLE ACCESS.—The Secretary shall provide reasonable access to nonfederally owned lands or interests in land within the boundaries of the Cooperative Management and Protection Area and the Wilderness Area to provide the owner of the land or interest the reasonable use thereof.

(2) EFFECT ON EXISTING RIGHTS-OF-WAY.—Nothing in this Act shall have the effect of terminating any valid existing right-of-way on Federal lands included in the Cooperative Management and Protection Area.

SEC. 113. LAND USE AUTHORITIES.

(a) IN GENERAL.—The Secretary shall allow only such uses of the Federal lands included in the Cooperative Management and Protection Area as the Secretary finds will further the purposes for which the Cooperative Management and Protection Area is established.

(b) COMMERCIAL TIMBER.—

(1) PROHIBITION.—The Federal lands included in the Cooperative Management and Protection Area shall not be made available for commercial timber harvest.

(2) LIMITED EXCEPTION.—The Secretary may authorize the removal of trees from Federal lands in the Cooperative Management and Protection Area only if the Secretary determines that the removal is clearly needed for purposes of ecological restoration and maintenance or for public safety. Except in the Wilderness Area and the wilderness study areas referred to in section 204(a), the Secretary may authorize the sale of products resulting from the authorized removal of trees under this paragraph.

(c) JUNIPER MANAGEMENT.—The Secretary shall emphasize the restoration of the historic fire regime in the Cooperative Management and Protection Area and the resulting native vegetation communities through active management of Western Juniper on a landscape level. Management measures shall include the use of natural and prescribed burning.

(d) HUNTING, FISHING, AND TRAPPING.—

(1) AUTHORIZATION.—The Secretary shall permit hunting, fishing, and trapping on Federal lands included in the Cooperative Management and Protection Area in accordance with applicable laws and regulations of the United States and the State of Oregon.

(2) AREA AND TIME LIMITATIONS.—After consultation with the Oregon Department of Fish and Wildlife, the Secretary may designate zones where, and establish periods when, hunting, trapping or fishing is prohibited on Federal lands included in the Cooperative Management and Protection Area for reasons of public safety, administration, or public use and enjoyment.

(e) GRAZING.—

(1) CONTINUATION OF EXISTING LAW.—Except as otherwise provided in this section and title VI, the laws, regulations, and executive orders otherwise applicable to the Bureau of Land Management in issuing and administering grazing leases and permits on lands under its jurisdiction shall apply in regard to the Federal lands included in the Cooperative Management and Protection Area.

(2) CANCELLATION OF CERTAIN PERMITS.—The Secretary shall cancel that portion of the permitted grazing on Federal lands in the Fish Creek/Big Indian, East Ridge, and South Steens allotments located within the area designated as the ''no livestock grazing area'' on the map referred to in section 101(a). Upon cancellation, future grazing use in that designated area is prohibited. The Secretary shall be responsible for installing and maintaining any fencing required for resource protection within the designated no livestock grazing area.

(3) FORAGE REPLACEMENT.—Reallocation of available forage shall be made as follows:

(A) O'Keefe pasture within the Miners Field allotment to Stafford Ranches.

(B) Fields Seeding and Bone Creek Pasture east of the county road within the Miners Field allotment to Amy Ready.

(C) Miners Field Pasture, Schouver Seeding and Bone Creek Pasture west of the county road within the Miners Field allotment to Roaring Springs Ranch.

(D) 800 animal unit months within the Crows Nest allotment to Lowther (Clemens) Ranch.

(4) FENCING AND WATER SYSTEMS.—The Secretary shall also construct fencing and develop water systems as necessary to allow reasonable and efficient livestock use of the forage resources referred to in paragraph (3).

(f) PROHIBITION ON CONSTRUCTION OF FACILITIES.—No new facilities may be constructed on Federal lands included in the Cooperative Management and Protection Area unless the Secretary determines that the structure—

(1) will be minimal in nature;

(2) is consistent with the purposes of this Act; and

(3) is necessary—

(A) for enhancing botanical, fish, wildlife, or watershed conditions;

(B) for public information, health, or safety;

(C) for the management of livestock; or

(D) for the management of recreation, but not for the promotion of recreation.

(g) WITHDRAWAL.—Subject to valid existing rights, the Federal lands and interests in lands included in the Cooperative Management and Protection Areas are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, except in the case of land exchanges if the Secretary determines that the exchange furthers the purpose and objectives specified in section 102 and so certifies to Congress.

SEC. 114. LAND ACQUISITION AUTHORITY.

(a) ACQUISITION.—

(1) ACQUISITION AUTHORIZED.—In addition to the land acquisitions authorized by title VI, the Secretary may acquire other non-Federal lands and interests in lands located within the boundaries of the Cooperative Management and Protection Area or the Wilderness Area.

(2) ACQUISITION METHODS.—Lands may be acquired under this subsection only by voluntary exchange, donation, or purchase from willing sellers.

(b) TREATMENT OF ACQUIRED LANDS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), lands or interests in lands acquired under subsection (a) or title VI that are located within the boundaries of the Cooperative Management and Protection Area shall—

(A) become part of the Cooperative Management and Protection Area; and

(B) be managed pursuant to the laws applicable to the Cooperative Management and Protection Area.

(2) LANDS WITHIN WILDERNESS AREA.—If lands or interests in lands acquired under subsection (a) or title VI are within the boundaries of the Wilderness Area, the acquired lands or interests in lands shall—

(1) become part of the Wilderness Area; and

(2) be managed pursuant to title II and the other laws applicable to the Wilderness Area.

(3) LANDS WITHIN WILDERNESS STUDY AREA.—If the lands or interests in lands acquired under subsection (a) or title VI are within the boundaries of a wilderness study area, the acquired lands or interests in lands shall—

(1) become part of that wilderness study area; and

(2) be managed pursuant to the laws applicable to that wilderness study area.

(c) APPRAISAL.—In appraising non-Federal land, development rights, or conservation easements for possible acquisition under this section or section 122, the Secretary shall disregard any adverse impacts on values resulting from the designation of the Cooperative Management and Protection Area or the Wilderness Area.

SEC. 115. SPECIAL USE PERMITS.

The Secretary may renew a special recreational use permit applicable to lands included in the Wilderness Area to the extent that the Secretary determines that the permit is consistent with the Wilderness Act (16 U.S.C. 1131 et seq.). If renewal is not consistent with the Wilderness Act, the Secretary shall seek other opportunities for the permit holder through modification of the permit to realize historic permit use to the extent that the use is consistent with the Wilderness Act and this Act, as determined by the Secretary.

Subtitle C—Cooperative Management

SEC. 121. COOPERATIVE MANAGEMENT AGREEMENTS.

(a) COOPERATIVE EFFORTS.—To further the purposes and objectives for which the Cooperative Management and Protection Area is designated, the Secretary may work with non-Federal landowners and other parties who voluntarily agree to participate in the cooperative management of Federal and non-Federal lands in the Cooperative Management and Protection Area.

(b) AGREEMENTS AUTHORIZED.—The Secretary may enter into a cooperative management agreement with any party to provide for the cooperative conservation and management of the Federal and non-Federal lands subject to the agreement.

(c) OTHER PARTICIPANTS.—With the consent of the landowners involved, the Secretary may permit permittees, special-use permit holders, other Federal and State agencies, and interested members of the public to participate in a cooperative management agreement as appropriate to achieve the resource or land use management objectives of the agreement.

(d) TRIBAL CULTURAL SITE PROTECTION.—The Secretary may enter into agreements with the Burns Paiute Tribe to protect cultural sites in the Cooperative Management and Protection Area of importance to the tribe.

SEC. 122. COOPERATIVE EFFORTS TO CONTROL DEVELOPMENT AND ENCOURAGE CONSERVATION.

(a) POLICY.—Development on public and private lands within the boundaries of the Cooperative Management and Protection Area which is different from the current character and uses of the lands is inconsistent with the purposes of this Act.

(b) USE OF NONDEVELOPMENT AND CONSERVATION EASEMENTS.—The Secretary may enter into a nondevelopment easement or conservation easement with willing landowners to further the purposes of this Act.

(c) CONSERVATION INCENTIVE PAYMENTS.—The Secretary may provide technical assistance, cost-share payments, incentive payments, and education to a private landowner in the Cooperative Management and Protection Area who enters into a contract with the Secretary to protect or enhance ecological resources on the private land covered by the contract if those protections or enhancements benefit public lands.

(d) RELATION TO PROPERTY RIGHTS AND STATE AND LOCAL LAW.—Nothing in this Act is intended to affect rights or interests in real property or supersede State law.

Subtitle D—Advisory Council

SEC. 131. ESTABLISHMENT OF ADVISORY COUNCIL.

(a) ESTABLISHMENT.—The Secretary shall establish the Steens Mountain Advisory Council to advise the Secretary in managing the Cooperative Management and Protection Area and in promoting the cooperative management under subtitle C.

(b) MEMBERS.—The advisory council shall consist of 12 voting members, to be appointed by the Secretary, as follows:

(1) A private landowner in the Cooperative Management and Protection Area, appointed from nominees submitted by the county court for Harney County, Oregon.

(2) Two persons who are grazing permittees on Federal lands in the Cooperative Management and Protection Area, appointed from nominees submitted by the county court for Harney County, Oregon.

(3) A person interested in fish and recreational fishing in the Cooperative Management and Protection Area, appointed from nominees submitted by the Governor of Oregon.

(4) A member of the Burns Paiute Tribe, appointed from nominees submitted by the Burns Paiute Tribe.

(5) Two persons who are recognized environmental representatives, one of whom shall represent the State as a whole, and one of whom is from the local area, appointed from nominees submitted by the Governor of Oregon.

(6) A person who participates in what is commonly called dispersed recreation, such as hiking, camping, nature viewing, nature photography, bird watching, horse back riding, or trail walking, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(7) A person who is a recreational permit holder or is a representative of a commercial recreation operation in the Cooperative Management and Protection Area, appointed from nominees submitted jointly by the Oregon State Director of the Bureau of Land Management and the county court for Harney County, Oregon.

(8) A person who participates in what is commonly called mechanized or consumptive recreation, such as hunting, fishing, off-road driving, hang gliding, or parasailing, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(9) A person with expertise and interest in wild horse management on Steens Mountain, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(10) A person who has no financial interest in the Cooperative Management and Protection Area to represent statewide interests, appointed from nominees submitted by the Governor of Oregon.

(c) CONSULTATION.—In reviewing nominees submitted under subsection (b) for possible appointment to the advisory council, the Secretary shall consult with the respective community of interest that the nominees are to represent to ensure that the nominees have the support of their community of interest.

(d) TERMS.—

(1) STAGGERED TERMS.—Members of the advisory council shall be appointed for terms of three years, except that, of the members first appointed, four members shall be appointed for a term of one year and four members shall be appointed for a term of 2 years.

(2) REAPPOINTMENT.—A member may be reappointed to serve on the advisory council.

(3) VACANCY.—A vacancy on the advisory council shall be filled in the same manner as the original appointment.

(d) CHAIRPERSON AND PROCEDURES.—The advisory council shall elect a chairperson and establish such rules and procedures as it deems necessary or desirable.

(e) SERVICE WITHOUT COMPENSATION.—Members of the advisory council shall serve without pay, but the Secretary shall reimburse members for reasonable expenses incurred in carrying out official duties as a member of the council.

(f) ADMINISTRATIVE SUPPORT.—The Secretary shall provide the advisory council with necessary administrative support and shall designate an appropriate officer of the Bureau of Land Management to serve as the Secretary's liaison to the council.

(g) STATE LIAISON.—The Secretary shall appoint one person, nominated by the Governor of Oregon, to serve as the State government liaison to the advisory council.

(h) APPLICABLE LAW.—The advisory committee shall be subject to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 132. ADVISORY ROLE IN MANAGEMENT ACTIVITIES.

(a) MANAGEMENT RECOMMENDATIONS.—The advisory committee shall utilize sound science, existing plans for the management of Federal lands included in the Cooperative Management and Protection Area, and other tools to formulate recommendations for the Secretary regarding—

(1) new and unique approaches to the management of lands within the boundaries of the Cooperative Management and Protection Area; and

(2) cooperative programs and incentives for seamless landscape management that meets

human needs and maintains and improves the ecological and economic integrity of the Cooperative Management and Protection Area.

(b) PREPARATION OF MANAGEMENT PLAN.—The Secretary shall consult with the advisory committee as part of the preparation and implementation of the management plan.

(c) SUBMISSION OF RECOMMENDATIONS.—No recommendations may be presented to the Secretary by the advisory council without the agreement of at least nine members of the advisory council.

SEC. 133. SCIENCE COMMITTEE.

The Secretary shall appoint, as needed or at the request of the advisory council, a team of respected, knowledgeable, and diverse scientists to provide advice on questions relating to the management of the Cooperative Management and Protection Area to the Secretary and the advisory council. The Secretary shall seek the advice of the advisory council in making these appointments.

TITLE II—STEENS MOUNTAIN WILDERNESS AREA

SEC. 201. DESIGNATION OF STEENS MOUNTAIN WILDERNESS AREA.

The Federal lands in the Cooperative Management and Protection Area depicted as wilderness on the map entitled ''Steens Mountain Wilderness Area'' and dated September 18, 2000, are hereby designated as wilderness and therefore as a component of the National Wilderness Preservation System. The wilderness area shall be known as the Steens Mountain Wilderness Area.

SEC. 202. ADMINISTRATION OF WILDERNESS AREA.

(a) GENERAL RULE.—The Secretary shall administer the Wilderness Area in accordance with this title and the Wilderness Act (16 U.S.C. 1131 et seq.). Any reference in the Wilderness Act to the effective date of that Act (or any similar reference) shall be deemed to be a reference to the date of the enactment of this Act.

(b) WILDERNESS BOUNDARIES ALONG ROADS.—Where a wilderness boundary exists along a road, the wilderness boundary shall be set back from the centerline of the road, consistent with the Bureau of Land Management's guidelines as established in its Wilderness Management Policy.

(c) ACCESS TO NON-FEDERAL LANDS.—The Secretary shall provide reasonable access to private lands within the boundaries of the Wilderness Area, as provided in section 112(d).

(d) GRAZING.—

(1) ADMINISTRATION.—Except as provided in section 113(e)(2), grazing of livestock shall be administered in accordance with the provision of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), in accordance with the provisions of this Act, and in accordance with the guidelines set forth in Appendices A and B of House Report 101–405 of the 101st Congress.

(2) RETIREMENT OF CERTAIN PERMITS.—The Secretary shall permanently retire all grazing permits applicable to certain lands in the Wilderness Area, as depicted on the map referred to in section 101(a), and livestock shall be excluded from these lands.

SEC. 203. WATER RIGHTS.

Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

SEC. 204. TREATMENT OF WILDERNESS STUDY AREAS.

(a) STATUS UNAFFECTED.—Except as provided in section 502, any wilderness study area, or portion of a wilderness study area, within the boundaries of the Cooperative Management and Protection Area, but not included in the Wilderness Area, shall remain a wilderness study area notwithstanding the enactment of this Act.

(b) MANAGEMENT.—The wilderness study areas referred to in subsection (a) shall continue to be managed under section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) in a manner so as not to impair the suitability of the areas for preservation as wilderness.

(c) EXPANSION OF BASQUE HILLS WILDERNESS STUDY AREA.—The boundaries of the Basque Hills Wilderness Study Area are hereby expanded to include the Federal lands within sections 8, 16, 17, 21, 22, and 27 of township 36 south, range 31 east, Willamette Meridian. These lands shall be managed under section 603(c) of the Federal Lands Policy and Management Act of 1976 (43 U.S.C. 1782(c)) to protect and enhance the wilderness values of these lands.

TITLE III—WILD AND SCENIC RIVERS AND TROUT RESERVE

SEC. 301. DESIGNATION OF STREAMS FOR WILD AND SCENIC RIVER STATUS IN STEENS MOUNTAIN AREA.

(a) EXPANSION OF DONNER UND BLITZEN WILD RIVER.—Section 3(a)(74) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(74)) is amended—

(1) by striking ''the'' at the beginning of each subparagraph and inserting ''The'';

(2) by striking the semicolon at the end of subparagraphs (A), (B), (C), and (D) and inserting a period;

(3) by striking ''; and'' at the end of subparagraph (E) and inserting a period; and

(4) by adding at the end the following new subparagraphs:

''(G) The 5.1 mile segment of Mud Creek from its confluence with an unnamed spring in the SW¼SE¼ of section 32, township 33 south, range 33 east, to its confluence with the Donner und Blitzen River.

''(H) The 8.1 mile segment of Ankle Creek from its headwaters to its confluence with the Donner und Blitzen River.

''(I) The 1.6 mile segment of the South Fork of Ankle Creek from its confluence with an unnamed tributary in the SE¼SE¼ of section 17, township 34 south, range 33 east, to its confluence with Ankle Creek.''.

(b) DESIGNATION OF WILDHORSE AND KIGER CREEKS, OREGON.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

''( ) WILDHORSE AND KIGER CREEKS, OREGON.—The following segments in the Steens Mountain Cooperative Management and Protection Area in the State of Oregon, to be administered by the Secretary of the Interior as wild rivers:

''(A) The 2.6-mile segment of Little Wildhorse Creek from its headwaters to its confluence with Wildhorse Creek.

''(B) The 7.0-mile segment of Wildhorse Creek from its headwaters, and including .36 stream miles into section 34, township 34 south, range 33 east.

''(C) The approximately 4.25-mile segment of Kiger Creek from its headwaters to the point at which it leaves the Steens Mountain Wilderness Area within the Steens Mountain Cooperative Management and Protection Area.''.

(c) MANAGEMENT.—Where management requirements for a stream segment described in the amendments made by this section differ between the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) and the Wilderness Area, the more restrictive requirements shall apply.

SEC. 302. DONNER UND BIITZEN RIVER REDBAND TROUT RESERVE.

(a) FINDINGS.—The Congress finds the following:

(1) Those portions of the Donner und Blitzen River in the Wilderness Area are an exceptional environmental resource that provides habitat for unique populations of native fish, migratory waterfowl, and other wildlife resources, including a unique population of redband trout.

(2) Redband trout represent a unique natural history reflecting the Pleistocene connection between the lake basins of eastern Oregon and the Snake and Columbia Rivers.

(b) DESIGNATION OF RESERVE.—The Secretary shall designate the Donner und Blitzen Redband Trout Reserve consisting of the Donner und Blitzen River in the Wilderness Area above its confluence with Fish Creek and the Federal riparian lands immediately adjacent to the river.

(c) RESERVE PURPOSES.—The purposes of the Redband Trout Reserve are—

(1) to conserve, protect, and enhance the Donner und Blitzen River population of redband trout and the unique ecosystem of plants, fish, and wildlife of a river system; and

(2) to provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with paragraph (1).

(d) EXCLUSION OF PRIVATE LANDS.—The Redband Trout Reserve does not include any private lands adjacent to the Donner und Blitzen River or its tributaries.

(e) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer all lands, waters, and interests therein in the Redband Trout Reserve consistent with the Wilderness Act (16 U.S.C. 1131 et seq.) and the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(2) CONSULTATION.—In administering the Redband Trout Reserve, the Secretary shall consult with the advisory council and cooperate with the Oregon Department of Fish and Wildlife.

(3) RELATION TO RECREATION.—To the extent consistent with applicable law, the Secretary shall manage recreational activities in the Redband Trout Reserve in a manner that conserves the unique population of redband trout native to the Donner und Blitzen River.

(4) REMOVAL OF DAM.—The Secretary shall remove the dam located below the mouth of Fish Creek and above Page Springs if removal of the dam is scientifically justified and funds are available for such purpose.

(f) OUTREACH AND EDUCATION.—The Secretary may work with, provide technical assistance to, provide community outreach and education programs for or with, or enter into cooperative agreements with private landowners, State and local governments or agencies, and conservation organizations to further the purposes of the Redband Trout Reserve.

TITLE IV—MINERAL WITHDRAWAL AREA

SEC. 401. DESIGNATION OF MINERAL WITHDRAWAL AREA.

(a) DESIGNATION.—Subject to valid existing rights, the Federal lands and interests in lands included within the withdrawal boundary as depicted on the map referred to in section 101(a) are hereby withdrawn from—

(1) location, entry and patent under the mining laws; and

(2) operation of the mineral leasing and geothermal leasing laws and from the minerals materials laws and all amendments thereto except as specified in subsection (b).

(b) ROAD MAINTENANCE.—If consistent with the purposes of this Act and the management plan for the Cooperative Management and Protection Area, the Secretary may permit the development of saleable mineral resources, for road maintenance use only, in those locations identified on the map referred to in section 101(a) as an existing

''gravel pit'' within the mineral withdrawal boundaries (excluding the Wilderness Area, wilderness study areas, and designated segments of the National Wild and Scenic Rivers System) where such development was authorized before the date of the enactment of this Act.

SEC. 402. TREATMENT OF STATE LANDS AND MINERAL INTERESTS.

(a) ACQUISITION REQUIRED.—The Secretary shall acquire, for approximately equal value and as agreed to by the Secretary and the State of Oregon, lands and interests in lands owned by the State within the boundaries of the mineral withdrawal area designated pursuant to section 401.

(b) ACQUISITION METHODS.—The Secretary shall acquire such State lands and interests in lands in exchange for—

(1) Federal lands or Federal mineral interests that are outside the boundaries of the mineral withdrawal area;

(2) a monetary payment to the State; or

(3) a combination of a conveyance under paragraph (1) and a monetary payment under paragraph (2).

TITLE V—ESTABLISHMENT OF WILDLANDS JUNIPER MANAGEMENT AREA

SEC. 501. WILDLANDS JUNIPER MANAGEMENT AREA.

(a) ESTABLISHMENT.—To further the purposes of section 113(c), the Secretary shall establish a special management area consisting of certain Federal lands in the Cooperative Management and Protection Area, as depicted on the map referred to in section 101(a), which shall be known as the Wildlands Juniper Management Area.

(b) MANAGEMENT.—Special management practices shall be adopted for the Wildlands Juniper Management Area for the purposes of experimentation, education, interpretation, and demonstration of active and passive management intended to restore the historic fire regime and native vegetation communities on Steens Mountain.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to the authorization of appropriations in section 701, there is authorized to be appropriated $5,000,000 to carry out this title and section 113(c) regarding juniper management in the Cooperative Management and Protection Area.

SEC. 502. RELEASE FROM WILDERNESS STUDY AREA STATUS.

The Federal lands included in the Wildlands Juniper Management Area established under section 501 are no longer subject to the requirement of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) pertaining to managing the lands so as not to impair the suitability of the lands for preservation as wilderness.

TITLE VI—LAND EXCHANGES

SEC. 601. LAND EXCHANGE, ROARING SPRINGS RANCH.

(a) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with Roaring Springs Ranch, Incorporated, to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 76,374 acres in exchange for the private lands described in subsection (b).

(b) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in subsection (a) and the disbursement referred to in subsection (d), Roaring Springs Ranch, Incorporated, shall convey to the Secretary parcels of land consisting of approximately 10,909 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area, a wilderness study area, and the no livestock grazing area as appropriate.

(c) TREATMENT OF GRAZING.—Paragraphs (2) and (3) of section 113(e), relating to the effect of the cancellation in part of grazing permits for the South Steens allotment in the Wilderness Area and reassignment of use areas as described in paragraph (3)(C) of such section, shall apply to the land exchange authorized by this section.

(d) DISBURSEMENT.—Upon completion of the land exchange authorized by this section, the Secretary is authorized to make a disbursement to Roaring Springs Ranch, Incorporated, in the amount of $2,889,000.

(e) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within 70 days after the Secretary accepts the lands described in subsection (b).

SEC. 602. LAND EXCHANGES, C.M. OTLEY AND OTLEY BROTHERS.

(a) C. M. OTLEY EXCHANGE.—

(1) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with C. M. Otley to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 3,845 acres in exchange for the private lands described in paragraph (2).

(2) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in paragraph (1) and the disbursement referred to in paragraph (3), C. M. Otley shall convey to the Secretary a parcel of land in the headwaters of Kiger gorge consisting of approximately 851 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area and the no livestock grazing area as appropriate.

(3) DISBURSEMENT.—Upon completion of the land exchange authorized by this subsection, the Secretary is authorized to make a disbursement to C.M. Otley, in the amount of $920,000.

(b) OTLEY BROTHERS EXCHANGE.—

(1) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with the Otley Brother's, Inc., to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 6,881 acres in exchange for the private lands described in paragraph (2).

(2) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in paragraph (1) and the disbursement referred to in subsection (3), the Otley Brother's, Inc., shall convey to the Secretary a parcel of land in the headwaters of Kiger gorge consisting of approximately 505 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area and the no livestock grazing area as appropriate.

(3) DISBURSEMENT.—Upon completion of the land exchange authorized by this subsection, the Secretary is authorized to make a disbursement to Otley Brother's, Inc., in the amount of $400,000.

(c) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyances of the Federal lands under subsections (a) and (b) within 70 days after the Secretary accepts the lands described in such subsections.

SEC. 603. LAND EXCHANGE, TOM J. DAVIS LIVESTOCK, INCORPORATED.

(a) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Wilderness Area, the Secretary may carry out a land exchange with Tom J. Davis Livestock, Incorporated, to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 5,340 acres in exchange for the private lands described in subsection (b).

(b) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in subsection (a) and the disbursement referred to in subsection (c), Tom J. Davis Livestock, Incorporated, shall convey to the Secretary a parcel of land consisting of approximately 5,103 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area.

(c) DISBURSEMENT.—Upon completion of the land exchange authorized by this section, the Secretary is authorized to make a disbursement to Tom J. Davis Livestock, Incorporated, in the amount of $800,000.

(d) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within 70 days after the Secretary accepts the lands described in subsection (b).

SEC. 604. LAND EXCHANGE, LOWTHER (CLEMENS) RANCH.

(a) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with the Lowther (Clemens) Ranch to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 11,796 acres in exchange for the private lands described in subsection (b).

(b) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in subsection (a) and the disbursement referred to in subsection (d), the Lowther (Clemens) Ranch shall convey to the Secretary a parcel of land consisting of approximately 1,078 acres, as depicted on the map referred to in section 605(a), for inclusion in the Cooperative Management and Protection Area.

(c) TREATMENT OF GRAZING.—Paragraphs (2) and (3) of section 113(e), relating to the effect of the cancellation in whole of the grazing permit for the Fish Creek/Big Indian allotment in the Wilderness Area and reassignment of use areas as described in paragraph (3)(D) of such section, shall apply to the land exchange authorized by this section.

(d) DISBURSEMENT.—Upon completion of the land exchange authorized by this section, the Secretary is authorized to make a disbursement to Lowther (Clemens) Ranch, in the amount of $148,000.

(e) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within 70 days after the Secretary accepts the lands described in subsection (b).

SEC. 605. GENERAL PROVISIONS APPLICABLE TO LAND EXCHANGES.

(a) MAP.—The land conveyances described in this title are generally depicted on the

map entitled ''Steens Mountain Land Exchanges'' and dated September 18, 2000.

(b) APPLICABLE LAW.—Except as otherwise provided in this section, the exchange of Federal land under this title is subject to the existing laws and regulations applicable to the conveyance and acquisition of land under the jurisdiction of the Bureau of Land Management. It is anticipated that the Secretary will be able to carry out such land exchanges without the promulgation of additional regulations and without regard to the notice and comment provisions of section 553 of title 5, United States Code.

(c) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal lands to be conveyed under this title must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record. The non-Federal lands shall conform with the title approval standards applicable to Federal land acquisitions.

(d) LEGAL DESCRIPTIONS.—The exact acreage and legal description of all lands to be exchanged under this title shall be determined by surveys satisfactory to the Secretary. The costs of any such survey, as well as other administrative costs incurred to execute a land exchange under this title, shall be borne by the Secretary.

TITLE VII—FUNDING AUTHORITIES

SEC. 701. AUTHORIZATION OF APPROPRIATIONS.

Except as provided in sections 501(c) and 702, there is hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

SEC. 702. USE OF LAND AND WATER CONSERVATION FUND.

(a) AVAILABILITY OF FUND.—There are authorized to be appropriated $25,000,000 from the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–5) to provide funds for the acquisition of land and interests in land under section 114 and to enter into nondevelopment easements and conservation easements under subsections (b) and (c) of section 122.

(b) TERM OF USE.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. KNOLLENBERG, announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

By unanimous consent, the title was amended so as to read: ''An Act to designate the Steens Mountain Wilderness Area and the Steens Mountain Cooperative Management and Protection Area in Harney County, Oregon, and for other purposes.''.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶103.13 COAST GUARD AUTHORIZATION

On motion of Mr. GILCHREST, by direction of the Committee on Transportation and Infrastructure and pursuant to clause 1 of rule XXII, the bill (H.R. 820) to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. GILCHREST, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

Thereupon, the SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, appointed Messrs. SHUSTER, YOUNG of Alaska, GILCHREST, DEFAZIO, and BAIRD, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶103.14 APPOINTMENT OF CONFEREES—S. 835

The SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, appointed the following Members as managers on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (S. 835) to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes: Messrs. SHUSTER, YOUNG of Alaska, BOEHLERT, and GILCHREST, Mrs. FOWLER, and Messrs. SHERWOOD, SWEENEY, KUYKENDALL, VITTER, OBERSTAR, BORSKI, BARCIA, FILNER, TAYLOR of Mississippi, BLUMENAUER, and BALDACCI.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶103.15 INTELLIGENCE APPROPRIATIONS FY 2001

On motion of Mr. GOSS, by unanimous consent, the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. GOSS, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

Thereupon, the SPEAKER pro tempore, Mr. OSE, by unanimous consent, appointed the following Members as managers on the part of the House at said conference:

From the Permanent Select Committee on Intelligence for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. GOSS, LEWIS of California, MCCOLLUM, CASTLE, BOEHLERT, BASS, GIBBONS, and LAHOOD, Mrs. WILSON, Mr. DIXON, Ms. PELOSI, and Messrs. BISHOP, SISISKY, CONDIT, ROEMER, and HASTINGS of Florida.

From the Committee on Armed Services for consideration of defense tactical intelligence and related activities:

Messrs. SPENCE, STUMP, and SKELTON.

Ordered, That the Clerk notify the Senate thereof.

¶103.16 RECESS—5:31 P.M.

The SPEAKER pro tempore, Mr. ISAKSON, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 31 minutes p.m., subject to the call of the Chair.

¶103.17 AFTER RECESS—6:50 P.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶103.18 PROVIDING FOR THE CONSIDERATION OF H.R. 2941

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 106–935) the resolution (H. Res. 610) providing for consideration of the bill (H.R. 2941) to establish the Las Cienegas National Conservation Area in the State of Arizona.

When said resolution and report were referred to the House Calendar and ordered printed.

¶103.19 PROVIDING FOR THE CONSIDERATION OF S. 2311

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 106–936) the resolution (H. Res. 611) providing for consideration of the bill (S. 2311) to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶103.20 SENATE BILL AND CONCURRENT RESOLUTIONS REFERRED

A bill and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2440. An Act to amend title 49, United States Code, to improve airport security; to the Committee on Transportation and Infrastructure.

S. Con. Res. 60. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who serve aboard her; to the Committee on Government Reform.

S. Con. Res. 70. Concurrent resolution requesting that the United States Postal Service issue a commemorative postage stamp honoring the national veterans service organizations of the United States; to the Committee on Government Reform.

S. Con. Res. 141. Concurrent resolution to authorize the printing of copies of the publication entitled ''The United States Capitol'' as a Senate document; to the Committee on House Administration.

¶103.21 ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of following title, which was thereupon signed by the Speaker.

H.R. 4365. An Act to amend the Public Health Service Act with respect to children's health.

¶103.22 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 302. An Act for the relief of Kerantha Poole-Christian.

¶103.23 BILLS PRESENTED TO THE PRESIDENT

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

On October 3, 2000:

H.R. 4115. To authorize appropriations for the United States Holocaust Memorial Museum, and for other purposes.

H.R. 3363. For the relief of Akal Security, Incorporated.

H.R. 4931. To provide for the training or orientation of individuals, during a Presidential transition, who the President intends to appoint to certain key positions, to provide for a study and report on improving the financial disclosure process for certain Presidential nominees, and for other purposes.

H.R. 5193. To amend the National Housing Act to temporarily extend the applicability of the downpayment simplification provisions for the FHA single family housing mortgage insurance program.

¶103.24 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HEFLEY, for today and October 3; and

To Mr. BACA, for today.

And then,

¶103.25 ADJOURNMENT

On motion of Mr. GOSS, at 6 o'clock and 51 minutes p.m., the House adjourned.

¶103.26 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. McCOLLUM: Committee on the Judiciary. H.R. 5136. A bill to make permanent the authority of the Marshal of the Supreme Court and the Supreme Court Police to provide security beyond the Supreme Court building and grounds (Rept. No. 106–931). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANADY: Committee on the Judiciary. H.R. 5018. A bill to amend title 18, United States Code, to modify certain provisions of law relating to the interception of communications, and for other purposes; with an amendment (Rept. No. 106–932). Referred to the Committee of the Whole House on the State of the Union.

Mr. GILMAN: Committee on International Relations. House Resolutions 596. Resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes; with an amendment (Rept. No. 106–933). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2941. A bill to establish the Las Cienegas National Conservation Area in the State of Arizona; with an amendment (Rept. No. 106–934). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 610. Resolution providing for consideration of the bill (H.R. 2941) to establish the Las Cienegas National Conservation Area in the State of Arizona (Rept. No. 106–935). Referred to the House Calendar.

Mr. GOSS. Committee on Rules. House Resolution 611. Resolution providing for consideration of the bill (S. 2311) to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Services Act, to improve access to health care and the quality care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes (Rept. No. 106–936). Referred to the House Calendar.

¶103.27 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of Texas:

H.R. 5377. A bill to amend the Immigration and Nationality Act to extend the limitation on waivers granted under section 212(h) of that Act to aliens unlawfully present in the United States; to the Committee on the Judiciary.

By Mr. SMITH of Texas:

H.R. 5378. A bill to amend the Immigration and Nationality Act to clarify the special rule relating to continuous residence or physical presence under section 240A(d) of that Act; to the Committee on the Judiciary.

By Mr. SMITH of Texas:

H.R. 5379. A bill to amend the Immigration and Nationality Act to clarify the provisions applicable to arrest, detention, and release of criminal aliens pending removal decisions; to the Committee on the Judiciary.

By Mr. HYDE (for himself, Mr. CONYERS, Mr. GEKAS, and Mr. NADLER):

H.R. 5380. A bill to amend title 5, United States Code, to make technical amendments to certain provisions of title 5, United States Code, enacted by the Congressional Review Act; to the Committee on the Judiciary.

By Mr. FLETCHER (for himself, Mr. EWING, Mr. BOUCHER, Mr. WHITFIELD, Mr. LEWIS of Kentucky, and Mr. McINTYRE):

H.R. 5381. A bill to provide for a more restrictive tariff-rate quota on imports of tobacco; to the Committee on Ways and Means.

By Mr. FLETCHER (for himself, Mr. EWING, Mr. BOUCHER, Mr. WHITFIELD, Mr. LEWIS of Kentucky, Mr. McINTYRE, and Mr. GOODE):

H.R. 5382. A bill to allow the Secretary of Agriculture to use existing authorities to provide export promotion assistance for tobacco and tobacco products of the United States; to the Committee on Agriculture.

By Mr. BARRETT of Nebraska:

H.R. 5383. A bill to amend the child and adult care food program under the Richard B. Russell National School Lunch Act to provide alternative reimbursement rates under that program for family or group day care homes located in less populous areas; to the Committee on Education and the Workforce.

By Mr. BOEHLERT (for himself and Mr. LAZIO):

H.R. 5384. A bill to establish a pilot program to encourage the use of alternative fuel vehicles in public transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COBURN (for himself, Mr. ARMEY, Mr. DELAY, Mr. WATTS of Oklahoma, Mr. SMITH of New Jersey, Mr. OBERSTAR, Mr. STUPAK, Mrs. MYRICK, Mr. RAHALL, Mr. ADERHOLT, Mr. BAKER, Mr. SHIMKUS, Mrs. EMERSON, Mr. SCHAFFER, Mr. DEMINT, Mr. DOOLITTLE, Mr. WAMP, Mr. ISTOOK, Mr. HILLEARY, Mr. BURR of North Carolina, Mr. TANCREDO, Mr. VITTER, Mr. PICKERING, Mr. ENGLISH, Mr. HAYES, Mr. PETERSON of Pennsylvania, Mr. BARR of Georgia, Mr. PITTS, Mr. DICKEY, Mr. HOSTETTLER, Mr. HOEKSTRA, Mr. LARGENT, Mr. SOUDER, Mr. TIAHRT, Mr. HAYWORTH, Mrs. CHENOWETH-HAGE, Mr. SAM JOHNSON of Texas, Mr. GOODE, Mr. RYUN of Kansas, Mr. BARTLETT of Maryland, Mr. GREEN of Wisconsin, Mr. JONES of North Carolina, Mr. MANZULLO, and Mr. SHADEGG):

H.R. 5385. A bill to require the Food and Drug Administration to establish restrictions regarding the qualifications of physicians to prescribe the abortion drug commonly known as RU–486; to the Committee on Commerce.

By Mr. ISAKSON (for himself, Mr. TANNER, Mr. NORWOOD, and Mr. KINGSTON):

H.R. 5386. A bill to amend the Internal Revenue Code of 1986 to provide economic relief to farmers and ranchers, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of Michigan:

H.R. 5387. A bill to provide a transition for railroad workers to the Social Security Program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Mr. SAXTON, Mr. BLILEY, Mr. BOUCHER, Mr. DAVIS of Virginia, Mr. GOODE, Mr. GOODLATTE, Mr. MORAN of Virginia, Mr. PICKETT, Mr. SCOTT, Mr. SISISKY, and Mr. WOLF):

H.R. 5388. A bill to designate a building proposed to be located within the boundaries of the Chincoteague National Wildlife Refuge, as the "Herbert H. Bateman Educational and Administrative Center"; to the Committee on Resources.

By Mr. HUNTER (for himself, Mr. BILBRAY, Mr. CUNNINGHAM, Mr. PACKARD, and Mr. FILNER):

H. Con. Res. 417. Concurrent resolution expressing the strong support of Congress that the Federal Energy Regulatory Commission execute its fundamental responsibility to reform the unjust and unreasonable electric power rates in California immediately; to the Committee on Commerce.

¶103.28 ADDITIONAL SPONSORS

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

H.R. 515: Mr. FARR of California.

H.R. 595: Mr. ANDREWS.

H.R. 842: Mr. COYNE.

H.R. 919: Ms. NORTON, Ms. SCHAKOWSKY, and Mr. WELDON of Pennsylvania.

H.R. 1228: Mr. DEUTSCH.

H.R. 1271: Mr. BACA, Mr. OBERSTAR, and Mr. TIERNEY.
H.R. 1929: Mr. HOLT.
H.R. 2200: Mr. LAZIO.
H.R. 2631: Mr. DIAZ-BALART.
H.R. 2720: Mr. HASTINGS of Florida.
H.R. 2774: Mr. SANDERS.
H.R. 2892: Ms. CARSON.
H.R. 3192: Ms. WATERS.
H.R. 3677: Mr. HALL of Texas.
H.R. 3766: Ms. WATERS.
H.R. 4003: Mr. WALDEN of Oregon.
H.R. 4274: Mr. PASTOR, Mrs. TAUSCHER, Ms. SLAUGHTER, Mr. BARCIA, and Mr. BECERRA.
H.R. 4277: Mr. WATKINS and Mr. SHERMAN.
H.R. 4279: Mr. WALDEN of Oregon.
H.R. 4308: Mr. ROTHMAN.
H.R. 4330: Ms. CARSON
H.R. 4393: Mr. BENTSEN.
H.R. 4395: Mr. ISAKSON.
H.R. 4594: Ms. WOOLSEY and Mr. BENTSEN.
H.R. 4728: Mr. SMITH of Texas and Mr. HOBSON.
H.R. 4740: Mr. PASCRELL, Mr. HOLDEN, and Ms. KILPATRICK.
H.R. 4750: Ms. WOOLSEY.
H.R. 4780: Mr. SIMPSON and Mr. HASTINGS of Washington.
H.R. 5005: Mr. SAXTON.
H.R. 5068: Mr. YOUNG of Florida.
H.R. 5146: Mr. GOODLATTE.
H.R. 5158: Ms. JACKSON-LEE of Texas.
H.R. 5179: Mr. BONIOR and Ms. ROYBAL-ALLARD.
H.R. 5180: Mr. RAMSTAD.
H.R. 5186: Mr. BOSWELL.
H.R. 5194: Mrs. MALONEY of New York.
H.R. 5200: Mr. KINGSTON, Mr. PITTS, and Mr. HASTINGS of Washington.
H.R. 5219: Mr. BONIOR, Mrs. CHRISTENSEN, Mr. HOUGHTON, Mr. MCGOVERN, and Mr. RAHALL.
H.R. 5220: Mr. HALL of Texas.
H.R. 5222: Mr. THOMPSON of California.
H.R. 5242: Mr. HINCHEY, Mr. QUINN, Mr. OWENS, Ms. VELÁZQUEZ, and Mr. LAFALCE.
H.R. 5271: Mr. GREEN of Texas and Mr. DOOLEY of California.
H.R. 5344: Mr. PITTS.
H.R. 5365: Mr. OXLEY, Mr. FOSSELLA, Ms. MCCARTHY of Missouri, and Mr. KIND.
H.R. 5375: Mr. LAFALCE and Mr. MCNULTY.
H. Con. Res. 62: Mr. ROGAN.
H. Con. Res. 337: Mrs. TAUSCHER.
H. Con. Res. 377: Mrs. MALONEY of New York, Mr. MCGOVERN, and Ms. SCHAKOWSKY.
H. Con. Res. 412: Mr. SHAYS.
H. Con. Res. 413: Mr. STEARNS.

THURSDAY, OCTOBER 5, 2000 (104)

¶104.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SIMPSON, who laid before the House the following communication:

WASHINGTON, DC,
October 5, 2000.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

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

¶104.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SIMPSON, announced he had examined and approved the Journal of the proceedings of Wednesday, October 4, 2000.

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

¶104.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10460. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Profile Documents for Commodity Pools (RIN: 3038–AB60) received October 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10461. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate for Pay-As-You-Go Calculations; to the Committee on the Budget.

10462. A letter from the Director, Office on Management and Budget, transmitting a report on the Estimates Contained in P.L. 106–259 Department of Defense Appropriations Act, FY 2001; to the Committee on the Budget.

10463. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Rocksprings, Texas) [MM Docket No. 99–336; RM–9758] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10464. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Bristol, Vermont) [MM Docket No. 99–260; RM–9686] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10465. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Sheffield, Pennsylvania) [MM Docket No. 00–60; RM–9827] (Erie, Illinois) [MM Docket No. 00–61; RM–9840] (Due West, South Carolina) [MM Docket No. 00–62; RM–9846] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10466. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Jacksonville, Georgia) [MM Docket No. 00–84; RM–9855] (Las Vegas, New Mexico) [MM Docket No. 00–85; RM–9868] (Vale, Oregon) [MM Docket No. 00–86; RM–9869] (Waynesboro, Georgia) [MM Docket No. 00–89; RM–9872] (Fallon, Nevada) [MM Docket No. 00–111; RM–9900] (Weiser, Oregon) [MM Docket No. 00–112; RM–9901] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10467. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of section 73.202(b), Table of Allotments, FM Broadcast Stations. (Pitkin, Lake Charles, Moss Bluff, and Reeves, Louisiana, and Crystal Beach, Galveston, Missouri City, and Rosenberg, Texas.) [MM Docket No. 99–26; RM–9436; RM–9651; RM–9652] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10468. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 15 of the Commission's Rules Regarding Spread Spectrum Devices [ET Docket No. 99–231] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10469. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems [CC Docket No. 94–102] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10470. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Station (Andalusia, Alabama and Holt, Florida) [MM Docket No. 00–17; RM–9814] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10471. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Rangley, Silverton and Ridgway, Colorado) [MM Docket No. 99–151, RM–9559, RM–9932] received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10472. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Italy [Transmittal No. DTC 127–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10473. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

10474. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled ''Audit of the Advisory Neighborhood Commission 3B for the period October 1, 1997 through December 31, 1999,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

10475. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled ''Certification of the Fiscal Year 2000 Revised Revenue Estimate of $3,225,180,000 in Support of the District's $189 Million Multimodal General Obligation BONDS,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

10476. A letter from the Chairman, Consumer Product Safety Commission, transmitting a report on the revised Strategic Plan; to the Committee on Government Reform.

10477. A letter from the Attorney General, Department of Justice, transmitting a report on the Strategic Plan for 2000–2005; to the Committee on Government Reform.

10478. A letter from the Acting Secretary, Department of Veterans Affairs, transmitting a report on the Strategic Plan 2001–2006; to the Committee on Government Reform.

10479. A letter from the The Administrator, Environmental Protection Agency, transmitting a report on the Strategic Plan for FY 2000–2005; to the Committee on Government Reform.

10480. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting a report on the Strategic Plan for 2000–2005; to the Committee on Government Reform.

10481. A letter from the Chairman, Federal Trade Commission, transmitting a report on the Strategic Plan for FY 2000–2005; to the Committee on Government Reform.

10482. A letter from the Executive Director, Neighborhood Reinvestment Corporation, transmitting a report on the five-year Strategic/Operational Plan for FY 2000–2005; to the Committee on Government Reform.

10483. A letter from the Director, Office of Personnel Management, transmitting a re-

port on the 2000 Inventory of Commercial Activities; to the Committee on Government Reform.

10484. A letter from the Director, Office of Personnel Management, transmitting a report on the Federal Human Resources Management for the 21st century Strategic Plan FY 2000–2005; to the Committee on Government Reform.

10485. A letter from the Secretary of Labor, transmitting a report on the Strategic Plan for 1999–2004; to the Committee on Government Reform.

10486. A letter from the Chairman, Tennessee Valley Authority, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1999, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

10487. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna [I.D. 081600A] received October 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10488. A letter from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Acquisition of Training Services—received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

10489. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Monthly Limit for Transit Passes and Transportation in a Commuter Highway Vehicle Provided by an Employer to Employees Under Section 132(f) of the Internal Revenue Code [Announcement 2000–78] received October 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10490. A letter from the Chief, Regulations Unit, Internal Revenue Services, transmitting the Service's final rule—Automatic approval of changes in funding methods [Rev. Procedure 2000–40] received October 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10491. A letter from the Chairman, United States International Trade Commission, transmitting the annual report on the impact of the Andean Trade Preference Act on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution, pursuant to 19 U.S.C. 3204; to the Committee on Ways and Means.

10492. A letter from the Acting Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting a report on the Employment of Minorities, Women and People with Disabilities in the Federal Government; jointly to the Committees on Government Reform and Education and the Workforce.

¶104.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 1162. An act to designate the bridge on United States Route 231 that crosses the Ohio River between Maceo, Kentucky, and Rockport, Indiana, as the ''William H. Natcher Bridge''.

H.R. 1605. An act to designate the Federal building and United States courthouse located at 402 North Walnut Street in Harrison, Arkansas, as the ''J. Smith Henley Federal Building and United States Courthouse''.

H.R. 4318. An act to establish the Red River National Wildlife Refuge.

H.R. 4642. An act to make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes.

H.R. 4806. An act to designate the Federal building located at 1710 Alabama Avenue in Jasper, Alabama, as the ''Carl Elliott Federal Building''.

H.R. 5284. An act to designate the United States courthouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Courthouse''.

H. Con. Res. 399. Concurrent resolution recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 4002. An act to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger.

H.R. 4386. An act to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV) and for other purposes.

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

S. 2412. An act to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2000, 2001, 2002, and 2003, and for other purposes.

The message also announced that pursuant to Public Law 103–296, the Chair, on behalf of the President pro tempore, and in consultation with the Chairman and the Ranking Minority Member of the Finance Committee, appoints David Podoff, of Maryland, as a member of the Social Security Advisory Board, vice Lori L. Hansen.

¶104.5 PROVIDING FOR THE CONSIDERATION OF S. 2311

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 611):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (S. 2311) to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes. The bill shall be considered as read for amendment. The amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce; and (2) one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶104.6 RYAN WHITE CARE PROGRAMS

Mr. COBURN, pursuant to House Resolution 611, called up the bill of the Senate (S. 2311) to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes.

When said bill was considered and read twice.

The following amendment in the nature of a substitute printed in the Congressional Record and numbered 1, was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Ryan White CARE Act Amendments of 2000''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

TITLE I—EMERGENCY RELIEF FOR AREAS WITH SUBSTANTIAL NEED FOR SERVICES

Subtitle A—HIV Health Services Planning Councils

Sec. 101. Membership of councils.
Sec. 102. Duties of councils.
Sec. 103. Open meetings; other additional provisions.

Subtitle B—Type and Distribution of Grants

Sec. 111. Formula grants.
Sec. 112. Supplemental grants.

Subtitle C—Other Provisions

Sec. 121. Use of amounts.
Sec. 122. Application.

TITLE II—CARE GRANT PROGRAM

Subtitle A—General Grant Provisions

Sec. 201. Priority for women, infants, and children.
Sec. 202. Use of grants.
Sec. 203. Grants to establish HIV care consortia.
Sec. 204. Provision of treatments.
Sec. 205. State application.
Sec. 206. Distribution of funds.
Sec. 207. Supplemental grants for certain States.

Subtitle B—Provisions Concerning Pregnancy and Perinatal Transmission of HIV

Sec. 211. Repeals.
Sec. 212. Grants.
Sec. 213. Study by Institute of Medicine.

Subtitle C—Certain Partner Notification Programs

Sec. 221. Grants for compliant partner notification programs.

TITLE III—EARLY INTERVENTION SERVICES

Subtitle A—Formula Grants for States

Sec. 301. Repeal of program.

Subtitle B—Categorical Grants
Sec. 311. Preferences in making grants.
Sec. 312. Planning and development grants.
Sec. 313. Authorization of appropriations.
Subtitle C—General Provisions
Sec. 321. Provision of certain counseling services.
Sec. 322. Additional required agreements.
TITLE IV—OTHER PROGRAMS AND ACTIVITIES
Subtitle A—Certain Programs for Research, Demonstrations, or Training
Sec. 401. Grants for coordinated services and access to research for women, infants, children, and youth.
Sec. 402. AIDS education and training centers.
Subtitle B—General Provisions in Title XXVI
Sec. 411. Evaluations and reports.
Sec. 412. Data collection through Centers for Disease Control and Prevention.
Sec. 413. Coordination.
Sec. 414. Plan regarding release of prisoners with HIV disease.
Sec. 415. Audits.
Sec. 416. Administrative simplification.
Sec. 417. Authorization of appropriations for parts A and B.
TITLE V—GENERAL PROVISIONS
Sec. 501. Studies by Institute of Medicine.
Sec. 502. Development of rapid HIV test.
Sec. 503. Technical corrections.
TITLE VI—EFFECTIVE DATE
Sec. 601. Effective date.

TITLE I—EMERGENCY RELIEF FOR AREAS WITH SUBSTANTIAL NEED FOR SERVICES

Subtitle A—HIV Health Services Planning Councils

SEC. 101. MEMBERSHIP OF COUNCILS.

(a) IN GENERAL.—Section 2602(b) of the Public Health Service Act (42 U.S.C. 300ff–12(b)) is amended—

(1) in paragraph (1), by striking ''demographics of the epidemic in the eligible area involved,'' and inserting ''demographics of the population of individuals with HIV disease in the eligible area involved,''; and

(2) in paragraph (2)—

(A) in subparagraph (C), by inserting before the semicolon the following: '', including providers of housing and homeless services'';

(B) in subparagraph (G), by striking ''or AIDS'';

(C) in subparagraph (K), by striking ''and'' at the end;

(D) in subparagraph (L), by striking the period and inserting the following: '', including but not limited to providers of HIV prevention services; and''; and

(E) by adding at the end the following subparagraph:

''(M) representatives of individuals who formerly were Federal, State, or local prisoners, were released from the custody of the penal system during the preceding 3 years, and had HIV disease as of the date on which the individuals were so released.''.

(b) CONFLICTS OF INTERESTS.—Section 2602(b)(5) of the Public Health Service Act (42 U.S.C. 300ff–12(b)(5)) is amended by adding at the end the following subparagraph:

''(C) COMPOSITION OF COUNCIL.—The following applies regarding the membership of a planning council under paragraph (1):

''(i) Not less than 33 percent of the council shall be individuals who are receiving HIV-related services pursuant to a grant under section 2601(a), are not officers, employees, or consultants to any entity that receives amounts from such a grant, and do not represent any such entity, and reflect the demographics of the population of individuals with HIV disease as determined under paragraph (4)(A). For purposes of the preceding sentence, an individual shall be considered to be receiving such services if the individual is a parent of, or a caregiver for, a minor child who is receiving such services.

''(ii) With respect to membership on the planning council, clause (i) may not be construed as having any effect on entities that receive funds from grants under any of parts B through F but do not receive funds from grants under section 2601(a), on officers or employees of such entities, or on individuals who represent such entities.''.

SEC. 102. DUTIES OF COUNCILS.

(a) IN GENERAL.—Section 2602(b)(4) of the Public Health Service Act (42 U.S.C. 300ff–12(b)(4)) is amended—

(1) by redesignating subparagraphs (A) through (E) as subparagraphs (C) through (G), respectively;

(2) by inserting before subparagraph (C) (as so redesignated) the following subparagraphs:

''(A) determine the size and demographics of the population of individuals with HIV disease;

''(B) determine the needs of such population, with particular attention to—

''(i) individuals with HIV disease who know their HIV status and are not receiving HIV-related services; and

''(ii) disparities in access and services among affected subpopulations and historically underserved communities;'';

(3) in subparagraph (C) (as so redesignated), by striking clauses (i) through (iv) and inserting the following:

''(i) size and demographics of the population of individuals with HIV disease (as determined under subparagraph (A)) and the needs of such population (as determined under subparagraph (B));

''(ii) demonstrated (or probable) cost effectiveness and outcome effectiveness of proposed strategies and interventions, to the extent that data are reasonably available;

''(iii) priorities of the communities with HIV disease for whom the services are intended;

''(iv) coordination in the provision of services to such individuals with programs for HIV prevention and for the prevention and treatment of substance abuse, including programs that provide comprehensive treatment for such abuse;

''(v) availability of other governmental and non-governmental resources, including the State medicaid plan under title XIX of the Social Security Act and the State Children's Health Insurance Program under title XXI of such Act to cover health care costs of eligible individuals and families with HIV disease; and

''(vi) capacity development needs resulting from disparities in the availability of HIV-related services in historically underserved communities;'';

(4) in subparagraph (D) (as so redesignated), by amending the subparagraph to read as follows:

''(D) develop a comprehensive plan for the organization and delivery of health and support services described in section 2604 that—

''(i) includes a strategy for identifying individuals who know their HIV status and are not receiving such services and for informing the individuals of and enabling the individuals to utilize the services, giving particular attention to eliminating disparities in access and services among affected subpopulations and historically underserved communities, and including discrete goals, a timetable, and an appropriate allocation of funds;

''(ii) includes a strategy to coordinate the provision of such services with programs for HIV prevention (including outreach and early intervention) and for the prevention and treatment of substance abuse (including programs that provide comprehensive treatment services for such abuse); and

''(iii) is compatible with any State or local plan for the provision of services to individuals with HIV disease;'';

(5) in subparagraph (F) (as so redesignated), by striking ''and'' at the end;

(6) in subparagraph (G) (as so redesignated)—

(A) by striking ''public meetings,'' and inserting ''public meetings (in accordance with paragraph (7)),''; and

(B) by striking the period and inserting ''; and''; and

(7) by adding at the end the following subparagraph:

''(H) coordinate with Federal grantees that provide HIV-related services within the eligible area.''.

(b) PROCESS FOR ESTABLISHING ALLOCATION PRIORITIES.—Section 2602 of the Public Health Service Act (42 U.S.C. 300ff–12) is amended by adding at the end the following subsection:

''(d) PROCESS FOR ESTABLISHING ALLOCATION PRIORITIES.—Promptly after the date of the submission of the report required in section 501(b) of the Ryan White CARE Act Amendments of 2000 (relating to the relationship between epidemiological measures and health care for certain individuals with HIV disease), the Secretary, in consultation with planning councils and entities that receive amounts from grants under section 2601(a) or 2611, shall develop epidemiologic measures—

''(1) for establishing the number of individuals living with HIV disease who are not receiving HIV-related health services; and

''(2) for carrying out the duties under subsection (b)(4) and section 2617(b).''.

(c) TRAINING.—Section 2602 of the Public Health Service Act (42 U.S.C. 300ff–12), as amended by subsection (b) of this section, is amended by adding at the end the following subsection:

''(e) TRAINING GUIDANCE AND MATERIALS.—The Secretary shall provide to each chief elected official receiving a grant under 2601(a) guidelines and materials for training members of the planning council under paragraph (1) regarding the duties of the council.''.

(d) CONFORMING AMENDMENT.—Section 2603(c) of the Public Health Service Act (42 U.S.C. 300ff–12(b)) is amended by striking ''section 2602(b)(3)(A)'' and inserting ''section 2602(b)(4)(C)''.

SEC. 103. OPEN MEETINGS; OTHER ADDITIONAL PROVISIONS.

Section 2602(b) of the Public Health Service Act (42 U.S.C. 300ff–12(b)) is amended—

(1) in paragraph (3), by striking subparagraph (C); and

(2) by adding at the end the following paragraph:

''(7) PUBLIC DELIBERATIONS.—With respect to a planning council under paragraph (1), the following applies:

''(A) The council may not be chaired solely by an employee of the grantee under section 2601(a).

''(B) In accordance with criteria established by the Secretary:

''(i) The meetings of the council shall be open to the public and shall be held only after adequate notice to the public.

''(ii) The records, reports, transcripts, minutes, agenda, or other documents which were made available to or prepared for or by the council shall be available for public inspection and copying at a single location.

''(iii) Detailed minutes of each meeting of the council shall be kept. The accuracy of all minutes shall be certified to by the chair of the council.

''(iv) This subparagraph does not apply to any disclosure of information of a personal

nature that would constitute a clearly unwarranted invasion of personal privacy, including any disclosure of medical information or personnel matters.''.

Subtitle B—Type and Distribution of Grants

SEC. 111. FORMULA GRANTS.

(a) EXPEDITED DISTRIBUTION.—Section 2603(a)(2) of the Public Health Service Act (42 U.S.C. 300ff–13(a)(2)) is amended in the first sentence by striking ''for each of the fiscal years 1996 through 2000'' and inserting ''for a fiscal year''.

(b) AMOUNT OF GRANT; ESTIMATE OF LIVING CASES.—

(1) IN GENERAL.—Section 2603(a)(3)) of the Public Health Service Act (42 U.S.C. 300ff–13(a)(3)) is amended—

(A) in subparagraph (C)(i), by inserting before the semicolon the following: '', except that (subject to subparagraph (D)), for grants made pursuant to this paragraph for fiscal year 2005 and subsequent fiscal years, the cases counted for each 12-month period beginning on or after July 1, 2004, shall be cases of HIV disease (as reported to and confirmed by such Director) rather than cases of acquired immune deficiency syndrome''; and

(B) in subparagraph (C), in the matter after and below clause (ii)(X)—

(i) in the first sentence, by inserting before the period the following: '', and shall be reported to the congressional committees of jurisdiction''; and

(ii) by adding at the end the following sentence: ''Updates shall as applicable take into account the counting of cases of HIV disease pursuant to clause (i).''.

(2) DETERMINATION OF SECRETARY REGARDING DATA ON HIV CASES.—Section 2603(a)(3)) of the Public Health Service Act (42 U.S.C. 300ff–13(a)(3)) is amended—

(A) by redesignating subparagraph (D) as subparagraph (E); and

(B) by inserting after subparagraph (C) the following subparagraph:

''(D) DETERMINATION OF SECRETARY REGARDING DATA ON HIV CASES.—

''(i) IN GENERAL.—Not later than July 1, 2004, the Secretary shall determine whether there is data on cases of HIV disease from all eligible areas (reported to and confirmed by the Director of the Centers for Disease Control and Prevention) sufficiently accurate and reliable for use for purposes of subparagraph (C)(i). In making such a determination, the Secretary shall take into consideration the findings of the study under section 501(b) of the Ryan White CARE Act Amendments of 2000 (relating to the relationship between epidemiological measures and health care for certain individuals with HIV disease).

''(ii) EFFECT OF ADVERSE DETERMINATION.—If under clause (i) the Secretary determines that data on cases of HIV disease is not sufficiently accurate and reliable for use for purposes of subparagraph (C)(i), then notwithstanding such subparagraph, for any fiscal year prior to fiscal year 2007 the references in such subparagraph to cases of HIV disease do not have any legal effect.

''(iii) GRANTS AND TECHNICAL ASSISTANCE REGARDING COUNTING OF HIV CASES.—Of the amounts appropriated under section 318B for a fiscal year, the Secretary shall reserve amounts to make grants and provide technical assistance to States and eligible areas with respect to obtaining data on cases of HIV disease to ensure that data on such cases is available from all States and eligible areas as soon as is practicable but not later than the beginning of fiscal year 2007.''.

(c) INCREASES IN GRANT.—Section 2603(a)(4)) of the Public Health Service Act (42 U.S.C. 300ff–13(a)(4)) is amended to read as follows:

''(4) INCREASES IN GRANT.—

''(A) IN GENERAL.—For each fiscal year in a protection period for an eligible area, the Secretary shall increase the amount of the grant made pursuant to paragraph (2) for the area to ensure that—

''(i) for the first fiscal year in the protection period, the grant is not less than 98 percent of the amount of the grant made for the eligible area pursuant to such paragraph for the base year for the protection period;

''(ii) for any second fiscal year in such period, the grant is not less than 95 percent of the amount of such base year grant;

''(iii) for any third fiscal year in such period, the grant is not less than 92 percent of the amount of the base year grant;

''(iv) for any fourth fiscal year in such period, the grant is not less than 89 percent of the amount of the base year grant; and

''(v) for any fifth or subsequent fiscal year in such period, if, pursuant to paragraph (3)(D)(ii)), the references in paragraph (3)(C)(i) to HIV disease do not have any legal effect, the grant is not less than 85 percent of the amount of the base year grant.

''(B) SPECIAL RULE.—If for fiscal year 2005, pursuant to paragraph (3)(D)(ii), data on cases of HIV disease are used for purposes of paragraph (3)(C)(i), the Secretary shall increase the amount of a grant made pursuant to paragraph (2) for an eligible area to ensure that the grant is not less than 98 percent of the amount of the grant made for the area in fiscal year 2004.

''(C) BASE YEAR; PROTECTION PERIOD.—With respect to grants made pursuant to paragraph (2) for an eligible area:

''(i) The base year for a protection period is the fiscal year preceding the trigger grant-reduction year.

''(ii) The first trigger grant-reduction year is the first fiscal year (after fiscal year 2000) for which the grant for the area is less than the grant for the area for the preceding fiscal year.

''(iii) A protection period begins with the trigger grant-reduction year and continues until the beginning of the first fiscal year for which the amount of the grant determined pursuant to paragraph (2) for the area equals or exceeds the amount of the grant determined under subparagraph (A).

''(iv) Any subsequent trigger grant-reduction year is the first fiscal year, after the end of the preceding protection period, for which the amount of the grant is less than the amount of the grant for the preceding fiscal year.''.

SEC. 112. SUPPLEMENTAL GRANTS.

(a) IN GENERAL.—Section 2603(b)(2) of the Public Health Service Act (42 U.S.C. 300ff–13(b)(2)) is amended—

(1) in the heading for the paragraph, by striking ''DEFINITION'' and inserting ''AMOUNT OF GRANT'';

(2) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D), respectively;

(3) by inserting before subparagraph (B) (as so redesignated) the following subparagraph:

''(A) IN GENERAL.—The amount of each grant made for purposes of this subsection shall be determined by the Secretary based on a weighting of factors under paragraph (1), with severe need under subparagraph (B) of such paragraph counting one-third.'';

(4) in subparagraph (B) (as so redesignated)—

(A) in clause (ii), by striking ''and'' at the end;

(B) in clause (iii), by striking the period and inserting a semicolon; and

(C) by adding at the end the following clauses:

''(iv) the current prevalence of HIV disease;

''(v) an increasing need for HIV-related services, including relative rates of increase in the number of cases of HIV disease; and

''(vi) unmet need for such services, as determined under section 2602(b)(4).'';

(5) in subparagraph (C) (as so redesignated)—

(A) by striking ''subparagraph (A)'' each place such term appears and inserting ''subparagraph (B)'';

(B) in the second sentence, by striking ''2 years after the date of enactment of this paragraph'' and inserting ''18 months after the date of the enactment of the Ryan White CARE Act Amendments of 2000''; and

(C) by inserting after the second sentence the following sentence: ''Such a mechanism shall be modified to reflect the findings of the study under section 501(b) of the Ryan White CARE Act Amendments of 2000 (relating to the relationship between epidemiological measures and health care for certain individuals with HIV disease).''; and

(6) in subparagraph (D) (as so redesignated), by striking ''subparagraph (B)'' and inserting ''subparagraph (C)''.

(b) REQUIREMENTS FOR APPLICATION.—Section 2603(b)(1)(E) of the Public Health Service Act (42 U.S.C. 300ff–13(b)(1)(E)) is amended by inserting ''youth,'' after ''children,''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 2603(b) of the Public Health Service Act (42 U.S.C. 300ff–13(b)) is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraph (5) as paragraph (4); and

(3) in paragraph (4) (as so redesignated), in subparagraph (B), by striking ''grants'' and inserting ''grant''.

Subtitle C—Other Provisions

SEC. 121. USE OF AMOUNTS.

(a) PRIMARY PURPOSES.—Section 2604(b)(1) of the Public Health Service Act (42 U.S.C. 300ff–14(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''HIV-related—'' and inserting ''HIV-related services, as follows:'';

(2) in subparagraph (A)—

(A) by striking ''outpatient'' and all that follows through ''substance abuse treatment and'' and inserting the following: ''Outpatient and ambulatory health services, including substance abuse treatment,''; and

(B) by striking ''; and'' and inserting a period;

(3) in subparagraph (B), by striking ''(B) inpatient case management'' and inserting ''(C) Inpatient case management'';

(4) by inserting after subparagraph (A) the following subparagraph:

''(B) Outpatient and ambulatory support services (including case management), to the extent that such services facilitate, enhance, support, or sustain the delivery, continuity, or benefits of health services for individuals and families with HIV disease.''; and

(5) by adding at the end the following:

''(D) Outreach activities that are intended to identify individuals with HIV disease who know their HIV status and are not receiving HIV-related services, and that are—

''(i) necessary to implement the strategy under section 2602(b)(4)(D), including activities facilitating the access of such individuals to HIV-related primary care services at entities described in paragraph (3)(A);

''(ii) conducted in a manner consistent with the requirements under sections 2605(a)(3) and 2651(b)(2); and

''(iii) supplement, and do not supplant, such activities that are carried out with amounts appropriated under section 317.''.

(b) EARLY INTERVENTION SERVICES.—Section 2604(b) (42 U.S.C. 300ff–14(b)) of the Public Health Service Act is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) EARLY INTERVENTION SERVICES.—

''(A) IN GENERAL.—The purposes for which a grant under section 2601 may be used in-

clude providing to individuals with HIV disease early intervention services described in section 2651(b)(2), with follow-up referral provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services. The entities through which such services may be provided under the grant include public health departments, emergency rooms, substance abuse and mental health treatment programs, detoxification centers, detention facilities, clinics regarding sexually transmitted diseases, homeless shelters, HIV disease counseling and testing sites, health care points of entry specified by eligible areas, federally qualified health centers, and entities described in section 2652(a) that constitute a point of access to services by maintaining referral relationships.

''(B) CONDITIONS.—With respect to an entity that proposes to provide early intervention services under subparagraph (A), such subparagraph applies only if the entity demonstrates to the satisfaction of the chief elected official for the eligible area involved that—

''(i) Federal, State, or local funds are otherwise inadequate for the early intervention services the entity proposes to provide; and

''(ii) the entity will expend funds pursuant to such subparagraph to supplement and not supplant other funds available to the entity for the provision of early intervention services for the fiscal year involved.''.

(c) PRIORITY FOR WOMEN, INFANTS, AND CHILDREN.—Section 2604(b) (42 U.S.C. 300ff–14(b)) of the Public Health Service Act is amended in paragraph (4) (as redesignated by subsection (b)(1) of this section) by amending the paragraph to read as follows:

''(4) PRIORITY FOR WOMEN, INFANTS AND CHILDREN.—

''(A) IN GENERAL.—For the purpose of providing health and support services to infants, children, youth, and women with HIV disease, including treatment measures to prevent the perinatal transmission of HIV, the chief elected official of an eligible area, in accordance with the established priorities of the planning council, shall for each of such populations in the eligible area use, from the grants made for the area under section 2601(a) for a fiscal year, not less than the percentage constituted by the ratio of the population involved (infants, children, youth, or women in such area) with acquired immune deficiency syndrome to the general population in such area of individuals with such syndrome.

''(B) WAIVER.—With respect the population involved, the Secretary may provide to the chief elected official of an eligible area a waiver of the requirement of subparagraph (A) if such official demonstrates to the satisfaction of the Secretary that the population is receiving HIV-related health services through the State medicaid program under title XIX of the Social Security Act, the State children's health insurance program under title XXI of such Act, or other Federal or State programs.''.

(d) QUALITY MANAGEMENT.—Section 2604 of the Public Health Service Act (42 U.S.C. 300ff–14) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following:

''(c) QUALITY MANAGEMENT.—

''(1) REQUIREMENT.—The chief elected official of an eligible area that receives a grant under this part shall provide for the establishment of a quality management program to assess the extent to which HIV health services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infection, and as applicable, to develop strategies for ensuring that such services are consistent with the guidelines for improvement in the access to and quality of HIV health services.

''(2) USE OF FUNDS.—From amounts received under a grant awarded under this part for a fiscal year, the chief elected official of an eligible area may (in addition to amounts to which subsection (f)(1) applies) use for activities associated with the quality management program required in paragraph (1) not more than the lesser of—

''(A) 5 percent of amounts received under the grant; or

''(B) $3,000,000.''.

SEC. 122. APPLICATION.

(a) IN GENERAL.—Section 2605(a) of the Public Health Service Act (42 U.S.C. 300ff–15(a)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (2) the following paragraphs:

''(3) that entities within the eligible area that receive funds under a grant under this part will maintain appropriate relationships with entities in the eligible area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, mental health programs, and homeless shelters), and other entities under section 2604(b)(3) and 2652(a), for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their HIV status but not in care;

''(4) that the chief elected official of the eligible area will satisfy all requirements under section 2604(c);''.

(b) CONFORMING AMENDMENTS.—Section 2605(a) (42 U.S.C. 300ff–15(a)(1)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''services to individuals with HIV disease'' and inserting ''services as described in section 2604(b)(1)''; and

(B) in subparagraph (B), by striking ''services for individuals with HIV disease'' and inserting ''services as described in section 2604(b)(1)'';

(2) in paragraph (7) (as redesignated by subsection (a)(1) of this section), by striking ''and'' at the end;

(3) in paragraph (8) (as so redesignated), by striking the period and inserting ''; and''; and

(4) by adding at the end the following paragraph:

''(9) that the eligible area has procedures in place to ensure that services provided with funds received under this part meet the criteria specified in section 2604(b)(1).''.

TITLE II—CARE GRANT PROGRAM

Subtitle A—General Grant Provisions

SEC. 201. PRIORITY FOR WOMEN, INFANTS, AND CHILDREN.

Section 2611(b) of the Public Health Service Act (42 U.S.C. 300ff–21(b)) is amended to read as follows:

''(b) PRIORITY FOR WOMEN, INFANTS AND CHILDREN.—

''(1) IN GENERAL.—For the purpose of providing health and support services to infants, children, youth, and women with HIV disease, including treatment measures to prevent the perinatal transmission of HIV, a State shall for each of such populations use, of the funds allocated under this part to the State for a fiscal year, not less than the percentage constituted by the ratio of the population involved (infants, children, youth, or women in the State) with acquired immune deficiency syndrome to the general population in the State of individuals with such syndrome.

''(2) WAIVER.—With respect the population involved, the Secretary may provide to a State a waiver of the requirement of paragraph (1) if the State demonstrates to the satisfaction of the Secretary that the population is receiving HIV-related health services through the State medicaid program under title XIX of the Social Security Act, the State children's health insurance program under title XXI of such Act, or other Federal or State programs.''.

SEC. 202. USE OF GRANTS.

Section 2612 of the Public Health Service Act (42 U.S.C. 300ff–22) is amended—

(1) by striking ''A State may use'' and inserting ''(a) IN GENERAL.—A State may use''; and

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

''(b) SUPPORT SERVICES; OUTREACH.—The purposes for which a grant under this part may be used include delivering or enhancing the following:

''(1) Outpatient and ambulatory support services under section 2611(a) (including case management) to the extent that such services facilitate, enhance, support, or sustain the delivery, continuity, or benefits of health services for individuals and families with HIV disease.

''(2) Outreach activities that are intended to identify individuals with HIV disease who know their HIV status and are not receiving HIV-related services, and that are—

''(A) necessary to implement the strategy under section 2617(b)(4)(B), including activities facilitating the access of such individuals to HIV-related primary care services at entities described in subsection (c)(1);

''(B) conducted in a manner consistent with the requirement under section 2617(b)(6)(G) and 2651(b)(2); and

''(C) supplement, and do not supplant, such activities that are carried out with amounts appropriated under section 317.

''(c) EARLY INTERVENTION SERVICES.—

''(1) IN GENERAL.—The purposes for which a grant under this part may be used include providing to individuals with HIV disease early intervention services described in section 2651(b)(2), with follow-up referral provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services. The entities through which such services may be provided under the grant include public health departments, emergency rooms, substance abuse and mental health treatment programs, detoxification centers, detention facilities, clinics regarding sexually transmitted diseases, homeless shelters, HIV disease counseling and testing sites, health care points of entry specified by States or eligible areas, federally qualified health centers, and entities described in section 2652(a) that constitute a point of access to services by maintaining referral relationships.

''(2) CONDITIONS.—With respect to an entity that proposes to provide early intervention services under paragraph (1), such paragraph applies only if the entity demonstrates to the satisfaction of the State involved that—

''(A) Federal, State, or local funds are otherwise inadequate for the early intervention services the entity proposes to provide; and

''(B) the entity will expend funds pursuant to such paragraph to supplement and not supplant other funds available to the entity for the provision of early intervention services for the fiscal year involved.

''(d) QUALITY MANAGEMENT.—

''(1) REQUIREMENT.—Each State that receives a grant under this part shall provide for the establishment of a quality management program to assess the extent to which

HIV health services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infection, and as applicable, to develop strategies for ensuring that such services are consistent with the guidelines for improvement in the access to and quality of HIV health services.

''(2) USE OF FUNDS.—From amounts received under a grant awarded under this part for a fiscal year, the State may (in addition to amounts to which section 2618(b)(5) applies) use for activities associated with the quality management program required in paragraph (1) not more than the lesser of—

''(A) 5 percent of amounts received under the grant; or

''(B) $3,000,000.''.

SEC. 203. GRANTS TO ESTABLISH HIV CARE CONSORTIA.

Section 2613 of the Public Health Service Act (42 U.S.C. 300ff–23) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (A), by inserting before the semicolon the following: '', particularly those experiencing disparities in access and services and those who reside in historically underserved communities''; and

(B) in subparagraph (B), by inserting after ''by such consortium'' the following: ''is consistent with the comprehensive plan under 2617(b)(4) and'';

(2) in subsection (c)(1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon at the end;

(B) in subparagraph (E), by striking the period and inserting ''; and''; and

(C) by adding at the end the following subparagraph:

''(F) demonstrates that adequate planning occurred to address disparities in access and services and historically underserved communities.''; and

(3) in subsection (c)(2)—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

(B) in subparagraph (C), by striking the period and inserting ''; and''; and

(C) by inserting after subparagraph (C) the following subparagraph:

''(D) the types of entities described in section 2602(b)(2).''.

SEC. 204. PROVISION OF TREATMENTS.

(a) IN GENERAL.—Section 2616(c) of the Public Health Service Act (42 U.S.C. 300ff–26(c)) is amended—

(1) in paragraph (4), by striking ''and'' after the semicolon at the end;

(2) in paragraph (5), by striking the period and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) encourage, support, and enhance adherence to and compliance with treatment regimens, including related medical monitoring.

''Of the amount reserved by a State for a fiscal year for use under this section, the State may not use more than 5 percent to carry out services under paragraph (6), except that the percentage applicable with respect to such paragraph is 10 percent if the State demonstrates to the Secretary that such additional services are essential and in no way diminish access to the therapeutics described in subsection (a).''.

(b) HEALTH INSURANCE AND PLANS.—Section 2616 of the Public Health Service Act (42 U.S.C. 300ff–26) is amended by adding at the end the following subsection:

''(e) USE OF HEALTH INSURANCE AND PLANS.—

''(1) IN GENERAL.—In carrying out subsection (a), a State may expend a grant under this part to provide the therapeutics described in such subsection by paying on behalf of individuals with HIV disease the costs of purchasing or maintaining health insurance or plans whose coverage includes a full range of such therapeutics and appropriate primary care services.

''(2) LIMITATION.—The authority established in paragraph (1) applies only to the extent that, for the fiscal year involved, the costs of the health insurance or plans to be purchased or maintained under such paragraph do not exceed the costs of otherwise providing therapeutics described in subsection (a).''.

SEC. 205. STATE APPLICATION.

(a) DETERMINATION OF SIZE AND NEEDS OF POPULATION; COMPREHENSIVE PLAN.—Section 2617(b) of the Public Health Service Act (42 U.S.C. 300ff–27(b)) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (4) through (6), respectively;

(2) by inserting after paragraph (1) the following paragraphs:

''(2) a determination of the size and demographics of the population of individuals with HIV disease in the State;

''(3) a determination of the needs of such population, with particular attention to—

''(A) individuals with HIV disease who know their HIV status and are not receiving HIV-related services; and

''(B) disparities in access and services among affected subpopulations and historically underserved communities;''; and

(3) in paragraph (4) (as so redesignated)—

(A) by striking ''comprehensive plan for the organization'' and inserting ''comprehensive plan that describes the organization'';

(B) by striking '', including—'' and inserting '', and that—'';

(C) by redesignating subparagraphs (A) through (C) as subparagraphs (D) through (F), respectively;

(D) by inserting before subparagraph (C) the following subparagraphs:

''(A) establishes priorities for the allocation of funds within the State based on—

''(i) size and demographics of the population of individuals with HIV disease (as determined under paragraph (2)) and the needs of such population (as determined under paragraph (3));

''(ii) availability of other governmental and non-governmental resources, including the State medicaid plan under title XIX of the Social Security Act and the State Children's Health Insurance Program under title XXI of such Act to cover health care costs of eligible individuals and families with HIV disease;

''(iii) capacity development needs resulting from disparities in the availability of HIV-related services in historically underserved communities and rural communities; and

''(iv) the efficiency of the administrative mechanism of the State for rapidly allocating funds to the areas of greatest need within the State;

''(B) includes a strategy for identifying individuals who know their HIV status and are not receiving such services and for informing the individuals of and enabling the individuals to utilize the services, giving particular attention to eliminating disparities in access and services among affected subpopulations and historically underserved communities, and including discrete goals, a timetable, and an appropriate allocation of funds;

''(C) includes a strategy to coordinate the provision of such services with programs for HIV prevention (including outreach and early intervention) and for the prevention and treatment of substance abuse (including programs that provide comprehensive treatment services for such abuse);'';

(E) in subparagraph (D) (as redesignated by subparagraph (C) of this paragraph), by inserting ''describes'' before ''the services and activities'';

(F) in subparagraph (E) (as so redesignated), by inserting ''provides'' before ''a description''; and

(G) in subparagraph (F) (as so redesignated), by inserting ''provides'' before ''a description''.

(b) PUBLIC PARTICIPATION.—Section 2617(b) of the Public Health Service Act, as amended by subsection (a) of this section, is amended—

(1) in paragraph (5), by striking ''HIV'' and inserting ''HIV disease''; and

(2) in paragraph (6), by amending subparagraph (A) to read as follows:

''(A) the public health agency that is administering the grant for the State engages in a public advisory planning process, including public hearings, that includes the participants under paragraph (5), and the types of entities described in section 2602(b)(2), in developing the comprehensive plan under paragraph (4) and commenting on the implementation of such plan;''.

(c) HEALTH CARE RELATIONSHIPS.—Section 2617(b) of the Public Health Service Act, as amended by subsection (a) of this section, is amended in paragraph (6)—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by striking the period and inserting ''; and''; and

(3) by adding at the end the following subparagraph:

''(G) entities within areas in which activities under the grant are carried out will maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, mental health programs, and homeless shelters), and other entities under section 2612(c) and 2652(a), for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their HIV status but not in care.''.

SEC. 206. DISTRIBUTION OF FUNDS.

(a) MINIMUM ALLOTMENT.—Section 2618 of the Public Health Service Act (42 U.S.C. 300ff–28) is amended—

(1) by redesignating subsections (b) through (e) as subsections (a) through (d), respectively; and

(2) in subsection (a) (as so redesignated), in paragraph (1)(A)(i)—

(A) in subclause (I), by striking ''$100,000'' and inserting ''$200,000''; and

(B) in subclause (II), by striking ''$250,000'' and inserting ''$500,000''.

(b) AMOUNT OF GRANT; ESTIMATE OF LIVING CASES.—Section 2618(a) of the Public Health Service Act (as redesignated by subsection (a)(1) of this section) is amended in paragraph (2)—

(1) in subparagraph (D)(i), by inserting before the semicolon the following: '', except that (subject to subparagraph (E)), for grants made pursuant to this paragraph or section 2620 for fiscal year 2005 and subsequent fiscal years, the cases counted for each 12-month period beginning on or after July 1, 2004, shall be cases of HIV disease (as reported to and confirmed by such Director) rather than cases of acquired immune deficiency syndrome'';

(2) by redesignating subparagraphs (E) through (H) as subparagraphs (F) through (I), respectively; and

(3) by inserting after subparagraph (D) the following subparagraph:

''(E) DETERMINATION OF SECRETARY REGARDING DATA ON HIV CASES.—If under 2603(a)(3)(D)(i) the Secretary determines that data on cases of HIV disease are not suffi-

ciently accurate and reliable, then notwithstanding subparagraph (D) of this paragraph, for any fiscal year prior to fiscal year 2007 the references in such subparagraph to cases of HIV disease do not have any legal effect.''.

(c) INCREASES IN FORMULA AMOUNT.—Section 2618(a) of the Public Health Service Act (as redesignated by subsection (a)(1) of this section) is amended—

(1) in paragraph (1)(A)(ii), by inserting before the semicolon the following: ''and then, as applicable, increased under paragraph (2)(H)''; and

(2) in paragraph (2)—

(A) in subparagraph (A)(i), by striking ''subparagraph (H)'' and inserting ''subparagraphs (H) and (I)''; and

(B) in subparagraph (H) (as redesignated by subsection (b)(2) of this section), by amending the subparagraph to read as follows:

''(H) LIMITATION.—

''(i) IN GENERAL.—The Secretary shall ensure that the amount of a grant awarded to a State or territory under section 2611 or subparagraph (I)(i) for a fiscal year is not less than—

''(I) with respect to fiscal year 2001, 99 percent;

''(II) with respect to fiscal year 2002, 98 percent;

''(III) with respect to fiscal year 2003, 97 percent;

''(IV) with respect to fiscal year 2004, 96 percent; and

''(V) with respect to fiscal year 2005, 95 percent,

of the amount such State or territory received for fiscal year 2000 under section 2611 or subparagraph (I)(i), respectively (notwithstanding such subparagraph). In administering this subparagraph, the Secretary shall, with respect to States or territories that will under such section receive grants in amounts that exceed the amounts that such States received under such section or subparagraph for fiscal year 2000, proportionally reduce such amounts to ensure compliance with this subparagraph. In making such reductions, the Secretary shall ensure that no such State receives less than that State received for fiscal year 2000.

''(ii) RATABLE REDUCTION.—If the amount appropriated under section 2677 for a fiscal year and available for grants under section 2611 or subparagraph (I)(i) is less than the amount appropriated and available for fiscal year 2000 under section 2611 or subparagraph (I)(i), respectively, the limitation contained in clause (i) for the grants involved shall be reduced by a percentage equal to the percentage of the reduction in such amounts appropriated and available.''.

(d) TERRITORIES.—Section 2618(a) of the Public Health Service Act (as redesignated by subsection (a)(1) of this section) is amended in paragraph (1)(B) by inserting ''the greater of $50,000 or'' after ''shall be''.

(e) SEPARATE TREATMENT DRUG GRANTS.—Section 2618(a) of the Public Health Service Act (as redesignated by subsection (a)(1) of this section and amended by subsection (b)(2) of this section) is amended in paragraph (2)(I)—

(1) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(2) by striking ''(I) APPROPRIATIONS'' and all that follows through ''With respect to'' and inserting the following:

''(I) APPROPRIATIONS FOR TREATMENT DRUG PROGRAM.—

''(i) FORMULA GRANTS.—With respect to'';

(3) in subclause (I) of clause (i) (as designated by paragraphs (1) and (2)), by inserting before the semicolon the following: '', less the percentage reserved under clause (ii)(V)''; and

(4) by adding at the end the following clause:

''(ii) SUPPLEMENTAL TREATMENT DRUG GRANTS.—

''(I) IN GENERAL.—From amounts made available under subclause (V), the Secretary shall make supplemental grants to States described in subclause (II) to enable such States to increase access to therapeutics described in section 2616(a), as provided by the State under section 2616(c)(2).

''(II) ELIGIBLE STATES.—For purposes of subclause (I), a State described in this subclause is a State that, in accordance with criteria established by the Secretary, demonstrates a severe need for a grant under such subclause. In developing such criteria, the Secretary shall consider eligibility standards, formulary composition, and the number of eligible individuals at or below 200 percent of the official poverty line to whom the State is unable to provide therapeutics described in section 2616(a).

''(III) STATE REQUIREMENTS.—The Secretary may not make a grant to a State under this clause unless the State agrees that—

''(aa) the State will make available (directly or through donations from public or private entities) non-Federal contributions toward the activities to carried out under the grant in an amount equal to $1 for each $4 of Federal funds provided in the grant; and

''(bb) the State will not impose eligibility requirements for services or scope of benefits limitations under section 2616(a) that are more restrictive than such requirements in effect as of January 1, 2000.

''(IV) USE AND COORDINATION.—Amounts made available under a grant under this clause shall only be used by the State to provide HIV/AIDS-related medications. The State shall coordinate the use of such amounts with the amounts otherwise provided under section 2616(a) in order to maximize drug coverage.

''(V) FUNDING.—For the purpose of making grants under this clause, the Secretary shall each fiscal year reserve 3 percent of the amount referred to in clause (i) with respect to section 2616, subject to subclause (VI).

''(VI) LIMITATION.—In reserving amounts under subclause (V) and making grants under this clause for a fiscal year, the Secretary shall ensure for each State that the total of the grant under section 2611 for the State for the fiscal year and the grant under clause (i) for the State for the fiscal year is not less than such total for the State for the preceding fiscal year.''.

(f) TECHNICAL AMENDMENT.—Section 2618(a) of the Public Health Service Act (as redesignated by subsection (a)(1) of this section) is amended in paragraph (3)(B) by striking ''and the Republic of the Marshall Islands'' and inserting ''the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, and only for purposes of paragraph (1) the Commonwealth of Puerto Rico''.

SEC. 207. SUPPLEMENTAL GRANTS FOR CERTAIN STATES.

Subpart I of part B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff–11 et seq.) is amended—

(1) by striking section 2621; and

(2) by inserting after section 2619 the following section:

''SEC. 2620. SUPPLEMENTAL GRANTS.

''(a) IN GENERAL.—The Secretary shall award supplemental grants to States determined to be eligible under subsection (b) to enable such States to provide comprehensive services of the type described in section 2612(a) to supplement the services otherwise provided by the State under a grant under this subpart in emerging communities within the State that are not eligible to receive grants under part A.

''(b) ELIGIBILITY.—To be eligible to receive a supplemental grant under subsection (a), a State shall—

''(1) be eligible to receive a grant under this subpart;

''(2) demonstrate the existence in the State of an emerging community as defined in subsection (d)(1); and

''(3) submit the information described in subsection (c).

''(c) REPORTING REQUIREMENTS.—A State that desires a grant under this section shall, as part of the State application submitted under section 2617, submit a detailed description of the manner in which the State will use amounts received under the grant and of the severity of need. Such description shall include—

''(1) a report concerning the dissemination of supplemental funds under this section and the plan for the utilization of such funds in the emerging community;

''(2) a demonstration of the existing commitment of local resources, both financial and in-kind;

''(3) a demonstration that the State will maintain HIV-related activities at a level that is equal to not less than the level of such activities in the State for the 1-year period preceding the fiscal year for which the State is applying to receive a grant under this part;

''(4) a demonstration of the ability of the State to utilize such supplemental financial resources in a manner that is immediately responsive and cost effective;

''(5) a demonstration that the resources will be allocated in accordance with the local demographic incidence of AIDS including appropriate allocations for services for infants, children, women, and families with HIV disease;

''(6) a demonstration of the inclusiveness of the planning process, with particular emphasis on affected communities and individuals with HIV disease; and

''(7) a demonstration of the manner in which the proposed services are consistent with local needs assessments and the statewide coordinated statement of need.

''(d) DEFINITION OF EMERGING COMMUNITY.—In this section, the term 'emerging community' means a metropolitan area—

''(1) that is not eligible for a grant under part A; and

''(2) for which there has been reported to the Director of the Centers for Disease Control and Prevention a cumulative total of between 500 and 1999 cases of acquired immune deficiency syndrome for the most recent period of 5 calendar years for which such data are available (except that, for fiscal year 2005 and subsequent fiscal years, cases of HIV disease shall be counted rather than cases of acquired immune deficiency syndrome if cases of HIV disease are being counted for purposes of section 2618(a)(2)(D)(i)).

''(e) FUNDING.—

''(1) IN GENERAL.—Subject to paragraph (2), with respect to each fiscal year beginning with fiscal year 2001, the Secretary, to carry out this section, shall utilize—

''(A) the greater of—

''(i) 25 percent of the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(a)(2)(I), for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved; or

''(ii) $5,000,000;

to provide funds to States for use in emerging communities with at least 1000, but less than 2000, cases of AIDS as reported to and confirmed by the Director of the Centers for Disease Control and Prevention for the five year period preceding the year for which the grant is being awarded; and

''(B) the greater of—

''(i) 25 percent of the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(a)(2)(I), for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved; or

''(ii) $5,000,000;

to provide funds to States for use in emerging communities with at least 500, but less than 1000, cases of AIDS reported to and confirmed by the Director of the Centers for Disease Control and Prevention for the five year period preceding the year for which the grant is being awarded.

''(2) TRIGGER OF FUNDING.—This section shall be effective only for fiscal years beginning in the first fiscal year in which the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(a)(2)(I), exceeds by at least $20,000,000 the amount appropriated under 2677 to carry out part B in fiscal year 2000, excluding the amount appropriated under section 2618(a)(2)(I).

''(3) MINIMUM AMOUNT IN FUTURE YEARS.—Beginning with the first fiscal year in which amounts provided for emerging communities under paragraph (1)(A) equals $5,000,000 and under paragraph (1)(B) equals $5,000,000, the Secretary shall ensure that amounts made available under this section for the types of emerging communities described in each such paragraph in subsequent fiscal years is at least $5,000,000.

''(4) DISTRIBUTION.—Grants under this section for emerging communities shall be formula grants. There shall be two categories of such formula grants, as follows:

''(A) One category of such grants shall be for emerging communities for which the cumulative total of cases for purposes of subsection (d)(2) is 999 or fewer cases. The grant made to such an emerging community for a fiscal year shall be the product of—

''(i) an amount equal to 50 percent of the amount available pursuant to this subsection for the fiscal year involved; and

''(ii) a percentage equal to the ratio constituted by the number of cases for such emerging community for the fiscal year over the aggregate number of such cases for such year for all emerging communities to which this subparagraph applies.

''(B) The other category of formula grants shall be for emerging communities for which the cumulative total of cases for purposes of subsection (d)(2) is 1000 or more cases. The grant made to such an emerging community for a fiscal year shall be the product of—

''(i) an amount equal to 50 percent of the amount available pursuant to this subsection for the fiscal year involved; and

''(ii) a percentage equal to the ratio constituted by the number of cases for such community for the fiscal year over the aggregate number of such cases for the fiscal year for all emerging communities to which this subparagraph applies.''.

Subtitle B—Provisions Concerning Pregnancy and Perinatal Transmission of HIV

SEC. 211. REPEALS.

Subpart II of part B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff–33 et seq.) is amended—

(1) in section 2626, by striking each of subsections (d) through (f);

(2) by striking sections 2627 and 2628; and

(3) by redesignating section 2629 as section 2627.

SEC. 212. GRANTS.

(a) IN GENERAL.—Section 2625(c) of the Public Health Service Act (42 U.S.C. 300ff–33) is amended—

(1) in paragraph (1), by inserting at the end the following subparagraph:

''(F) Making available to pregnant women with HIV disease, and to the infants of women with such disease, treatment services for such disease in accordance with applicable recommendations of the Secretary.'';

(2) by amending paragraph (2) to read as follows:

''(2) FUNDING.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated $30,000,000 for each of the fiscal years 2001 through 2005. Amounts made available under section 2677 for carrying out this part are not available for carrying out this section unless otherwise authorized.

''(B) ALLOCATIONS FOR CERTAIN STATES.—

''(i) IN GENERAL.—Of the amounts appropriated under subparagraph (A) for a fiscal year in excess of $10,000,000—

''(I) the Secretary shall reserve the applicable percentage under clause (iv) for making grants under paragraph (1) both to States described in clause (ii) and States described in clause (iii); and

''(II) the Secretary shall reserve the remaining amounts for other States, taking into consideration the factors described in subparagraph (C)(iii), except that this subclause does not apply to any State that for the fiscal year involved is receiving amounts pursuant to subclause (I).

''(ii) REQUIRED TESTING OF NEWBORNS.—For purposes of clause (i)(I), the States described in this clause are States that under law (including under regulations or the discretion of State officials) have—

''(I) a requirement that all newborn infants born in the State be tested for HIV disease and that the biological mother of each such infant, and the legal guardian of the infant (if other than the biological mother), be informed of the results of the testing; or

''(II) a requirement that newborn infants born in the State be tested for HIV disease in circumstances in which the attending obstetrician for the birth does not know the HIV status of the mother of the infant, and that the biological mother of each such infant, and the legal guardian of the infant (if other than the biological mother), be informed of the results of the testing.

''(iii) MOST SIGNIFICANT REDUCTION IN CASES OF PERINATAL TRANSMISSION.—For purposes of clause (i)(I), the States described in this clause are the following (exclusive of States described in clause (ii)), as applicable:

''(I) For fiscal years 2001 and 2002, the two States that, relative to other States, have the most significant reduction in the rate of new cases of the perinatal transmission of HIV (as indicated by the number of such cases reported to the Director of the Centers for Disease Control and Prevention for the most recent periods for which the data are available).

''(II) For fiscal years 2003 and 2004, the three States that have the most significant such reduction.

''(III) For fiscal year 2005, the four States that have the most significant such reduction.

''(iv) APPLICABLE PERCENTAGE.—For purposes of clause (i), the applicable amount for a fiscal year is as follows:

''(I) For fiscal year 2001, 33 percent.

''(II) For fiscal year 2002, 50 percent.

''(III) For fiscal year 2003, 67 percent.

''(IV) For fiscal year 2004, 75 percent.

''(V) For fiscal year 2005, 75 percent.

''(C) CERTAIN PROVISIONS.—With respect to grants under paragraph (1) that are made with amounts reserved under subparagraph (B) of this paragraph:

''(i) Such a grant may not be made in an amount exceeding $4,000,000.

''(ii) If pursuant to clause (i) or pursuant to an insufficient number of qualifying applications for such grants (or both), the full amount reserved under subparagraph (B) for a fiscal year is not obligated, the requirement under such subparagraph to reserve amounts ceases to apply.

''(iii) In the case of a State that meets the conditions to receive amounts reserved under subparagraph (B)(i)(II), the Secretary shall in making grants consider the following factors:

''(I) The extent of the reduction in the rate of new cases of the perinatal transmission of HIV.

''(II) The extent of the reduction in the rate of new cases of perinatal cases of acquired immune deficiency syndrome.

''(III) The overall incidence of cases of infection with HIV among women of childbearing age.

''(IV) The overall incidence of cases of acquired immune deficiency syndrome among women of childbearing age.

''(V) The higher acceptance rate of HIV testing of pregnant women.

''(VI) The extent to which women and children with HIV disease are receiving HIV-related health services.

''(VII) The extent to which HIV-exposed children are receiving health services appropriate to such exposure.''; and

(3) by adding at the end the following paragraph:

''(4) MAINTENANCE OF EFFORT.—A condition for the receipt of a grant under paragraph (1) is that the State involved agree that the grant will be used to supplement and not supplant other funds available to the State to carry out the purposes of the grant.''.

(b) SPECIAL FUNDING RULE FOR FISCAL YEAR 2001.—

(1) IN GENERAL.—If for fiscal year 2001 the amount appropriated under paragraph (2)(A) of section 2625(c) of the Public Health Service Act is less than $14,000,000—

(A) the Secretary of Health and Human Services shall, for the purpose of making grants under paragraph (1) of such section, reserve from the amount specified in paragraph (2) of this subsection an amount equal to the difference between $14,000,000 and the amount appropriated under paragraph (2)(A) of such section for such fiscal year (notwithstanding any other provision of this Act or the amendments made by this Act);

(B) the amount so reserved shall, for purposes of paragraph (2)(B)(i) of such section, be considered to have been appropriated under paragraph (2)(A) of such section; and

(C) the percentage specified in paragraph (2)(B)(iv)(I) of such section is deemed to be 50 percent.

(2) ALLOCATION FROM INCREASES IN FUNDING FOR PART B.—For purposes of paragraph (1), the amount specified in this paragraph is the amount by which the amount appropriated under section 2677 of the Public Health Service Act for fiscal year 2001 and available for grants under section 2611 of such Act is an increase over the amount so appropriated and available for fiscal year 2000.

SEC. 213. STUDY BY INSTITUTE OF MEDICINE.

Subpart II of part B of title XXVI of the Public Health Service Act, as amended by section 211(3), is amended by adding at the end the following section:

''SEC. 2628. RECOMMENDATIONS FOR REDUCING INCIDENCE OF PERINATAL TRANSMISSION.

''(a) STUDY BY INSTITUTE OF MEDICINE.—

''(1) IN GENERAL.—The Secretary shall request the Institute of Medicine to enter into an agreement with the Secretary under which such Institute conducts a study to provide the following:

''(A) For the most recent fiscal year for which the information is available, a determination of the number of newborn infants with HIV born in the United States with respect to whom the attending obstetrician for the birth did not know the HIV status of the mother.

''(B) A determination for each State of any barriers, including legal barriers, that prevent or discourage an obstetrician from making it a routine practice to offer pregnant women an HIV test and a routine practice to test newborn infants for HIV disease in circumstances in which the obstetrician does not know the HIV status of the mother of the infant.

''(C) Recommendations for each State for reducing the incidence of cases of the perinatal transmission of HIV, including recommendations on removing the barriers identified under subparagraph (B).

If such Institute declines to conduct the study, the Secretary shall enter into an agreement with another appropriate public or nonprofit private entity to conduct the study.

''(2) REPORT.—The Secretary shall ensure that, not later than 18 months after the effective date of this section, the study required in paragraph (1) is completed and a report describing the findings made in the study is submitted to the appropriate committees of the Congress, the Secretary, and the chief public health official of each of the States.

''(b) PROGRESS TOWARD RECOMMENDATIONS.—In fiscal year 2004, the Secretary shall collect information from the States describing the actions taken by the States toward meeting the recommendations specified for the States under subsection (a)(1)(C).

''(c) SUBMISSION OF REPORTS TO CONGRESS.—The Secretary shall submit to the appropriate committees of the Congress reports describing the information collected under subsection (b).''.

Subtitle C—Certain Partner Notification Programs

SEC. 221. GRANTS FOR COMPLIANT PARTNER NOTIFICATION PROGRAMS.

Part B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff–21 et seq.) is amended by adding at the end the following subpart:

''Subpart III—Certain Partner Notification Programs

''SEC. 2631. GRANTS FOR PARTNER NOTIFICATION PROGRAMS.

''(a) IN GENERAL.—In the case of States whose laws or regulations are in accordance with subsection (b), the Secretary, subject to subsection (c)(2), may make grants to the States for carrying out programs to provide partner counseling and referral services.

''(b) DESCRIPTION OF COMPLIANT STATE PROGRAMS.—For purposes of subsection (a), the laws or regulations of a State are in accordance with this subsection if under such laws or regulations (including programs carried out pursuant to the discretion of State officials) the following policies are in effect:

''(1) The State requires that the public health officer of the State carry out a program of partner notification to inform partners of individuals with HIV disease that the partners may have been exposed to the disease.

''(2)(A) In the case of a health entity that provides for the performance on an individual of a test for HIV disease, or that treats the individual for the disease, the State requires, subject to subparagraph (B), that the entity confidentially report the positive test results to the State public health officer in a manner recommended and approved by the Director of the Centers for Disease Control and Prevention, together with such additional information as may be necessary for carrying out such program.

''(B) The State may provide that the requirement of subparagraph (A) does not apply to the testing of an individual for HIV disease if the individual underwent the testing through a program designed to perform the test and provide the results to the individual without the individual disclosing his or her identity to the program. This subparagraph may not be construed as affecting the requirement of subparagraph (A) with respect to a health entity that treats an individual for HIV disease.

''(3) The program under paragraph (1) is carried out in accordance with the following:

''(A) Partners are provided with an appropriate opportunity to learn that the partners have been exposed to HIV disease, subject to subparagraph (B).

''(B) The State does not inform partners of the identity of the infected individuals involved.

''(C) Counseling and testing for HIV disease are made available to the partners and to infected individuals, and such counseling includes information on modes of transmission for the disease, including information on prenatal and perinatal transmission and preventing transmission.

''(D) Counseling of infected individuals and their partners includes the provision of information regarding therapeutic measures for preventing and treating the deterioration of the immune system and conditions arising from the disease, and the provision of other prevention-related information.

''(E) Referrals for appropriate services are provided to partners and infected individuals, including referrals for support services and legal aid.

''(F) Notifications under subparagraph (A) are provided in person, unless doing so is an unreasonable burden on the State.

''(G) There is no criminal or civil penalty on, or civil liability for, an infected individual if the individual chooses not to identify the partners of the individual, or the individual does not otherwise cooperate with such program.

''(H) The failure of the State to notify partners is not a basis for the civil liability of any health entity who under the program reported to the State the identity of the infected individual involved.

''(I) The State provides that the provisions of the program may not be construed as prohibiting the State from providing a notification under subparagraph (A) without the consent of the infected individual involved.

''(4) The State annually reports to the Director of the Centers for Disease Control and Prevention the number of individuals from whom the names of partners have been sought under the program under paragraph (1), the number of such individuals who provided the names of partners, and the number of partners so named who were notified under the program.

''(5) The State cooperates with such Director in carrying out a national program of partner notification, including the sharing of information between the public health officers of the States.

''(c) REPORTING SYSTEM FOR CASES OF HIV DISEASE; PREFERENCE IN MAKING GRANTS.—In making grants under subsection (a), the Secretary shall give preference to States whose reporting systems for cases of HIV disease produce data on such cases that is sufficiently accurate and reliable for use for purposes of section 2618(a)(2)(D)(i).

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $30,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 through 2005.''.

TITLE III—EARLY INTERVENTION SERVICES

Subtitle A—Formula Grants for States

SEC. 301. REPEAL OF PROGRAM.

(a) REPEAL.—Subpart I of part C of title XXVI of the Public Health Service Act (42 U.S.C. 300ff–41 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—Part C of title XXVI of the Public Health Service Act (42 U.S.C. 300ff–41 et seq.), as amended by subsection (a) of this section, is amended—

(1) by redesignating subparts II and III as subparts I and II, respectively;

(2) in section 2661(a), by striking ''unless—'' and all that follows through ''(2) in the case of'' and inserting ''unless, in the case of''; and

(3) in section 2664—

(A) in subsection (e)(5), by striking ''2642(b) or'';

(B) in subsection (f)(2), by striking ''2642(b) or''; and

(C) by striking subsection (h).

Subtitle B—Categorical Grants

SEC. 311. PREFERENCES IN MAKING GRANTS.

Section 2653 of the Public Health Service Act (42 U.S.C. 300ff–53) is amended by adding at the end the following subsection:

''(d) CERTAIN AREAS.—Of the applicants who qualify for preference under this section—

''(1) the Secretary shall give preference to applicants that will expend the grant under section 2651 to provide early intervention under such section in rural areas; and

''(2) the Secretary shall give special consideration to areas that are underserved with respect to such services.''.

SEC. 312. PLANNING AND DEVELOPMENT GRANTS.

(a) IN GENERAL.—Section 2654(c)(1) of the Public Health Service Act (42 U.S.C. 300ff–54(c)(1)) is amended by striking ''planning grants'' and all that follows and inserting the following: ''planning grants to public and nonprofit private entities for purposes of—

''(A) enabling such entities to provide HIV early intervention services; and

''(B) assisting the entities in expanding their capacity to provide HIV-related health services, including early intervention services, in low-income communities and affected subpopulations that are underserved with respect to such services (subject to the condition that a grant pursuant to this subparagraph may not be expended to purchase or improve land, or to purchase, construct, or permanently improve, other than minor remodeling, any building or other facility).''.

(b) AMOUNT; DURATION.—Section 2654(c) of the Public Health Service Act (42 U.S.C. 300ff–54(c)) is further amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) AMOUNT AND DURATION OF GRANTS.—

''(A) EARLY INTERVENTION SERVICES.—A grant under paragraph (1)(A) may be made in an amount not to exceed $50,000.

''(B) CAPACITY DEVELOPMENT.—

''(i) AMOUNT.—A grant under paragraph (1)(B) may be made in an amount not to exceed $150,000.

''(ii) DURATION.—The total duration of a grant under paragraph (1)(B), including any renewal, may not exceed 3 years.''.

(c) INCREASE IN LIMITATION.—Section 2654(c)(5) of the Public Health Service Act (42 U.S.C. 300ff–54(c)(5)), as redesignated by subsection (b), is amended by striking ''1 percent'' and inserting ''5 percent''.

SEC. 313. AUTHORIZATION OF APPROPRIATIONS.

Section 2655 of the Public Health Service Act (42 U.S.C. 300ff–55) is amended by striking ''in each of'' and all that follows and inserting ''for each of the fiscal years 2001 through 2005.''.

Subtitle C—General Provisions

SEC. 321. PROVISION OF CERTAIN COUNSELING SERVICES.

Section 2662(c)(3) of the Public Health Service Act (42 U.S.C. 300ff–62(c)(3)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''counseling on—'' and inserting ''counseling—'';

(2) in each of subparagraphs (A), (B), and (D), by inserting ''on'' after the subparagraph designation; and

(3) in subparagraph (C)—

(A) by striking ''(C) the benefits'' and inserting ''(C)(i) that explains the benefits''; and

(B) by inserting after clause (i) (as designated by subparagraph (A) of this paragraph) the following clause:

''(ii) that emphasizes it is the duty of infected individuals to disclose their infected status to their sexual partners and their partners in the sharing of hypodermic needles; that provides advice to infected individuals on the manner in which such disclosures can be made; and that emphasizes that it is the continuing duty of the individuals to avoid any behaviors that will expose others to HIV.''.

SEC. 322. ADDITIONAL REQUIRED AGREEMENTS.

Section 2664(g) of the Public Health Service Act (42 U.S.C. 300ff–64(g)) is amended—

(1) in paragraph (3)—

(A) by striking ''7.5 percent'' and inserting ''10 percent''; and

(B) by striking ''and'' after the semicolon at the end;

(2) in paragraph (4), by striking the period and inserting ''; and''; and

(3) by adding at the end the following paragraph:

''(5) the applicant will provide for the establishment of a quality management program—

''(A) to assess the extent to which medical services funded under this title that are provided to patients are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections, and as applicable, to develop strategies for ensuring that such services are consistent with the guidelines; and

''(B) to ensure that improvements in the access to and quality of HIV health services are addressed.''.

TITLE IV—OTHER PROGRAMS AND ACTIVITIES

Subtitle A—Certain Programs for Research, Demonstrations, or Training

SEC. 401. GRANTS FOR COORDINATED SERVICES AND ACCESS TO RESEARCH FOR WOMEN, INFANTS, CHILDREN, AND YOUTH.

(a) ELIMINATION OF REQUIREMENT TO ENROLL SIGNIFICANT NUMBERS OF WOMEN AND CHILDREN.—Section 2671(b) (42 U.S.C. 300ff–71(b)) is amended—

(1) in paragraph (1), by striking subparagraphs (C) and (D) and inserting the following:

''(C) The applicant will demonstrate linkages to research and how access to such research is being offered to patients.''; and

(2) by striking paragraphs (3) and (4).

(b) INFORMATION AND EDUCATION.—Section 2671(d) (42 U.S.C. 300ff–71(d)) is amended by adding at the end the following:

''(4) The applicant will provide individuals with information and education on opportunities to participate in HIV/AIDS-related clinical research.''.

(c) QUALITY MANAGEMENT; ADMINISTRATIVE EXPENSES CEILING.—Section 2671(f) (42 U.S.C. 300ff–71(f)) is amended—

(1) by striking the subsection heading and designation and inserting the following:

''(f) ADMINISTRATION.—

''(1) APPLICATION.—''; and

(2) by adding at the end the following:

''(2) QUALITY MANAGEMENT PROGRAM.—A grantee under this section shall implement a quality management program to assess the extent to which HIV health services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infection, and as applicable, to develop strategies for ensuring that such services are consistent with the guidelines for improvement in the access to and quality of HIV health services.''.

(d) COORDINATION.—Section 2671(g) (42 U.S.C. 300ff–71(g)) is amended by adding at the end the following: ''The Secretary acting through the Director of NIH, shall examine the distribution and availability of ongoing and appropriate HIV/AIDS-related research projects to existing sites under this section for purposes of enhancing and expanding voluntary access to HIV-related research, especially within communities that are not reasonably served by such projects. Not later than 12 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary shall prepare and submit to the appropriate committees of Congress a report that describes the findings made by the Director and the manner in which the conclusions based on those findings can be addressed.''.

(e) ADMINISTRATIVE EXPENSES.—Section 2671 of the Public Health Service Act (42 U.S.C. 300ff–71) is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following subsection:

''(i) LIMITATION ON ADMINISTRATIVE EXPENSES.—

''(1) DETERMINATION BY SECRETARY.—Not later than 12 months after the date of enactment of the Ryan White Care Act Amendments of 2000, the Secretary, in consultation with grantees under this part, shall conduct a review of the administrative, program support, and direct service-related activities that are carried out under this part to ensure that eligible individuals have access to quality, HIV-related health and support services and research opportunities under this part, and to support the provision of such services.

''(2) REQUIREMENTS.—

''(A) IN GENERAL.—Not later than 180 days after the expiration of the 12-month period referred to in paragraph (1) the Secretary, in consultation with grantees under this part, shall determine the relationship between the costs of the activities referred to in paragraph (1) and the access of eligible individuals to the services and research opportunities described in such paragraph.

''(B) LIMITATION.—After a final determination under subparagraph (A), the Secretary may not make a grant under this part unless the grantee complies with such requirements as may be included in such determination.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 2671 of the Public Health Service Act (42 U.S.C. 300ff–71) is amended in subsection (j) (as redesignated by subsection (e)(1) of this section) by striking ''fiscal years 1996 through 2000'' and inserting ''fiscal years 2001 through 2005''.

SEC. 402. AIDS EDUCATION AND TRAINING CENTERS.

(a) SCHOOLS; CENTERS.—

(1) IN GENERAL.—Section 2692(a)(1) of the Public Health Service Act (42 U.S.C. 300ff–111(a)(1)) is amended—

(A) in subparagraph (A)—

(i) by striking ''training'' and inserting ''to train'';

(ii) by striking ''and including'' and inserting '', including''; and

(iii) by inserting before the semicolon the following: '', and including (as applicable to the type of health professional involved), prenatal and other gynecological care for women with HIV disease'';

(B) in subparagraph (B), by striking ''and'' after the semicolon at the end;

(C) in subparagraph (C), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(D) to develop protocols for the medical care of women with HIV disease, including prenatal and other gynecological care for such women.''.

(2) DISSEMINATION OF TREATMENT GUIDELINES; MEDICAL CONSULTATION ACTIVITIES.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue and begin implementation of a strategy for the dissemination of HIV treatment information to health care providers and patients.

(b) DENTAL SCHOOLS.—Section 2692(b) of the Public Health Service Act (42 U.S.C. 300ff–111(b)) is amended—

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

''(1) IN GENERAL.—

''(A) GRANTS.—The Secretary may make grants to dental schools and programs described in subparagraph (B) to assist such schools and programs with respect to oral health care to patients with HIV disease.

''(B) ELIGIBLE APPLICANTS.—For purposes of this subsection, the dental schools and programs referred to in this subparagraph are dental schools and programs that were described in section 777(b)(4)(B) as such section was in effect on the day before the date of the enactment of the Health Professions Education Partnerships Act of 1998 (Public Law 105–392) and in addition dental hygiene programs that are accredited by the Commission on Dental Accreditation.'';

(2) in paragraph (2), by striking ''777(b)(4)(B)'' and inserting ''the section referred to in paragraph (1)(B)''; and

(3) by inserting after paragraph (4) the following paragraph:

''(5) COMMUNITY-BASED CARE.—The Secretary may make grants to dental schools and programs described in paragraph (1)(B) that partner with community-based dentists to provide oral health care to patients with HIV disease in unserved areas. Such partnerships shall permit the training of dental students and residents and the participation of community dentists as adjunct faculty.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) SCHOOLS; CENTERS.—Section 2692(c)(1) of the Public Health Service Act (42 U.S.C. 300ff–111(c)(1)) is amended by striking ''fiscal years 1996 through 2000'' and inserting ''fiscal years 2001 through 2005''.

(2) DENTAL SCHOOLS.—Section 2692(c)(2) of the Public Health Service Act (42 U.S.C. 300ff–111(c)(2)) is amended to read as follows:

''(2) DENTAL SCHOOLS.—

''(A) IN GENERAL.—For the purpose of grants under paragraphs (1) through (4) of subsection (b), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

''(B) COMMUNITY-BASED CARE.—For the purpose of grants under subsection (b)(5), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—General Provisions in Title XXVI

SEC. 411. EVALUATIONS AND REPORTS.

Section 2674(c) of the Public Health Service Act (42 U.S.C. 300ff–74(c)) is amended by striking ''1991 through 1995'' and inserting ''2001 through 2005''.

SEC. 412. DATA COLLECTION THROUGH CENTERS FOR DISEASE CONTROL AND PREVENTION.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 318A the following section:

''DATA COLLECTION REGARDING PROGRAMS UNDER TITLE XXVI

''SEC. 318B. For the purpose of collecting and providing data for program planning and

evaluation activities under title XXVI, there are authorized to be appropriated to the Secretary (acting through the Director of the Centers for Disease Control and Prevention) such sums as may be necessary for each of the fiscal years 2001 through 2005. Such authorization of appropriations is in addition to other authorizations of appropriations that are available for such purpose.''.

SEC. 413. COORDINATION.

Section 2675 of the Public Health Service Act (42 U.S.C. 300ff–75) is amended—

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

''(a) REQUIREMENT.—The Secretary shall ensure that the Health Resources and Services Administration, the Centers for Disease Control and Prevention, the Substance Abuse and Mental Health Services Administration, and the Health Care Financing Administration coordinate the planning, funding, and implementation of Federal HIV programs to enhance the continuity of care and prevention services for individuals with HIV disease or those at risk of such disease. The Secretary shall consult with other Federal agencies, including the Department of Veterans Affairs, as needed and utilize planning information submitted to such agencies by the States and entities eligible for support.'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(3) by inserting after subsection (b) the following subsection:

''(b) REPORT.—The Secretary shall biennially prepare and submit to the appropriate committees of the Congress a report concerning the coordination efforts at the Federal, State, and local levels described in this section, including a description of Federal barriers to HIV program integration and a strategy for eliminating such barriers and enhancing the continuity of care and prevention services for individuals with HIV disease or those at risk of such disease.''; and

(4) in each of subsections (c) and (d) (as redesignated by paragraph (2) of this section), by inserting ''and prevention services'' after ''continuity of care'' each place such term appears.

SEC. 414. PLAN REGARDING RELEASE OF PRISONERS WITH HIV DISEASE.

Section 2675 of the Public Health Service Act, as amended by section 413(2) of this Act, is amended by adding at the end the following subsection:

''(e) RECOMMENDATIONS REGARDING RELEASE OF PRISONERS.—After consultation with the Attorney General and the Director of the Bureau of Prisons, with States, with eligible areas under part A, and with entities that receive amounts from grants under part A or B, the Secretary, consistent with the coordination required in subsection (a), shall develop a plan for the medical case management of and the provision of support services to individuals who were Federal or State prisoners and had HIV disease as of the date on which the individuals were released from the custody of the penal system. The Secretary shall submit the plan to the Congress not later than 2 years after the date of the enactment of the Ryan White CARE Act Amendments of 2000.''.

SEC. 415. AUDITS.

Part D of title XXVI of the Public Health Service Act (42 U.S.C. 300ff–71 et seq.) is amended by inserting after section 2675 the following section:

''SEC. 2675A. AUDITS.

''For fiscal year 2002 and subsequent fiscal years, the Secretary may reduce the amounts of grants under this title to a State or political subdivision of a State for a fiscal year if, with respect to such grants for the second preceding fiscal year, the State or subdivision fails to prepare audits in accordance with the procedures of section 7502 of title 31, United States Code. The Secretary shall annually select representative samples of such audits, prepare summaries of the selected audits, and submit the summaries to the Congress.''.

SEC. 416. ADMINISTRATIVE SIMPLIFICATION.

Part D of title XXVI of the Public Health Service Act, as amended by section 415 of this Act, is amended by inserting after section 2675A the following section:

''SEC. 2675B. ADMINISTRATIVE SIMPLIFICATION REGARDING PARTS A AND B.

''(a) COORDINATED DISBURSEMENT.—After consultation with the States, with eligible areas under part A, and with entities that receive amounts from grants under part A or B, the Secretary shall develop a plan for coordinating the disbursement of appropriations for grants under part A with the disbursement of appropriations for grants under part B in order to assist grantees and other recipients of amounts from such grants in complying with the requirements of such parts. The Secretary shall submit the plan to the Congress not later than 18 months after the date of the enactment of the Ryan White CARE Act Amendments of 2000. Not later than 2 years after the date on which the plan is so submitted, the Secretary shall complete the implementation of the plan, notwithstanding any provision of this title that is inconsistent with the plan.

''(b) BIENNIAL APPLICATIONS.—After consultation with the States, with eligible areas under part A, and with entities that receive amounts from grants under part A or B, the Secretary shall make a determination of whether the administration of parts A and B by the Secretary, and the efficiency of grantees under such parts in complying with the requirements of such parts, would be improved by requiring that applications for grants under such parts be submitted biennially rather than annually. The Secretary shall submit such determination to the Congress not later than 2 years after the date of the enactment of the Ryan White CARE Act Amendments of 2000.

''(c) APPLICATION SIMPLIFICATION.—After consultation with the States, with eligible areas under part A, and with entities that receive amounts from grants under part A or B, the Secretary shall develop a plan for simplifying the process for applications under parts A and B. The Secretary shall submit the plan to the Congress not later than 18 months after the date of the enactment of the Ryan White CARE Act Amendments of 2000. Not later than 2 years after the date on which the plan is so submitted, the Secretary shall complete the implementation of the plan, notwithstanding any provision of this title that is inconsistent with the plan.''.

SEC. 417. AUTHORIZATION OF APPROPRIATIONS FOR PARTS A AND B.

Section 2677 of the Public Health Service Act (42 U.S.C. 300ff–77) is amended to read as follows:

''SEC. 2677. AUTHORIZATION OF APPROPRIATIONS.

''(a) PART A.—For the purpose of carrying out part A, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

''(b) PART B.—For the purpose of carrying out part B, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE V—GENERAL PROVISIONS

SEC. 501. STUDIES BY INSTITUTE OF MEDICINE.

(a) STATE SURVEILLANCE SYSTEMS ON PREVALENCE OF HIV.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall request the Institute of Medicine to enter into an agreement with the Secretary under which such Institute conducts a study to provide the following:

(1) A determination of whether the surveillance system of each of the States regarding the human immunodeficiency virus provides for the reporting of cases of infection with the virus in a manner that is sufficient to provide adequate and reliable information on the number of such cases and the demographic characteristics of such cases, both for the State in general and for specific geographic areas in the State.

(2) A determination of whether such information is sufficiently accurate for purposes of formula grants under parts A and B of title XXVI of the Public Health Service Act.

(3) With respect to any State whose surveillance system does not provide adequate and reliable information on cases of infection with the virus, recommendations regarding the manner in which the State can improve the system.

(b) RELATIONSHIP BETWEEN EPIDEMIOLOGICAL MEASURES AND HEALTH CARE FOR CERTAIN INDIVIDUALS WITH HIV DISEASE.—

(1) IN GENERAL.—The Secretary shall request the Institute of Medicine to enter into an agreement with the Secretary under which such Institute conducts a study concerning the appropriate epidemiological measures and their relationship to the financing and delivery of primary care and health-related support services for low-income, uninsured, and under-insured individuals with HIV disease.

(2) ISSUES TO BE CONSIDERED.—The Secretary shall ensure that the study under paragraph (1) considers the following:

(A) The availability and utility of health outcomes measures and data for HIV primary care and support services and the extent to which those measures and data could be used to measure the quality of such funded services.

(B) The effectiveness and efficiency of service delivery (including the quality of services, health outcomes, and resource use) within the context of a changing health care and therapeutic environment, as well as the changing epidemiology of the epidemic, including determining the actual costs, potential savings, and overall financial impact of modifying the program under title XIX of the Social Security Act to establish eligibility for medical assistance under such title on the basis of infection with the human immunodeficiency virus rather than providing such assistance only if the infection has progressed to acquired immune deficiency syndrome.

(C) Existing and needed epidemiological data and other analytic tools for resource planning and allocation decisions, specifically for estimating severity of need of a community and the relationship to the allocations process.

(D) Other factors determined to be relevant to assessing an individual's or community's ability to gain and sustain access to quality HIV services.

(c) OTHER ENTITIES.—If the Institute of Medicine declines to conduct a study under this section, the Secretary shall enter into an agreement with another appropriate public or nonprofit private entity to conduct the study.

(d) REPORT.—The Secretary shall ensure that—

(1) not later than 3 years after the date of the enactment of this Act, the study required in subsection (a) is completed and a report describing the findings made in the study is submitted to the appropriate committees of the Congress; and

(2) not later than 2 years after the date of the enactment of this Act, the study required in subsection (b) is completed and a report describing the findings made in the study is submitted to such committees.

SEC. 502. DEVELOPMENT OF RAPID HIV TEST.

(a) EXPANSION, INTENSIFICATION, AND COORDINATION OF RESEARCH AND OTHER ACTIVITIES.—

(1) IN GENERAL.—The Director of NIH shall expand, intensify, and coordinate research and other activities of the National Institutes of Health with respect to the development of reliable and affordable tests for HIV disease that can rapidly be administered and whose results can rapidly be obtained (in this section referred to a ''rapid HIV test'').

(2) REPORT TO CONGRESS.—The Director of NIH shall periodically submit to the appropriate committees of Congress a report describing the research and other activities conducted or supported under paragraph (1).

(3) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

(b) PREMARKET REVIEW OF RAPID HIV TESTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Director of the Centers for Disease Control and Prevention and the Commissioner of Food and Drugs, shall submit to the appropriate committees of the Congress a report describing the progress made towards, and barriers to, the premarket review and commercial distribution of rapid HIV tests. The report shall—

(A) assess the public health need for and public health benefits of rapid HIV tests, including the minimization of false positive results through the availability of multiple rapid HIV tests;

(B) make recommendations regarding the need for the expedited review of rapid HIV test applications submitted to the Center for Biologics Evaluation and Research and, if such recommendations are favorable, specify criteria and procedures for such expedited review; and

(C) specify whether the barriers to the premarket review of rapid HIV tests include the unnecessary application of requirements—

(i) necessary to ensure the efficacy of devices for donor screening to rapid HIV tests intended for use in other screening situations; or

(ii) for identifying antibodies to HIV subtypes of rare incidence in the United States to rapid HIV tests intended for use in screening situations other than donor screening.

(c) GUIDELINES OF CENTERS FOR DISEASE CONTROL AND PREVENTION.—Promptly after commercial distribution of a rapid HIV test begins, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish or update guidelines that include recommendations for States, hospitals, and other appropriate entities regarding the ready availability of such tests for administration to pregnant women who are in labor or in the late stage of pregnancy and whose HIV status is not known to the attending obstetrician.

SEC. 503. TECHNICAL CORRECTIONS.

(a) PUBLIC HEALTH SERVICE ACT.—Title XXVI of the Public Health Service Act (42 U.S.C. 300ff–11 et seq.) is amended—

(1) in section 2605(d)—

(A) in paragraph (1), by striking ''section 2608'' and inserting ''section 2677''; and

(B) in paragraph (4), by inserting ''section'' before 2601(a)''; and

(2) in section 2673(a), in the matter preceding paragraph (1), by striking ''the Agency for Health Care Policy and Research'' and inserting ''the Director of the Agency for Healthcare Research and Quality''.

(b) RELATED ACT.—The first paragraph (2) of section 3(c) of the Ryan White Care Act Amendments of 1996 (Public Law 104–146; 110 Stat. 1354) is amended in subparagraph (A)(iii) by striking ''by inserting the following new paragraph:'' and inserting ''by inserting before paragraph (2) (as so redesignated) the following new paragraph''.

TITLE VI—EFFECTIVE DATE

SEC. 601. EFFECTIVE DATE.

This Act and the amendments made by this Act take effect October 1, 2000, or upon the date of the enactment of this Act, whichever occurs later.

After debate,

The previous question having been ordered by said resolution.

The bill, as amended, was ordered to be read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. BILIRAKIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 411 / Nays 0

¶104.7 [Roll No. 512]

YEAS—411

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—22

Berkley
Bonior
Clay
Eshoo
Franks (NJ)
Gephardt
Hefley
King (NY)
Klink
Lazio
Maloney (CT)
McCollum
McIntosh
Miller (FL)
Murtha
Obey
Paul
Rangel
Sweeney
Vento
Wise
Young (FL)

So the bill, as amended, was passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Public Health Service Act to revise and extend programs established under the Ryan White Comprehensive AIDS Resources Emergency Act of 1990, and for other purposes.''.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶104.8 PROVIDING FOR THE CONSIDERATION OF H.R. 2941

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 610):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2941) to establish the Las Cienegas National Conservation Area in the State of Arizona. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. QUINN, announced that the yeas had it.

Mr. SHUSTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 411 / Nays ..... 0 }

¶104.9 [Roll No. 513]

YEAS—411

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—22

Baird
Chenoweth-Hage
Clay
Eshoo
Franks (NJ)
Goodling
Granger
Hefley
King (NY)
Klink
Lazio
McCollum
McIntosh
Miller (FL)
Murtha
Obey
Paul
Payne
Stabenow
Sweeney
Vento
Wise

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶104.10 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 110. Joint Resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶104.11 POINT OF PERSONAL PRIVILEGE

Mr. SHUSTER rose to a question of personal privilege.

The SPEAKER pro tempore, Mr. QUINN, pursuant to rule IX, recognized Mr. SHUSTER for one hour.

Mr. SHUSTER made the following statement:

''Mr. Speaker, first, I want to thank the Members of the Committee on Standards of Official Conduct for concluding what has been a 4-year nightmare to myself and my family. In fact, 4 years, 1 month and 31 days ago, a group associated with Ralph Nader filed an ethics complaint against me.

''I have agreed to accept a single letter of reproval to settle this matter. Now, this letter of reproval deals with matters of appearances of improprieties to which I acknowledge. I am very pleased that the committee dismissed the wild and inaccurate charges originally filed by the Nader group. I am very pleased that not a single allegation, not a scintilla of evidence, not a hint of any of this referred to any actions that I took that influenced my activities as chairman of my committee.

''Now, the Webster dictionary defines reproval. As we know, a letter of reproval, by definition, is the mildest form of sanction. The Webster dictionary defines it as, and I quote, 'to scold or correct, usually gently and with kindly intent.'

''Now, I must confess I feel neither gentle nor kindly about this 4-year nightmare which has been so difficult for my family and which has cost hundreds of thousands of dollars in legal fees.

''It began with this Nader organization complaint filed. And under the rules, it is a fact, not an opinion, it is a fact that, under the rules, such a complaint must include the signatures of three sitting Members. It is a fact, not an opinion, that at least one of those signatures, not only was not by a Member, his name was not even spelled correctly. So on the face of it, this should have been rejected in the very beginning. The then committee began the investigation by violating their own rules. But that is something behind us.

''It is also a fact that, in the week of October 5, 1998, 2 years ago, the then chairman of the committee sought me out and said to me, and I can quote it because I immediately not only wrote it down, but also sent it to my attorneys and sent a copy of a letter to the distinguished gentleman himself to make sure that I had not misunderstood. He said to me that, after conferring with other Members of the committee, that they wanted to wrap up the matter by year's end because there was nothing of substance. It was, and I emphasize, I quote, 'B.S.' I immediately prepared a memorandum, and of course my family and I proceeded on this basis.

''As it turned out, that was 2 years ago. I was told they wanted to wrap it up by year's end. It did not happen. We regret that. But we went on to do our best to try to comply with this nightmare.

''It is also a matter of public record that the chairman of the investigation committee and I have had bad blood over the years, largely, although not exclusively, over the fact that I refused to block a 6-runway which he wanted killed for his airport. At the time, people came to me and said 'you should object under the rules to that gentleman being chairman of the subcommittee.' I said absolutely not. I said then that gentleman is an honorable gentleman, and I said now that gentleman is an honorable gentleman. So I agreed for us to proceed under those rules.

''I agreed to this letter. It is true that, after my chief of staff of 22 years retired, I and my new chief of staff contacted that old chief of staff numerous times on official business to get guidance because that former chief of staff was the only one who had the knowledge that we needed to conduct the affairs of our office. If that created an appearance of impropriety, absolutely. That is true.

''It is also true that my wife and I and my family went to Puerto Rico on what we believed to be an official trip. While it is true that we did, indeed, meet with two different organizations on official business plus, as a member of the Permanent Select Committee on Intelligence, I took time to meet with DEA agents on drug matters relating to Puerto Rico, nevertheless it was concluded by the committee that this trip was more recreational. I accept that judgment that it created the appearance of recreation.

''It is also true that my congressional staff contributed many times to work in my campaign. It is true that we kept no written records. I acknowledge that. I admit that. If that is an appearance of impropriety, so be it. We understand that the particular staff person in question did testify that she worked nights and weekends to make it up. But, absolutely, we did not keep records which have been deemed to be adequate, and so I have no problem in acknowledging that violation.

''It is also true that the Bud Shuster for Congress Committee spent hundreds of thousands of dollars on dinners and charter flights. We identified it as political. But it is true that we did not spell out the details. We did not spell out who it was we had dinner with. We did not spell out the purpose of the dinner. We reported it all on our FEC reports, but we did not provide any detail. So if that is an appearance of impropriety, so be it. I accept it.

''Also, the word 'excessive' was used in spending campaign funds. Now, if one comes from a rural area, we do not have the benefit of airlines, scheduled airlines. We have to use charter flights.

''But between the dinners and the flights, these campaign expenses were 'excessive.' We thought that was something the FEC was supposed to deal with, but nevertheless we accept that. If that created the appearance of impropriety, so be it.

''But I would point out, in fact, it really raises my hackles a bit when people say, 'Well, you didn't have any opposition.' My colleagues, I have got to confess to the sin of pride. I am the only Pennsylvanian in our Nation's history who has won both the Democratic and the Republican nominations nine times. These Democratic nominations did not fall out of the sky. We conduct very, very complicated write-in campaigns. And in 11 counties, we have had to run 11 campaigns for a write-in campaign. It costs a lot of money.

''We work 365 days a year on the political end of our activities, and we do spend an awful lot of money. And if that created the appearance of impropriety, I accept that.

''Now, if our practices created the appearance of impropriety, our attorneys at one point said, wait a minute, these are common practices. I said, well, I thought they were, but maybe they are not. So our attorneys initiated investigations into the FEC reports as well as the ethics report of 35 Members of Congress, both sides of the aisle, particularly Members of the Committee on Standards of Official Conduct and the leadership in the Congress to see whether these practices were also conducted by other Members of the Congress. And, indeed, they discovered that in a vast majority of the cases, meals, with the full range of Washington restaurants, Mr. K's, Red Sage, Morton's, Capitol Grill, were paid for by campaign expenses. The Palm, the MCI Center, private clubs, golfing expenses; all paid for with campaign expenses. Entertainment, music, florists, commercial airfare.

''Indeed, I emphasize since we do not have commercial flights in rural Pennsylvania, I had to rely on charter flights, but we spent an awful lot of money on it. And if that created an appearance of impropriety, absolutely I accept that.

''Members, as they traveled around in style, Sun Valley, campaign expenses or paid for by private groups; Sun Valley, Idaho, Jackson Hole, Aspen, Boulder, Miami, Boca Raton, Orlando, Ft. Myers, Naples, Palm Springs, Pebble Beach, the list goes on and on, Mexico, Puerto Rico, Bermuda, Virgin Islands, Cuba, Panama, London, Scotland, Ireland, Rome, Zurich, Tokyo, Hong Kong, Singapore, South Africa, et cetera, et cetera, all paid for by private groups.

''Now, it is a fact that we did not keep a record of how much of my time was spent on official business and how much time was spent on recreation. This is one of the things that the Congress and the committee might want to consider clarifying this, so that when a Member does go on a trip paid for by a private group, he should keep a record of how many hours and minutes he spends on official business and how many hours and minutes he spends on recreations so we would know clearly and so my colleagues do not find themselves in the same difficulty in which we have found ourselves.

''In fact, I considered introducing legislation, but it is not my style to do something with tongue-in-cheek to say

that we have got to have written records of every time we go and have a dinner with somebody, and we must write down who the person was and what was talked about. Do we really want that around here? Well, what is good for the goose is good for the gander, but it is certainly not my point to suggest that that should be done.

''I have to tell my colleagues that my attorneys read the committee report, and they take violent exception to some of the characterizations in it, and urge, by the way, that all my colleagues read our reply to the report, but I accept the letter of reproval. I accept the appearance of impropriety. In the course of it, my attorneys tell me there were 150 subpoenas, 75 witnesses, 33 depositions; and they tell me time and time again in debriefings that they were informed that these witnesses by the staff attorneys were intimidated, were threatened, and were harassed.

''I want to emphasize very strongly, these are not the gentlemen and ladies on the Committee on Standards of Official Conduct. As far as I have been apprised, the gentlemen and the ladies on the Committee on Standards of Official Conduct conducted themselves in a manner which we all would expect them to conduct themselves. The staff, of course, was a different situation.

''So in conclusion, this 4-year ordeal is over. I accept the findings to stop the hemorrhaging of legal fees and to put this behind us. I am less than thrilled by the drumbeat of malicious, inaccurate newspaper stories which have appeared over the period of time. I certainly want to thank my family and my friends, my staff and my colleagues for their tremendous support which I have received during this 4-year nightmare. And perhaps most significantly, as a result of the tremendous support I have received, our Committee on Transportation and Infrastructure has been able to be an effective committee, has been a committee which in fact, more than any other committee in the Congress, I am told, has seen 119 pieces of legislation signed into law, the largest and most productive committee of the Congress with, indeed, some historic pieces of legislation.

''So I accept the findings of the committee in order to put this behind us. And most importantly I want to thank all my colleagues for their tremendous support over this period of time.''.

Mr. OBERSTAR was recognized and said:

''The apologia pro vita sua we have just heard from the gentleman in the well is and represents one of the most intensely personal moments in this body; one of the most human experiences that we engage in. None of us, unless we stand in that well, as the gentleman has just done, can understand the pain and the difficulty, but also the strength of character it takes to deliver the statement the gentleman has just made, and to say 'I accept the judgment.' But it is characteristic of the gentleman to do so.

''The gentleman has led the committee throughout all this ordeal with dignity and effectiveness. I know how pained the gentleman is over this report, but I am proud of this moment that he has taken to address his colleagues and to address the country and to address this institution, and I thank the gentleman.''.

Mr. SHUSTER. ''Reclaiming my time, Mr. Speaker, I thank my good friend, and I yield back the balance of my time.''.

¶104.12 LAS CIENEGAS NATIONAL CONSERVATION AREA

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 610 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2941) to establish the Las Cienegas National Conservation Area in the State of Arizona.

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, designated Mr. QUINN as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. MCHUGH, assumed the Chair.

When Mr. QUINN, Chairman, pursuant to House Resolution 610, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. DEFINITIONS.

For the purposes of this Act, the following definitions apply:

(1) CONSERVATION AREA.—The term ''Conservation Area'' means the Las Cienegas National Conservation Area established by section 4(a).

(2) ACQUISITION PLANNING DISTRICT.—The term ''Acquisition Planning District'' means the Sonoita Valley Acquisition Planning District established by section 2(a).

(3) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Conservation Area.

(4) PUBLIC LANDS.—The term ''public lands'' has the meaning given the term in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)), except that such term shall not include interest in lands not owned by the United States.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 2. ESTABLISHMENT OF THE SONOITA VALLEY ACQUISITION PLANNING DISTRICT.

(a) IN GENERAL.—In order to provide for future acquisitions of important conservation land within the Sonoita Valley region of the State of Arizona, there is hereby established the Sonoita Valley Acquisition Planning District.

(b) AREAS INCLUDED.—The Acquisition Planning District shall consist of approximately 142,800 acres of land in the Arizona counties of Pima and Santa Cruz, including the Conservation Area, as generally depicted on the map entitled ''Sonoita Valley Acquisition Planning District and Las Cienegas National Conservation Area'' and dated October 2, 2000.

(c) MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a map and legal description of the Acquisition Planning District. In case of a conflict between the map referred to in subsection (b) and the map and legal description submitted by the Secretary, the map referred to in subsection (b) shall control. The map and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in such map and legal description. Copies of the map and legal description shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management, and in the appropriate office of the Bureau of Land Management in Arizona.

SEC. 3. PURPOSES OF THE ACQUISITION PLANNING DISTRICT.

(a) IN GENERAL.—The Secretary shall negotiate with land owners for the acquisition of lands and interest in lands suitable for Conservation Area expansion that meet the purposes described in section 4(a). The Secretary shall only acquire property under this Act pursuant to section 7.

(b) FEDERAL LANDS.—The Secretary, through the Bureau of Land Management, shall administer the public lands within the Acquisition Planning District pursuant to this Act and the applicable provisions of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), subject to valid existing rights, and in accordance with the management plan. Such public lands shall become part of the Conservation Area when they become contiguous with the Conservation Area.

(c) FISH AND WILDLIFE.—Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Arizona with respect to fish and wildlife within the Acquisition Planning District.

(d) PROTECTION OF STATE AND PRIVATE LANDS AND INTERESTS.—Nothing in this Act shall be construed as affecting any property rights or management authority with regard to any lands or interest in lands held by the State of Arizona, any political subdivision of the State of Arizona, or any private property rights within the boundaries of the Acquisition Planning District.

(e) PUBLIC LANDS.—Nothing in this Act shall be construed as in any way diminishing the Secretary's or the Bureau of Land Management's authorities, rights, or responsibilities for managing the public lands within the Acquisition Planning District.

(f) COORDINATED MANAGEMENT.—The Secretary shall coordinate the management of the public lands within the Acquisition Planning District with that of surrounding county, State, and private lands consistent with the provisions of subsection (d).

SEC. 4. ESTABLISHMENT OF THE LAS CIENEGAS NATIONAL CONSERVATION AREA.

(a) IN GENERAL.—In order to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the unique and nationally important aquatic, wildlife, vegetative, archaeological, paleontological, scientific, cave, cultural, historical, recreational, educational, scenic, rangeland, and riparian resources and values of the public lands described in subsection (b) while allowing livestock grazing and recreation to continue in appropriate areas, there is hereby established the Las Cienegas National Conservation Area in the State of Arizona.

(b) AREAS INCLUDED.—The Conservation Area shall consist of approximately 42,000 acres of public lands in the Arizona counties of Pima and Santa Cruz, as generally de-

picted on the map entitled ''Sonoita Valley Acquisition Planning District and Las Cienegas National Conservation Area'' and dated October 2, 2000.

(c) MAPS AND LEGAL DESCRIPTION.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a map and legal description of the Conservation Area. In case of a conflict between the map referred to in subsection (b) and the map and legal description submitted by the Secretary, the map referred to in subsection (b) shall control. The map and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in such map and legal description. Copies of the map and legal description shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management, and in the appropriate office of the Bureau of Land Management in Arizona.

(d) FOREST LANDS.—Any lands included in the Coronado National Forest that are located within the boundaries of the Conservation Area shall be considered to be a part of the Conservation Area. The Secretary of Agriculture shall revise the boundaries of the Coronado National Forest to reflect the exclusion of such lands from the Coronado National Forest.

SEC. 5. MANAGEMENT OF THE LAS CIENEGAS NATIONAL CONSERVATION AREA.

(a) IN GENERAL.—The Secretary shall manage the Conservation Area in a manner that conserves, protects, and enhances its resources and values, including the resources and values specified in section 4(a), pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable law, including this Act.

(b) USES.—The Secretary shall allow only such uses of the Conservation Area as the Secretary finds will further the purposes for which the Conservation Area is established as set forth in section 4(a).

(c) GRAZING.—The Secretary of the Interior shall permit grazing subject to all applicable laws, regulations, and Executive Orders consistent with the purposes of this Act.

(d) MOTORIZED VEHICLES.—Except where needed for administrative purposes or to respond to an emergency, use of motorized vehicles on public lands in the Conservation Area shall be allowed only—

(1) before the effective date of a management plan prepared pursuant to section 6, on roads and trails designated for use of motorized vehicles in the management plan that applies on the date of the enactment of this Act; and

(2) after the effective date of a management plan prepared pursuant to section 6, on roads and trails designated for use of motor vehicles in that management plan.

(e) MILITARY AIRSPACE.—Prior to the date of the enactment of this Act the Federal Aviation Administration approved restricted military airspace (Areas 2303A and 2303B) which covers portions of the Conservation Area. Designation of the Conservation Area shall not impact or impose any altitude, flight, or other airspace restrictions on current or future military operations or missions. Should the military require additional or modified airspace in the future, the Congress does not intend for the designation of the Conservation Area to impede the military from petitioning the Federal Aviation Administration to change or expand existing restricted military airspace.

(f) ACCESS TO STATE AND PRIVATE LANDS.—Nothing in this Act shall affect valid existing rights-of-way within the Conservation Area. The Secretary shall provide reasonable access to nonfederally owned lands or interest in lands within the boundaries of the Conservation Area.

(g) HUNTING.—Hunting shall be allowed within the Conservation Area in accordance with applicable laws and regulations of the United States and the State of Arizona, except that the Secretary, after consultation with the Arizona State wildlife management agency, may issue regulations designating zones where and establishing periods when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment.

(h) PREVENTATIVE MEASURES.—Nothing in this Act shall preclude such measures as the Secretary determines necessary to prevent devastating fire or infestation of insects or disease within the Conservation Area.

(i) NO BUFFER ZONES.—The establishment of the Conservation Area shall not lead to the creation of protective perimeters or buffer zones around the Conservation Area. The fact that there may be activities or uses on lands outside the Conservation Area that would not be permitted in the Conservation Area shall not preclude such activities or uses on such lands up to the boundary of the Conservation Area consistent with other applicable laws.

(j) WITHDRAWALS.—Subject to valid existing rights all Federal lands within the Conservation Area and all lands and interest therein which are hereafter acquired by the United States are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws and from location, entry, and patent under the mining laws, and from operation of the mineral leasing and geothermal leasing laws and all amendments thereto.

SEC. 6. MANAGEMENT PLAN.

(a) PLAN REQUIRED.—Not later than 2 years after the date of the enactment of this Act, the Secretary, through the Bureau of Land Management, shall develop and begin to implement a comprehensive management plan for the long-term management of the public lands within the Conservation Area in order to fulfill the purposes for which it is established, as set forth in section 4(a). Consistent with the provisions of this Act, the management plan shall be developed—

(1) in consultation with appropriate departments of the State of Arizona, including wildlife and land management agencies, with full public participation;

(2) from the draft Empire-Cienega Ecosystem Management Plan/EIS, dated October 2000, as it applies to Federal lands or lands with conservation easements; and

(3) in accordance with the resource goals and objectives developed through the Sonoita Valley Planning Partnership process as incorporated in the draft Empire-Cienega Ecosystem Management Plan/EIS, dated October 2000, giving full consideration to the management alternative preferred by the Sonoita Valley Planning Partnership, as it applies to Federal lands or lands with conservation easements.

(b) CONTENTS.—The management plan shall include—

(1) provisions designed to ensure the protection of the resources and values described in section 4(a);

(2) an implementation plan for a continuing program of interpretation and public education about the resources and values of the Conservation Area;

(3) a proposal for minimal administrative and public facilities to be developed or improved at a level compatible with achieving the resource objectives for the Conservation Area and with the other proposed management activities to accommodate visitors to the Conservation Area;

(4) cultural resources management strategies for the Conservation Area, prepared in consultation with appropriate departments of the State of Arizona, with emphasis on the preservation of the resources of the Conservation Area and the interpretive, educational, and long-term scientific uses of these resources, giving priority to the enforcement of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the Conservation Area;

(5) wildlife management strategies for the Conservation Area, prepared in consultation with appropriate departments of the State of Arizona and using previous studies of the Conservation Area;

(6) production livestock grazing management strategies, prepared in consultation with appropriate departments of the State of Arizona;

(7) provisions designed to ensure the protection of environmentally sustainable livestock use on appropriate lands within the Conservation Area;

(8) recreation management strategies, including motorized and nonmotorized dispersed recreation opportunities for the Conservation Area, prepared in consultation with appropriate departments of the State of Arizona;

(9) cave resources management strategies prepared in compliance with the goals and objectives of the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 et seq.); and

(10) provisions designed to ensure that if a road or trail located on public lands within the Conservation Area, or any portion of such a road or trail, is removed, consideration shall be given to providing similar alternative access to the portion of the Conservation Area serviced by such removed road or trail.–

(c) COOPERATIVE AGREEMENTS.—In order to better implement the management plan, the Secretary may enter into cooperative agreements with appropriate Federal, State, and local agencies pursuant to section 307(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1737(b)).

(d) RESEARCH ACTIVITIES.—In order to assist in the development and implementation of the management plan, the Secretary may authorize appropriate research, including research concerning the environmental, biological, hydrological, cultural, agricultural, recreational, and other characteristics, resources, and values of the Conservation Area, pursuant to section 307(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1737(a)).

SEC. 7. LAND ACQUISITION.

(a) IN GENERAL.—

(1) PRIORITY TO CONSERVATION EASEMENTS.—In acquiring lands or interest in lands under this section, the Secretary shall give priority to such acquisitions in the form of conservation easements.

(2) PRIVATE LANDS.—The Secretary is authorized to acquire privately held lands or interest in lands within the boundaries of the Acquisition Planning District only from a willing seller through donation, exchange, or purchase.

(3) COUNTY LANDS.—The Secretary is authorized to acquire county lands or interest in lands within the boundaries of the Acquisition Planning District only with the consent of the county through donation, exchange, or purchase.

(4) STATE LANDS.—

(A) IN GENERAL.—The Secretary is authorized to acquire lands or interest in lands owned by the State of Arizona located within the boundaries of the Acquisition Planning District only with the consent of the State and in accordance with State law, by donation, exchange, or purchase.

(B) CONSIDERATION.—As consideration for the acquisitions by the United States of

lands or interest in lands under this paragraph, the Secretary shall pay fair market value for such lands or shall convey to the State of Arizona all or some interest in Federal lands (including buildings and other improvements on such lands or other Federal property other than real property) or any other asset of equal value within the State of Arizona.

(C) TRANSFER OF JURISDICTION.—All Federal agencies are authorized to transfer jurisdiction of Federal lands or interest in lands (including buildings and other improvements on such lands or other Federal property other than real property) or any other asset within the State of Arizona to the Bureau of Land Management for the purpose of acquiring lands or interest in lands as provided for in this paragraph.

(b) MANAGEMENT OF ACQUIRED LANDS.—Lands acquired under this section shall, upon acquisition, become part of the Conservation Area and shall be administered as part of the Conservation Area. These lands shall be managed in accordance with this Act, other applicable laws, and the management plan.

SEC. 8. REPORTS TO CONGRESS.

(a) PROTECTION OF CERTAIN LANDS.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the most effective measures to protect the lands north of the Acquisition Planning District within the Rincon Valley, Colossal Cave area, and Agua Verde Creek corridor north of Interstate 10 to provide an ecological link to Saguaro National Park and the Rincon Mountains and contribute to local government conservation priorities.

(b) IMPLEMENTATION OF THIS ACT.—Not later than 5 years after the date of the enactment of this Act, and at least at the end of every 10-year period thereafter, the Secretary shall submit to Congress a report describing the implementation of this Act, the condition of the resources and values of the Conservation Area, and the progress of the Secretary in achieving the purposes for which the Conservation Area is established as set forth in section 4(a).

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. McHUGH, announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶104.13 SUBMISSION OF CONFERENCE REPORT—H.R. 3244

Mr. SMITH of New Jersey submitted a conference report (Rept. No. 106–939) on the bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking; together with a statement thereon, for printing in the Record under the rule.

¶104.14 FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4578) ''An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.''.

¶104.15 MICROENTERPRISE PROGRAMS IN DEVELOPING COUNTRIES

On motion of Mr. GILMAN, by unanimous consent, the bill (H.R. 1143) to establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Microenterprise for Self-Reliance and International Anti-Corruption Act of 2000''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—MICROENTERPRISE FOR SELF-RELIANCE ACT OF 2000

Sec. 101. Short title.
Sec. 102. Findings and declarations of policy.
Sec. 103. Purposes.
Sec. 104. Definitions.
Sec. 105. Microenterprise development grant assistance.
Sec. 106. Micro- and small enterprise development credits.
Sec. 107. United States Microfinance Loan Facility.
Sec. 108. Report relating to future development of microenterprise institutions.
Sec. 109. United States Agency for International Development as global leader and coordinator of bilateral and multilateral microenterprise assistance activities.
Sec. 110. Sense of Congress on consideration of Mexico as a key priority in microenterprise funding allocations.

TITLE II—INTERNATIONAL ANTI-CORRUPTION AND GOOD GOVERNANCE ACT OF 2000

Sec. 201. Short title.
Sec. 202. Findings and purpose.
Sec. 203. Development assistance policy.
Sec. 204. Department of the Treasury technical assistance program for developing countries.
Sec. 205. Authorization of good governance programs.

TITLE III—INTERNATIONAL ACADEMIC OPPORTUNITY ACT OF 2000

Sec. 301. Short title.
Sec. 302. Statement of purpose.
Sec. 303. Establishment of grant program for foreign study by American college students of limited financial means.
Sec. 304. Report to Congress.
Sec. 305. Authorization of appropriations.
Sec. 306. Effective date.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Support for Overseas Cooperative Development Act.
Sec. 402. Funding of certain environmental assistance activities of USAID.
Sec. 403. Processing of applications for transportation of humanitarian assistance abroad by the Department of Defense.
Sec. 404. Working capital fund.
Sec. 405. Increase in authorized number of employees and representatives of the United States mission to the United Nations provided living quarters in New York.
Sec. 406. Availability of VOA and Radio Marti multilingual computer readable text and voice recordings.
Sec. 407. Availability of certain materials of the Voice of America.
Sec. 408. Paul D. Coverdell Fellows Program Act of 2000.

TITLE I—MICROENTERPRISE FOR SELF-RELIANCE ACT OF 2000

SEC. 101. SHORT TITLE.

This title may be cited as the ''Microenterprise for Self-Reliance Act of 2000''.

SEC. 102. FINDINGS AND DECLARATIONS OF POLICY.

Congress makes the following findings and declarations:

(1) According to the World Bank, more than 1,200,000,000 people in the developing world, or one-fifth of the world's population, subsist on less than $1 a day.

(2) Over 32,000 of their children die each day from largely preventable malnutrition and disease.

(3)(A) Women in poverty generally have larger work loads and less access to educational and economic opportunities than their male counterparts.

(B) Directly aiding the poorest of the poor, especially women, in the developing world has a positive effect not only on family incomes, but also on child nutrition, health and education, as women in particular reinvest income in their families.

(4)(A) The poor in the developing world, particularly women, generally lack stable employment and social safety nets.

(B) Many turn to self-employment to generate a substantial portion of their livelihood. In Africa, over 80 percent of employment is generated in the informal sector of the self-employed poor.

(C) These poor entrepreneurs are often trapped in poverty because they cannot obtain credit at reasonable rates to build their asset base or expand their otherwise viable self-employment activities.

(D) Many of the poor are forced to pay interest rates as high as 10 percent per day to money lenders.

(5)(A) The poor are able to expand their incomes and their businesses dramatically when they can access loans at reasonable interest rates.

(B) Through the development of self-sustaining microfinance programs, poor people themselves can lead the fight against hunger and poverty.

(6)(A) On February 2–4, 1997, a global Microcredit Summit was held in Washington, District of Columbia, to launch a plan to expand access to credit for self-employment and other financial and business services to 100,000,000 of the world's poorest families, especially the women of those families, by 2005. While this scale of outreach may not be achievable in this short timeperiod, the realization of this goal could dramatically alter the face of global poverty.

(B) With an average family size of five, achieving this goal will mean that the benefits of microfinance will thereby reach nearly half of the world's more than 1,000,000,000 absolute poor people.

(7)(A) Nongovernmental organizations, such as those that comprise the Microenterprise Coalition (such as the Grameen Bank (Bangladesh,) K–REP (Kenya), and networks such as Accion International, the Foundation for International

Community Assistance (FINCA), and the credit union movement) are successful in lending directly to the very poor.

(B) Microfinance institutions such as BRAC (Bangladesh), BancoSol (Bolivia), SEWA Bank (India), and ACEP (Senegal) are regulated financial institutions that can raise funds directly from the local and international capital markets.

(8)(A) Microenterprise institutions not only reduce poverty, but also reduce the dependency on foreign assistance.

(B) Interest income on the credit portfolio is used to pay recurring institutional costs, assuring the long-term sustainability of development assistance.

(9) Microfinance institutions leverage foreign assistance resources because loans are recycled, generating new benefits to program participants.

(10)(A) The development of sustainable microfinance institutions that provide credit and training, and mobilize domestic savings, is a critical component to a global strategy of poverty reduction and broad-based economic development.

(B) In the efforts of the United States to lead the development of a new global financial architecture, microenterprise should play a vital role. The recent shocks to international financial markets demonstrate how the financial sector can shape the destiny of nations. Microfinance can serve as a powerful tool for building a more inclusive financial sector which serves the broad majority of the world's population including the very poor and women and thus generate more social stability and prosperity.

(C) Over the last two decades, the United States has been a global leader in promoting the global microenterprise sector, primarily through its development assistance programs at the United States Agency for International Development. Additionally, the Department of the Treasury and the Department of State have used their authority to promote microenterprise in the development programs of international financial institutions and the United Nations.

(11)(A) In 1994, the United States Agency for International Development launched the ''Microenterprise Initiative'' in partnership with the Congress.

(B) The initiative committed to expanding funding for the microenterprise programs of the Agency, and set a goal that, by the end of fiscal year 1996, one-half of all microenterprise resources would support programs and institutions that provide credit to the poorest, with loans under $300.

(C) In order to achieve the goal of the microcredit summit, increased investment in microfinance institutions serving the poorest will be critical.

(12) Providing the United States share of the global investment needed to achieve the goal of the microcredit summit will require only a small increase in United States funding for international microcredit programs, with an increased focus on institutions serving the poorest.

(13)(A) In order to reach tens of millions of the poorest with microcredit, it is crucial to expand and replicate successful microfinance institutions.

(B) These institutions need assistance in developing their institutional capacity to expand their services and tap commercial sources of capital.

(14) Nongovernmental organizations have demonstrated competence in developing networks of local microfinance institutions and other assistance delivery mechanisms so that they reach large numbers of the very poor, and achieve financial sustainability.

(15) Recognizing that the United States Agency for International Development has developed very effective partnerships with nongovernmental organizations, and that the Agency will have fewer missions overseas to carry out its work, the Agency should place priority on investing in those nongovernmental network institutions that meet performance criteria through the central funding mechanisms of the Agency.

(16) By expanding and replicating successful microfinance institutions, it should be possible to create a global infrastructure to provide financial services to the world's poorest families.

(17)(A) The United States can provide leadership to other bilateral and multilateral development agencies as such agencies expand their support to the microenterprise sector.

(B) The United States should seek to improve coordination among G–7 countries in the support of the microenterprise sector in order to leverage the investment of the United States with that of other donor nations.

(18) Through increased support for microenterprise, especially credit for the poorest, the United States can continue to play a leadership role in the global effort to expand financial services and opportunity to 100,000,000 of the poorest families on the planet.

SEC. 103. PURPOSES.

The purposes of this title are—

(1) to make microenterprise development an important element of United States foreign economic policy and assistance;

(2) to provide for the continuation and expansion of the commitment of the United States Agency for International Development to the development of microenterprise institutions as outlined in its 1994 Microenterprise Initiative;

(3) to support and develop the capacity of United States and indigenous nongovernmental organization intermediaries to provide credit, savings, training, technical assistance, and business development services to microentrepreneurs;

(4) to emphasize financial services and substantially increase the amount of assistance devoted to both financial services and complementary business development services designed to reach the poorest people in developing countries, particularly women; and

(5) to encourage the United States Agency for International Development to coordinate microfinance policy, in consultation with the Department of the Treasury and the Department of State, and to provide global leadership among bilateral and multilateral donors in promoting microenterprise for the poorest of the poor.

SEC. 104. DEFINITIONS.

In this title:

(1) BUSINESS DEVELOPMENT SERVICES.—The term ''business development services'' means support for the growth of microenterprises through training, technical assistance, marketing assistance, improved production technologies, and other services.

(2) MICROENTERPRISE INSTITUTION.—The term ''microenterprise institution'' means an institution that provides services, including microfinance, training, or business development services, for microentrepreneurs.

(3) MICROFINANCE INSTITUTION.—The term ''microfinance institution'' means an institution that directly provides, or works to expand, the availability of credit, savings, and other financial services to microentrepreneurs.

(4) PRACTITIONER INSTITUTION.—The term ''practitioner institution'' means any institution that provides services, including microfinance, training, or business development services, for microentrepreneurs, or provides assistance to microenterprise institutions.

SEC. 105. MICROENTERPRISE DEVELOPMENT GRANT ASSISTANCE.

Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following new section:

''SEC. 131. MICROENTERPRISE DEVELOPMENT GRANT ASSISTANCE.

''(a) FINDINGS AND POLICY.—Congress finds and declares that—

''(1) the development of microenterprise is a vital factor in the stable growth of developing countries and in the development of free, open, and equitable international economic systems;

''(2) it is therefore in the best interest of the United States to assist the development of microenterprises in developing countries; and

''(3) the support of microenterprise can be served by programs providing credit, savings, training, technical assistance, and business development services.

''(b) AUTHORIZATION.—

''(1) IN GENERAL.—In carrying out this part, the President is authorized to provide grant assistance for programs to increase the availability of credit and other services to microenterprises lacking full access to capital training, technical assistance, and business development services, through—

''(A) grants to microfinance institutions for the purpose of expanding the availability of credit, savings, and other financial services to microentrepreneurs;

''(B) grants to microenterprise institutions for the purpose of training, technical assistance, and business development services for microenterprises to enable them to make better use of credit, to better manage their enterprises, and to increase their income and build their assets;

''(C) capacity-building for microenterprise institutions in order to enable them to better meet the credit and training needs of microentrepreneurs; and

''(D) policy and regulatory programs at the country level that improve the environment for microentrepreneurs and microenterprise institutions that serve the poor and very poor.

''(2) IMPLEMENTATION.—Assistance authorized under paragraph (1) (A) and (B) shall be provided through organizations that have a capacity to develop and implement microenterprise programs, including particularly—

''(A) United States and indigenous private and voluntary organizations;

''(B) United States and indigenous credit unions and cooperative organizations; or

''(C) other indigenous governmental and nongovernmental organizations.

''(3) TARGETED ASSISTANCE.—In carrying out sustainable poverty-focused programs under paragraph (1), 50 percent of all microenterprise resources shall be targeted to very poor entrepreneurs, defined as those living in the bottom 50 percent below the poverty line as established by the national government of the country. Specifically, such resources shall be used for—

''(A) direct support of programs under this subsection through practitioner institutions that—

''(i) provide credit and other financial services to entrepreneurs who are very poor, with loans in 1995 United States dollars of—

''(I) $1,000 or less in the Europe and Eurasia region;

''(II) $400 or less in the Latin America region; and

''(III) $300 or less in the rest of the world; and

''(ii) can cover their costs in a reasonable time period; or

''(B) demand-driven business development programs that achieve reasonable cost recovery that are provided to clients holding poverty loans (as defined by the regional poverty loan limitations in subparagraph (A)(i)), whether they are provided by microfinance institutions or by specialized business development services providers.

''(4) SUPPORT FOR CENTRAL MECHANISMS.—The President should continue support for central mechanisms and missions, as appropriate, that—

''(A) provide technical support for field missions;

''(B) strengthen the institutional development of the intermediary organizations described in paragraph (2);

''(C) share information relating to the provision of assistance authorized under paragraph (1) between such field missions and intermediary organizations; and

''(D) support the development of nonprofit global microfinance networks, including credit union systems, that—

''(i) are able to deliver very small loans through a significant grassroots infrastructure based on market principles; and

''(ii) act as wholesale intermediaries providing a range of services to microfinance retail institutions, including financing, technical assistance, capacity-building, and safety and soundness accreditation.

''(5) LIMITATION.—Assistance provided under this subsection may only be used to support microenterprise programs and may not be used to support programs not directly related to the purposes described in paragraph (1).

''(c) MONITORING SYSTEM.—In order to maximize the sustainable development impact of the assistance authorized under subsection (b)(1), the Administrator of the agency primarily responsible for administering this part shall establish a monitoring system that—

''(1) establishes performance goals for such assistance and expresses such goals in an objective and quantifiable form, to the extent feasible;

''(2) establishes performance indicators to be used in measuring or assessing the achievement of the goals and objectives of such assistance;

''(3) provides a basis for recommendations for adjustments to such assistance to enhance the sustainable development impact of such assistance, particularly the impact of such assistance on the very poor, particularly poor women; and

''(4) provides a basis for recommendations for adjustments to measures for reaching the poorest of the poor, including proposed legislation containing amendments to enhance the sustainable development impact of such assistance, as described in paragraph (3).

''(d) LEVEL OF ASSISTANCE.—Of the funds made available under this part, the FREEDOM Support Act, and the Support for East European Democracy (SEED) Act of 1989, including local currencies derived from such funds, there are authorized to be available $155,000,000 for each of the fiscal years 2001 and 2002, to carry out this section.

''(e) DEFINITIONS.—In this section:

''(1) BUSINESS DEVELOPMENT SERVICES.—The term 'business development services' means support for the growth of microenterprises through training, technical assistance, marketing assistance, improved production technologies, and other services.

''(2) MICROENTERPRISE INSTITUTION.—The term 'microenterprise institution' means an institution that provides services, including microfinance, training, or business development services, for microentrepreneurs.

''(3) MICROFINANCE INSTITUTION.—The term 'microfinance institution' means an institution that directly provides, or works to expand, the availability of credit, savings, and other financial services to microentrepreneurs.

''(4) PRACTITIONER INSTITUTION.—The term 'practitioner institution' means any institution that provides services, including microfinance, training, or business development services, for microentrepreneurs, or provides assistance to microenterprise institutions.''.

SEC. 106. MICRO- AND SMALL ENTERPRISE DEVELOPMENT CREDITS.

Section 108 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151f) is amended to read as follows:

''SEC. 108. MICRO- AND SMALL ENTERPRISE DEVELOPMENT CREDITS.

''(a) FINDINGS AND POLICY.—Congress finds and declares that—

''(1) the development of micro- and small enterprises is a vital factor in the stable growth of developing countries and in the development and stability of a free, open, and equitable international economic system; and

''(2) it is, therefore, in the best interests of the United States to assist the development of the enterprises of the poor in developing countries and to engage the United States private sector in that process.

''(b) PROGRAM.—To carry out the policy set forth in subsection (a), the President is authorized to provide assistance to increase the availability of credit to micro- and small enterprises lacking full access to credit, including through—

''(1) loans and guarantees to credit institutions for the purpose of expanding the availability of credit to micro- and small enterprises;

''(2) training programs for lenders in order to enable them to better meet the credit needs of microentrepreneurs; and

''(3) training programs for microentrepreneurs in order to enable them to make better use of credit and to better manage their enterprises.

''(c) ELIGIBILITY CRITERIA.—The Administrator of the agency primarily responsible for administering this part shall establish criteria for determining which credit institutions described in subsection (b)(1) are eligible to carry out activities, with respect to micro- and small enterprises, assisted under this section. Such criteria may include the following:

''(1) The extent to which the recipients of credit from the entity do not have access to the local formal financial sector.

''(2) The extent to which the recipients of credit from the entity are among the poorest people in the country.

''(3) The extent to which the entity is oriented toward working directly with poor women.

''(4) The extent to which the entity recovers its cost of lending.

''(5) The extent to which the entity implements a plan to become financially sustainable.

''(d) ADDITIONAL REQUIREMENT.—Assistance provided under this section may only be used to support micro- and small enterprise programs and may not be used to support programs not directly related to the purposes described in subsection (b).

''(e) PROCUREMENT PROVISION.—Assistance may be provided under this section without regard to section 604(a).

''(f) AVAILABILITY OF FUNDS.—

''(1) IN GENERAL.—Of the amounts authorized to be available to carry out section 131, there are authorized to be available $1,500,000 for each of fiscal years 2001 and 2002 to carry out this section.

''(2) COVERAGE OF SUBSIDY COSTS.—Amounts authorized to be available under paragraph (1) shall be made available to cover the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, for activities under this section.''.

SEC. 107. UNITED STATES MICROFINANCE LOAN FACILITY.

(a) IN GENERAL.—Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), as amended by section 105 of this Act, is further amended by adding at the end the following new section:

''SEC. 132. UNITED STATES MICROFINANCE LOAN FACILITY.

''(a) ESTABLISHMENT.—The Administrator is authorized to establish a United States Microfinance Loan Facility (in this section referred to as the 'Facility') to pool and manage the risk from natural disasters, war or civil conflict, national financial crisis, or short-term financial movements that threaten the long-term development of United States-supported microfinance institutions.

''(b) DISBURSEMENTS.—

''(1) IN GENERAL.—The Administrator shall make disbursements from the Facility to United States-supported microfinance institutions to prevent the bankruptcy of such institutions caused by—

''(A) natural disasters;

''(B) national wars or civil conflict; or

''(C) national financial crisis or other short-term financial movements that threaten the long-term development of United States-supported microfinance institutions.

''(2) FORM OF ASSISTANCE.—Assistance under this section shall be in the form of loans or loan guarantees for microfinance institutions that demonstrate the capacity to resume self-sustained operations within a reasonable time period.

''(3) CONGRESSIONAL NOTIFICATION PROCEDURES.—During each of the fiscal years 2001 and 2002, funds may not be made available from the Facility until 15 days after notification of the proposed availability of the funds has been provided to the congressional committees specified in section 634A in accordance with the procedures applicable to reprogramming notifications under that section.

''(c) GENERAL PROVISIONS.—

''(1) POLICY PROVISIONS.—In providing the credit assistance authorized by this section, the Administrator should apply, as appropriate, the policy provisions in this part that are applicable to development assistance activities.

''(2) DEFAULT AND PROCUREMENT PROVISIONS.—

''(A) DEFAULT PROVISION.—The provisions of section 620(q), or any comparable provision of law, shall not be construed to prohibit assistance to a country in the event that a private sector recipient of assistance furnished under this section is in default in its payment to the United States for the period specified in such section.

''(B) PROCUREMENT PROVISION.—Assistance may be provided under this section without regard to section 604(a).

''(3) TERMS AND CONDITIONS OF CREDIT ASSISTANCE.—

''(A) IN GENERAL.—Credit assistance provided under this section shall be offered on such terms and conditions, including fees charged, as the Administrator may determine.

''(B) LIMITATION ON PRINCIPAL AMOUNT OF FINANCING.—The principal amount of loans made or guaranteed under this section in any fiscal year, with respect to any single event, may not exceed $30,000,000.

''(C) EXCEPTION.—No payment may be made under any guarantee issued under this section for any loss arising out of fraud or misrepresentation for which the party seeking payment is responsible.

''(4) FULL FAITH AND CREDIT.—All guarantees issued under this section shall constitute obligations, in accordance with the terms of such guarantees, of the United States of America, and the full faith and credit of the United States of America is hereby pledged for the full payment and performance of such obligations to the extent of the guarantee.

''(d) FUNDING.—

''(1) ALLOCATION OF FUNDS.—Of the amounts made available to carry out this part for the fiscal year 2001, up to $5,000,000 may be made available for—

''(A) the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, to carry out this section; and

''(B) the administrative costs to carry out this section.

''(2) RELATION TO OTHER FUNDING.—Amounts made available under paragraph (1) are in addition to amounts available under any other provision of law to carry out this section.

''(e) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the agency primarily responsible for administering this part.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

''(3) UNITED STATES-SUPPORTED MICROFINANCE INSTITUTION.—The term 'United States-supported microfinance institution' means a financial intermediary that has received funds made available under part I of this Act for fiscal year 1980 or any subsequent fiscal year.''.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Administrator of the United States Agency for International Development shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report on the policies, rules, and regulations of the United States

Microfinance Loan Facility established under section 132 of the Foreign Assistance Act of 1961, as added by subsection (a).

SEC. 108. REPORT RELATING TO FUTURE DEVELOPMENT OF MICROENTERPRISE INSTITUTIONS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on the most cost-effective methods and measurements for increasing the access of poor people overseas to credit, other financial services, and related training.

(b) CONTENTS.—The report described in subsection (a)—

(1) shall include how the President, in consultation with the Administrator of the United States Agency for International Development, the Secretary of State, and the Secretary of the Treasury, will develop a comprehensive strategy for advancing the global microenterprise sector in a way that maintains market principles while ensuring that the very poor overseas, particularly women, obtain access to financial services overseas;

(2) shall provide guidelines and recommendations for—

(A) instruments to assist microenterprise networks to develop multi-country and regional microlending programs;

(B) technical assistance to foreign governments, foreign central banks, and regulatory entities to improve the policy environment for microfinance institutions, and to strengthen the capacity of supervisory bodies to supervise microfinance institutions;

(C) the potential for Federal chartering of United States-based international microfinance network institutions, including proposed legislation;

(D) instruments to increase investor confidence in microfinance institutions which would strengthen the long-term financial position of the microfinance institutions and attract capital from private sector entities and individuals, such as a rating system for microfinance institutions and local credit bureaus;

(E) an agenda for integrating microfinance into United States foreign policy initiatives seeking to develop and strengthen the global finance sector; and

(F) innovative instruments to attract funds from the capital markets, such as instruments for leveraging funds from the local commercial banking sector, and the securitization of microloan portfolios; and

(3) shall include a section that assesses the need for a microenterprise accelerated growth fund and that includes—

(A) a description of the benefits of such a fund;

(B) an identification of which microenterprise institutions might become eligible for assistance from such fund;

(C) a description of how such a fund could be administered;

(D) a recommendation on which agency or agencies of the United States Government should administer the fund and within which such agency the fund should be located; and

(E) a recommendation on how soon it might be necessary to establish such a fund in order to provide the support necessary for microenterprise institutions involved in microenterprise development.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 109. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT AS GLOBAL LEADER AND COORDINATOR OF BILATERAL AND MULTILATERAL MICROENTERPRISE ASSISTANCE ACTIVITIES.

(a) FINDINGS AND POLICY.—Congress finds and declares that—

(1) the United States can provide leadership to other bilateral and multilateral development agencies as such agencies expand their support to the microenterprise sector; and

(2) the United States should seek to improve coordination among G–7 countries in the support of the microenterprise sector in order to leverage the investment of the United States with that of other donor nations.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Administrator of the United States Agency for International Development and the Secretary of State should seek to support and strengthen the effectiveness of microfinance activities in United Nations agencies, such as the United Nations Development Program (UNDP), which have provided key leadership in developing the microenterprise sector; and

(2) the Secretary of the Treasury should instruct each United States Executive Director of the multilateral development banks (MDBs) to advocate the development of a coherent and coordinated strategy to support the microenterprise sector and an increase of multilateral resource flows for the purposes of building microenterprise retail and wholesale intermediaries.

SEC. 110. SENSE OF CONGRESS ON CONSIDERATION OF MEXICO AS A KEY PRIORITY IN MICROENTERPRISE FUNDING ALLOCATIONS.

(a) FINDINGS.—Congress makes the following findings:

(1) An estimated 45,000,000 of Mexico's 100,000,000 population currently lives below the poverty line, accounting for 20 percent of all poor in Latin America.

(2) Mexico cannot create enough salaried jobs to absorb new workers entering the labor force.

(3) While many poor families depend on microenterprise initiatives to generate a livelihood, the United States Agency for International Development currently has 2 microcredit projects in Mexico, receiving less than one percent of overall microenterprise funding in Latin America and the Caribbean during the last decade.

(4) Mexico's microenterprise activity has been constrained because its financial institutions cannot expand financial services to a larger clientele due to a lack of capital, inefficient financial and administrative management, and a lack of institutional support for microfinance institutions' particular needs.

(5) Mexican nongovernmental organizations, such as Compartamos, have demonstrated competence in developing local microfinance programs.

(6) On July 2, 2000, Vicente Fox Quesada of the Alliance for Change was elected President of the United Mexican States.

(7) The President-elect of Mexico has identified entrepreneurship and the start-up of new microcredit institutions as key economic priorities.

(8) Microenterprise and entrepreneurial initiatives have proven to be successful components of free market development and economic stability.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) providing Mexico's poor with economic opportunity and microfinance services is fundamental to Mexico's economic development;

(2) microenterprise can have a positive impact on Mexico's free market development; and

(3) the United States Agency for International Development should consider Mexico as a key priority in its microenterprise funding allocations.

TITLE II—INTERNATIONAL ANTI-CORRUPTION AND GOOD GOVERNANCE ACT OF 2000

SEC. 201. SHORT TITLE.

This title may be cited as the ''International Anti-Corruption and Good Governance Act of 2000''.

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Widespread corruption endangers the stability and security of societies, undermines democracy, and jeopardizes the social, political, and economic development of a society.

(2) Corruption facilitates criminal activities, such as money laundering, hinders economic development, inflates the costs of doing business, and undermines the legitimacy of the government and public trust.

(3) In January 1997 the United Nations General Assembly adopted a resolution urging member states to carefully consider the problems posed by the international aspects of corrupt practices and to study appropriate legislative and regulatory measures to ensure the transparency and integrity of financial systems.

(4) The United States was the first country to criminalize international bribery through the enactment of the Foreign Corrupt Practices Act of 1977 and United States leadership was instrumental in the passage of the Organization for Economic Cooperation and Development (OECD) Convention on Combatting Bribery of Foreign Public Officials in International Business Transactions.

(5) The Vice President, at the Global Forum on Fighting Corruption in 1999, declared corruption to be a direct threat to the rule of law and the Secretary of State declared corruption to be a matter of profound political and social consequence for our efforts to strengthen democratic governments.

(6) The Secretary of State, at the Inter-American Development Bank's annual meeting in March 2000, declared that despite certain economic achievements, democracy is being threatened as citizens grow weary of the corruption and favoritism of their official institutions and that efforts must be made to improve governance if respect for democratic institutions is to be regained.

(7) In May 1996 the Organization of American States (OAS) adopted the Inter-American Convention Against Corruption requiring countries to provide various forms of international cooperation and assistance to facilitate the prevention, investigation, and prosecution of acts of corruption.

(8) Independent media, committed to fighting corruption and trained in investigative journalism techniques, can both educate the public on the costs of corruption and act as a deterrent against corrupt officials.

(9) Competent and independent judiciary, founded on a merit-based selection process and trained to enforce contracts and protect property rights, is critical for creating a predictable and consistent environment for transparency in legal procedures.

(10) Independent and accountable legislatures, responsive political parties, and transparent electoral processes, in conjunction with professional, accountable, and transparent financial management and procurement policies and procedures, are essential to the promotion of good governance and to the combat of corruption.

(11) Transparent business frameworks, including modern commercial codes and intellectual property rights, are vital to enhancing economic growth and decreasing corruption at all levels of society.

(12) The United States should attempt to improve accountability in foreign countries, including by—

(A) promoting transparency and accountability through support for independent media, promoting financial disclosure by public officials, political parties, and candidates for public office, open budgeting processes, adequate and effective internal control systems, suitable financial management systems, and financial and compliance reporting;

(B) supporting the establishment of audit offices, inspectors general offices, third party monitoring of government procurement processes, and anti-corruption agencies;

(C) promoting responsive, transparent, and accountable legislatures that ensure legislative oversight and whistle-blower protection;

(D) promoting judicial reforms that criminalize corruption and promoting law enforcement that prosecutes corruption;

(E) fostering business practices that promote transparent, ethical, and competitive behavior in the private sector through the development of an effective legal framework for commerce, including anti-bribery laws, commercial codes that incorporate international standards for business practices, and protection of intellectual property rights; and

(F) promoting free and fair national, state, and local elections.

(b) PURPOSE.—The purpose of this title is to ensure that United States assistance programs promote good governance by assisting other countries to combat corruption throughout society and to improve transparency and accountability at all levels of government and throughout the private sector.

SEC. 203. DEVELOPMENT ASSISTANCE POLICY.

(a) GENERAL POLICY.—Section 101(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151(a)) is amended in the fifth sentence—

(1) by striking ''four'' and inserting ''five'';

(2) by striking ''and'' at the end of paragraph (3);

(3) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(5) the promotion of good governance through combating corruption and improving transparency and accountability.''.

(b) DEVELOPMENT ASSISTANCE POLICY.—Section 102(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151–1(b)) is amended—

(1) in paragraph (4)—

(A) by striking ''and'' at the end of subparagraph (E);

(B) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(G) progress in combating corruption and improving transparency and accountability in the public and private sector.''; and

(2) by adding at the end the following:

''(17) Economic reform and development of effective institutions of democratic governance are mutually reinforcing. The successful transition of a developing country is dependent upon the quality of its economic and governance institutions. Rule of law, mechanisms of accountability and transparency, security of person, property, and investments, are but a few of the critical governance and economic reforms that underpin the sustainability of broad-based economic growth. Programs in support of such reforms strengthen the capacity of people to hold their governments accountable and to create economic opportunity.''.

SEC. 204. DEPARTMENT OF THE TREASURY TECHNICAL ASSISTANCE PROGRAM FOR DEVELOPING COUNTRIES.

Section 129(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151aa(b)) is amended by adding at the end the following:

''(3) EMPHASIS ON ANTI-CORRUPTION.—Such technical assistance shall include elements designed to combat anti-competitive, unethical, and corrupt activities, including protection against actions that may distort or inhibit transparency in market mechanisms and, to the extent applicable, privatization procedures.''.

SEC. 205. AUTHORIZATION OF GOOD GOVERNANCE PROGRAMS.

(a) IN GENERAL.—Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), as amended by sections 105 and 107, is further amended by adding at the end the following:

''SEC. 133. PROGRAMS TO ENCOURAGE GOOD GOVERNANCE.

''(a) ESTABLISHMENT OF PROGRAMS.—

''(1) IN GENERAL.—The President is authorized to establish programs that combat corruption, improve transparency and accountability, and promote other forms of good governance in countries described in paragraph (2).

''(2) COUNTRIES DESCRIBED.—A country described in this paragraph is a country that is eligible to receive assistance under this part (including chapter 4 of part II of this Act) or the Support for East European Democracy (SEED) Act of 1989.

''(3) PRIORITY.—In carrying out paragraph (1), the President shall give priority to establishing programs in countries that received a significant amount of United States foreign assistance for the prior fiscal year, or in which the United States has a significant economic interest, and that continue to have the most persistent problems with public and private corruption. In determining which countries have the most persistent problems with public and private corruption under the preceding sentence, the President shall take into account criteria such as the Transparency International Annual Corruption Perceptions Index, standards and codes set forth by the International Bank for Reconstruction and Development and the International Monetary Fund, and other relevant criteria.

''(4) RELATION TO OTHER LAWS.—

''(A) IN GENERAL.—Assistance provided for countries under programs established pursuant to paragraph (1) may be made available notwithstanding any other provision of law that restricts assistance to foreign countries. Assistance provided under a program established pursuant to paragraph (1) for a country that would otherwise be restricted from receiving such assistance but for the preceding sentence may not be provided directly to the government of the country.

''(B) EXCEPTION.—Subparagraph (A) does not apply with respect to—

''(i) section 620A of this Act or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

''(ii) section 907 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992.

''(b) SPECIFIC PROJECTS AND ACTIVITIES.—The programs established pursuant to subsection (a) shall include, to the extent appropriate, projects and activities that—

''(1) support responsible independent media to promote oversight of public and private institutions;

''(2) implement financial disclosure among public officials, political parties, and candidates for public office, open budgeting processes, and transparent financial management systems;

''(3) support the establishment of audit offices, inspectors general offices, third party monitoring of government procurement processes, and anti-corruption agencies;

''(4) promote responsive, transparent, and accountable legislatures and local governments that ensure legislative and local oversight and whistle-blower protection;

''(5) promote legal and judicial reforms that criminalize corruption and law enforcement reforms and development that encourage prosecutions of criminal corruption;

''(6) assist in the development of a legal framework for commercial transactions that fosters business practices that promote transparent, ethical, and competitive behavior in the economic sector, such as commercial codes that incorporate international standards and protection of intellectual property rights;

''(7) promote free and fair national, state, and local elections;

''(8) foster public participation in the legislative process and public access to government information; and

''(9) engage civil society in the fight against corruption.

''(c) CONDUCT OF PROJECTS AND ACTIVITIES.—Projects and activities under the programs established pursuant to subsection (a) may include, among other things, training and technical assistance (including drafting of anti-corruption, privatization, and competitive statutory and administrative codes), drafting of anti-corruption, privatization, and competitive statutory and administrative codes, support for independent media and publications, financing of the program and operating costs of nongovernmental organizations that carry out such projects or activities, and assistance for travel of individuals to the United States and other countries for such projects and activities.

''(d) ANNUAL REPORT.—

''(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Commerce and the Administrator of the United States Agency for International Development, shall prepare and transmit to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate an annual report on—

''(A) projects and activities carried out under programs established under subsection (a) for the prior year in priority countries identified pursuant to subsection (a)(3); and

''(B) projects and activities carried out under programs to combat corruption, improve transparency and accountability, and promote other forms of good governance established under other provisions of law for the prior year in such countries.

''(2) REQUIRED CONTENTS.—The report required by paragraph (1) shall contain the following information with respect to each country described in paragraph (1):

''(A) A description of all United States Government-funded programs and initiatives to combat corruption and improve transparency and accountability in the country.

''(B) A description of United States diplomatic efforts to combat corruption and improve transparency and accountability in the country.

''(C) An analysis of major actions taken by the government of the country to combat corruption and improve transparency and accountability in the country.

''(e) FUNDING.—Amounts made available to carry out the other provisions of this part (including chapter 4 of part II of this Act) and the Support for East European Democracy (SEED) Act of 1989 shall be made available to carry out this section.''.

(b) DEADLINE FOR INITIAL REPORT.—The initial annual report required by section 133(d)(1) of the Foreign Assistance Act of 1961, as added by subsection (a), shall be transmitted not later than 180 days after the date of the enactment of this Act.

TITLE III—INTERNATIONAL ACADEMIC OPPORTUNITY ACT OF 2000

SEC. 301. SHORT TITLE.

This title may be cited as the ''International Academic Opportunity Act of 2000''.

SEC. 302. STATEMENT OF PURPOSE.

It is the purpose of this title to establish an undergraduate grant program for students of limited financial means from the United States to enable such students to study abroad. Such foreign study is intended to broaden the outlook and better prepare such students of demonstrated financial need to assume significant roles in the increasingly global economy.

SEC. 303. ESTABLISHMENT OF GRANT PROGRAM FOR FOREIGN STUDY BY AMERICAN COLLEGE STUDENTS OF LIMITED FINANCIAL MEANS.

(a) ESTABLISHMENT.—Subject to the availability of appropriations and under the authorities of the Mutual Educational and Cultural Exchange Act of 1961, the Secretary of State shall establish and carry out a program in each fiscal year to award grants of up to $5,000, to individuals who meet the requirements of subsection (b), toward the cost of up to one academic year of undergraduate study abroad. Grants under this Act shall be known as the ''Benjamin A. Gilman International Scholarships''.

(b) ELIGIBILITY.—An individual referred to in subsection (a) is an individual who—

(1) is a student in good standing at an institution of higher education in the United States (as

defined in section 101(a) of the Higher Education Act of 1965);

(2) has been accepted for up to one academic year of study on a program of study abroad approved for credit by the student's home institution;

(3) is receiving any need-based student assistance under title IV of the Higher Education Act of 1965; and

(4) is a citizen or national of the United States.

(c) APPLICATION AND SELECTION.—

(1) Grant application and selection shall be carried out through accredited institutions of higher education in the United States or a combination of such institutions under such procedures as are established by the Secretary of State.

(2) In considering applications for grants under this section—

(A) consideration of financial need shall include the increased costs of study abroad; and

(B) priority consideration shall be given to applicants who are receiving Federal Pell Grants under title IV of the Higher Education Act of 1965.

SEC. 304. REPORT TO CONGRESS.

The Secretary of State shall report annually to the Congress concerning the grant program established under this title. Each such report shall include the following information for the preceding year:

(1) The number of participants.

(2) The institutions of higher education in the United States that participants attended.

(3) The institutions of higher education outside the United States participants attended during their study abroad.

(4) The areas of study of participants.

SEC. 305. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $1,500,000 for each fiscal year to carry out this title.

SEC. 306. EFFECTIVE DATE.

This title shall take effect October 1, 2000.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. SUPPORT FOR OVERSEAS COOPERATIVE DEVELOPMENT ACT.

(a) SHORT TITLE.—This section may be cited as the ''Support for Overseas Cooperative Development Act''.

(b) FINDINGS.—The Congress makes the following findings:

(1) It is in the mutual economic interest of the United States and peoples in developing and transitional countries to promote cooperatives and credit unions.

(2) Self-help institutions, including cooperatives and credit unions, provide enhanced opportunities for people to participate directly in democratic decision-making for their economic and social benefit through ownership and control of business enterprises and through the mobilization of local capital and savings and such organizations should be fully utilized in fostering free market principles and the adoption of self-help approaches to development.

(3) The United States seeks to encourage broad-based economic and social development by creating and supporting—

(A) agricultural cooperatives that provide a means to lift low income farmers and rural people out of poverty and to better integrate them into national economies;

(B) credit union networks that serve people of limited means through safe savings and by extending credit to families and microenterprises;

(C) electric and telephone cooperatives that provide rural customers with power and telecommunications services essential to economic development;

(D) housing and community-based cooperatives that provide low income shelter and work opportunities for the urban poor; and

(E) mutual and cooperative insurance companies that provide risk protection for life and property to under-served populations often through group policies.

(c) GENERAL PROVISIONS.—

(1) DECLARATIONS OF POLICY.—The Congress supports the development and expansion of economic assistance programs that fully utilize cooperatives and credit unions, particularly those programs committed to—

(A) international cooperative principles, democratic governance and involvement of women and ethnic minorities for economic and social development;

(B) self-help mobilization of member savings and equity and retention of profits in the community, except for those programs that are dependent on donor financing;

(C) market-oriented and value-added activities with the potential to reach large numbers of low income people and help them enter into the mainstream economy;

(D) strengthening the participation of rural and urban poor to contribute to their country's economic development; and

(E) utilization of technical assistance and training to better serve the member-owners.

(2) DEVELOPMENT PRIORITIES.—Section 111 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151i) is amended by adding at the end the following: ''In meeting the requirement of the preceding sentence, specific priority shall be given to the following:

''(1) AGRICULTURE.—Technical assistance to low income farmers who form and develop member-owned cooperatives for farm supplies, marketing and value-added processing.

''(2) FINANCIAL SYSTEMS.—The promotion of national credit union systems through credit union-to-credit union technical assistance that strengthens the ability of low income people and micro-entrepreneurs to save and to have access to credit for their own economic advancement.

''(3) INFRASTRUCTURE.—The support of rural electric and telecommunication cooperatives for access for rural people and villages that lack reliable electric and telecommunications services.

''(4) HOUSING AND COMMUNITY SERVICES.—The promotion of community-based cooperatives which provide employment opportunities and important services such as health clinics, self-help shelter, environmental improvements, group-owned businesses, and other activities.''.

(d) REPORT.—Not later than 6 months after the date of enactment of this Act, the Administrator of the United States Agency for International Development, in consultation with the heads of other appropriate agencies, shall prepare and submit to Congress a report on the implementation of section 111 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151i), as amended by subsection (c).

SEC. 402. FUNDING OF CERTAIN ENVIRONMENTAL ASSISTANCE ACTIVITIES OF USAID.

(a) ALLOCATION OF FUNDS FOR CERTAIN ENVIRONMENTAL ACTIVITIES.—Of the amounts authorized to be appropriated for the fiscal year 2001 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.; relating to development assistance), there is authorized to be available at least $60,200,000 to carry out activities of the type carried out by the Global Environment Center of the United States Agency for International Development during fiscal year 2000.

(b) ALLOCATION FOR WATER AND COASTAL RESOURCES.—Of the amounts made available under subsection (a), at least $2,500,000 shall be available for water and coastal resources activities under the natural resources management function specified in that subsection.

SEC. 403. PROCESSING OF APPLICATIONS FOR TRANSPORTATION OF HUMANITARIAN ASSISTANCE ABROAD BY THE DEPARTMENT OF DEFENSE.

(a) PRIORITY FOR DISASTER RELIEF ASSISTANCE.—In processing applications for the transportation of humanitarian assistance abroad under section 402 of title 10, United States Code, the Administrator of the United States Agency for International Development shall afford a priority to applications for the transportation of disaster relief assistance.

(b) MODIFICATION OF APPLICATIONS.—The Administrator of the United States Agency for International Development shall take all possible actions to assist applicants for the transportation of humanitarian assistance abroad under such section 402 in modifying or completing applications submitted under such section in order to meet applicable requirements under such section. The actions shall include efforts to contact such applicants for purposes of the modification or completion of such applications.

SEC. 404. WORKING CAPITAL FUND.

Section 635 of the Foreign Assistance Act of 1961 (22 U.S.C. 2395) is amended by adding at the end the following new subsection:

''(m)(1) There is established a working capital fund (in this subsection referred to as the 'fund') for the United States Agency for International Development (in this subsection referred to as the 'Agency') which shall be available without fiscal year limitation for the expenses of personal and nonpersonal services, equipment, and supplies for—

''(A) International Cooperative Administrative Support Services; and

''(B) rebates from the use of United States Government credit cards.

''(2) The capital of the fund shall consist of—

''(A) the fair and reasonable value of such supplies, equipment, and other assets pertaining to the functions of the fund as the Administrator determines,

''(B) rebates from the use of United States Government credit cards, and

''(C) any appropriations made available for the purpose of providing capital,

minus related liabilities.

''(3) The fund shall be reimbursed or credited with advance payments for services, equipment, or supplies provided from the fund from applicable appropriations and funds of the Agency, other Federal agencies and other sources authorized by section 607 at rates that will recover total expenses of operation, including accrual of annual leave and depreciation. Receipts from the disposal of, or payments for the loss or damage to, property held in the fund, rebates, reimbursements, refunds and other credits applicable to the operation of the fund may be deposited in the fund.

''(4) At the close of each fiscal year the Administrator of the Agency shall transfer out of the fund to the miscellaneous receipts account of the Treasury of the United States such amounts as the Administrator determines to be in excess of the needs of the fund.

''(5) The fund may be charged with the current value of supplies and equipment returned to the working capital of the fund by a post, activity, or agency, and the proceeds shall he credited to current applicable appropriations.''.

SEC. 405. INCREASE IN AUTHORIZED NUMBER OF EMPLOYEES AND REPRESENTATIVES OF THE UNITED STATES MISSION TO THE UNITED NATIONS PROVIDED LIVING QUARTERS IN NEW YORK.

Section 9(2) of the United Nations Participation Act of 1945 (22 U.S.C. 287e–1(2)) is amended by striking ''18'' and inserting ''30''.

SEC. 406. AVAILABILITY OF VOA AND RADIO MARTI MULTILINGUAL COMPUTER READABLE TEXT AND VOICE RECORDINGS.

Section 1(b) of Public Law 104–269 (110 Stat. 3300) is amended by striking ''5 years'' and inserting ''10 years''.

SEC. 407. AVAILABILITY OF CERTAIN MATERIALS OF THE VOICE OF AMERICA.

(a) AUTHORITY.—

(1) IN GENERAL.—Subject to the provisions of this section, the Broadcasting Board of Governors (in this section referred to as the ''Board'') is authorized to make available to the Institute for Media Development (in this section referred to as the ''Institute''), at the request of the Institute, previously broadcast audio and video materials produced by the Africa Division of the Voice of America.

(2) DEPOSIT OF MATERIALS.—Upon the request of the Institute and the approval of the Board, materials made available under paragraph (1) may be deposited with the University of California, Los Angeles, or such other appropriate institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) that is approved by the Board for such purpose.

(3) SUPERSEDES EXISTING LAW.—Materials made available under paragraph (1) may be provided notwithstanding section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) and section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461–1a).

(b) LIMITATIONS.—

(1) AUTHORIZED PURPOSES.—Materials made available under this section shall be used only for academic and research purposes and may not be used for public or commercial broadcast purposes.

(2) PRIOR AGREEMENT REQUIRED.—Before making available materials under subsection (a)(1), the Board shall enter into an agreement with the Institute providing for—

(A) reimbursement of the Board for any expenses involved in making such materials available;

(B) the establishment of guidelines by the Institute for the archiving and use of the materials to ensure that copyrighted works contained in those materials will not be used in a manner that would violate the copyright laws of the United States (including international copyright conventions to which the United States is a party);

(C) the indemnification of the United States by the Institute in the event that any use of the materials results in violation of the copyright laws of the United States (including international copyright conventions to which the United States is a party);

(D) the authority of the Board to terminate the agreement if the provisions of paragraph (1) are violated; and

(E) any other terms and conditions relating to the materials that the Board considers appropriate.

(c) CREDITING OF REIMBURSEMENTS TO BOARD APPROPRIATIONS ACCOUNT.—Any reimbursement of the Board under subsection (b) shall be deposited as an offsetting collection to the currently applicable appropriation account of the Board.

(d) TERMINATION OF AUTHORITY.—The authority provided under this section shall cease to have effect on the date that is 5 years after the date of enactment of this Act.

SEC. 408. PAUL D. COVERDELL FELLOWS PROGRAM ACT OF 2000.

(a) SHORT TITLE.—This section may be cited as the "Paul D. Coverdell Fellows Program Act of 2000".

(b) FINDINGS.—Congress makes the following findings:

(1) Paul D. Coverdell was elected to the George State Senate in 1970 and later became Minority Leader of the Georgia State Senate, a post he held for 15 years.

(2) Paul D. Coverdell served with distinction as the 11th Director of the Peace Corps from 1989 to 1991, where he promoted a fellowship program that was composed of returning Peace Corps volunteers who agreed to work in underserved American communities while they pursued educational degrees.

(3) Paul D. Coverdell served in the United States Senate from the State of Georgia from 1993 until his sudden death on July 18, 2000.

(4) Senator Paul D. Coverdell was beloved by his colleagues for his civility, bipartisan efforts, and his dedication to public service.

(c) DESIGNATION OF PAUL D. COVERDELL FELLOWS PROGRAM.—

(1) IN GENERAL.—Effective on the date of enactment of this Act, the program under section 18 of the Peace Corps Act (22 U.S.C. 2517) referred to before such date as the "Peace Corps Fellows/USA Program" is redesignated as the "Paul D. Coverdell Fellows Program".

(2) REFERENCES.—Any reference before the date of enactment of this Act in any law, regulation, order, document, record, or other paper of the United States to the Peace Corps Fellows/USA Program shall, on and after such date, be considered to refer to the Paul D. Coverdell Fellows Program.

On motion of Mr. GILMAN, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶104.16 RECESS—5:32 P.M.

The SPEAKER pro tempore, Mr. CAMPBELL, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 32 minutes p.m., subject to the call of the Chair.

¶104.17 AFTER RECESS—9:38 P.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶104.18 SUBMISSION OF CONFERENCE REPORT—H.R. 4475

Mr. YOUNG of Florida submitted a conference report (Rept. No. 106–940) on the bill (H.R. 4475) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶104.19 RECESS—9:39 P.M.

The SPEAKER pro tempore, Mr. DREIER, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 39 minutes p.m., subject to the call of the Chair.

¶104.20 AFTER RECESS—11:06 P.M.

The SPEAKER pro tempore, Mr. DREIER, called the House to order.

¶104.21 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4475

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 106–941) the resolution (H. Res. 612) waiving points of order against the conference report to accompany the bill (H.R. 4475) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶104.22 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 3244

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 106–942) the resolution (H. Res. 613) waiving points of order against the conference report to accompany the bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking.

When said resolution and report were referred to the House Calendar and ordered printed.

¶104.23 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1800. To amend the Violent Crime Control and Law Enforcement Act of 1994 to ensure that certain information regarding prisoners is reported to the Attorney General.

H.R. 2752. To direct the Secretary of the Interior to sell certain public land in Lincoln County through a competitive process.

H.R. 2773. To amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.

H.R. 4579. To provide for the exchange of certain lands within the State of Utah.

H.R. 4583. To extend the authorization for the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

H.J. Res. 110. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶104.24 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 366. An act to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail.

S. 1198. An act to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes.

S. 2045. An act to amend the Immigration and Nationality Act with respect to H–1B nonimmigrant aliens.

S. 2272. An act to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997.

¶104.25 BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 4365. To amend the Public Health Service Act with respect to children's health.

And then,

¶104.26 ADJOURNMENT

On motion of Mr. REYNOLDS, at 11 o'clock and 8 minutes p.m., the House adjourned.

¶104.27 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3241. A bill to direct the Secretary of the Interior to recalculate the franchise fee owed by Fort Sumter Tours, Inc., a concessioner providing service to Fort Sumpter National Monument in South Carolina, and for other purposes; with an amendment (Rept. 106–937). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 1936. An act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes; with an amendment (Rept. 106–938). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey: Committee of Conference. Conference report on H.R. 3244. A bill to combat trafficking on persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking (Rept. 106–939). Ordered to be printed.

Mr. WOLF: Committee of Conference. Conference report on H.R. 4475. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–940). Ordered to be printed.

Mr. REYNOLDS: Committee on Rules. House Resolution 612. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4475) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–941). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 613. Resolution waiving points of order against the conference report to accompany the bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking (Rept. 106–942). Referred to the House Calendar.

¶104.28 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. WELLER:

H.R. 5389. A bill to authorize the Secretary of the Army to convey certain real property in the city of Joliet, Illinois, to the Joliet Park District for use as the park district's headquarters; to the Committee on Transportation and Infrastructure.

By Mr. BILBRAY:

H.R. 5390. A bill to amend the Nazi War Crimes Disclosure Act to extend the existence of the interagency working group established under that Act, and to clarify the authority of that group and the application of that Act regarding records pertaining to the Imperial Government of Japan; to the Committee on Government Reform.

By Mr. ROHRABACHER:

H.R. 5391. A bill to establish the White House Commission on the National Moment of Remembrance; to the Committee on Government Reform.

By Mr. TALENT (for himself and Mr. CRANE):

H.R. 5392. A bill to amend title XVIII of the Social Security Act to provide relief for small business concerns from Medicare consolidated billing requirements and to exclude services of certain providers from the skilled nursing facility prospective payment system, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCOLLUM (for himself and Ms. BALDWIN):

H.R. 5393. A bill to amend title 18, United States Code, to provide a criminal penalty for the unauthorized placement of a writing with a consumer product, and for other purposes; to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 5394. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mrs. CAPPS (for herself and Mr. WU):

H.R. 5395. A bill to provide for qualified withdrawals from the Capital Construction Fund (CCF) for fishermen leaving the industry and for the rollover of Capital Construction Funds to individual retirement plans; to the Committee on Ways and Means, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DIAZ-BALART:

H.R. 5396. A bill to amend section 81 of the Tariff Act of 1930 to amend the definition of a foreign trade zone operator, and for other purposes; to the Committee on Ways and Means.

By Mr. INSLEE (for himself, Mr. LAFALCE, Mr. EVANS, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ANDREWS, Mr. BAIRD, Ms. BALDWIN, Mr. BARRETT of Nebraska, Mr. BARTLETT of Maryland, Mr. BECERRA, Ms. BERKLEY, Mr. BERRY, Mr. BILBRAY, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BONIOR, Mrs. BONO, Mr. BORSKI, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. CANNON, Mrs. CAPPS, Mr. CAPUANO, Ms. CARSON, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CONDIT, Mr. COYNE, Mr. CRAMER, Ms. DANNER, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. DICKS, Mr. DINGELL, Mr. DIXON, Mr. ETHERIDGE, Mr. FALEOMAVAEGA, Mr. FARR of California, Mr. FILNER, Mr. FORBES, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEJDENSON, Mr. GALLEGLY, Mr. GILLMOR, Mr. GONZALEZ, Mr. GOODLATTE, Mr. GORDON, Mr. GREEN of Texas, Mr. GUTIERREZ, Mr. HALL of Texas, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HOLDEN, Mr. JACKSON of Illinois, Mr. JEFFERSON, Mr. JENKINS, Mrs. JONES of Ohio, Mr. JONES of North Carolina, Ms. KAPTUR, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KIND, Mr. KLINK, Mr. KUCINICH, Mr. LARSON, Mr. LATOURETTE, Ms. LEE, Mr. LEVIN, Ms. LOFGREN, Mrs. LOWEY, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCINTYRE, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MALONEY of New York, Mr. MARTINEZ, Mr. MASCARA, Mr. MATSUI, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Mr. METCALF, Mr. MICA, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. MOORE, Mr. MORAN of Virginia, Mr. MURTHA, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. NEY, Ms. NORTON, Mr. OBERSTAR, Mr. OBEY, Mr. ORTIZ, Mr. OWENS, Mr. PACKARD, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. PETERSON of Pennsylvania, Mr. PHELPS, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. RANGEL, Mr. REYES, Mr. RODRIGUEZ, Mr. ROHRABACHER, Mr. ROMERO-BARCELO, Mrs. ROUKEMA, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SANDERS, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SCOTT, Mr. SERRANO, Mr. SHAYS, Mr. SHERMAN, Mr. SHOWS, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SMITH of New Jersey, Mr. SNYDER, Mr. SPRATT, Ms. STABENOW, Mr. STARK, Mr. STEARNS, Mr. STRICKLAND, Mr. STUPAK, Mr. SWEENEY, Mrs. TAUSCHER, Mr. TAYLOR of Mississippi, Mr. THOMPSON of California, Mr. THUNE, Mr. TIERNEY, Mr. TOWNS, Mr. UDALL of Colorado, Mr. WALDEN of Oregon, Mr. WAMP, Ms. WATERS, Mr. WEYGAND, Mr. WISE, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H.R. 5397. A bill to require the Secretary of the Treasury to mint coins in commemoration of veterans of the Armed Forces of the United States and to use the proceeds of surcharges imposed on the sale of such coins to fund the transportation of veterans to and from hospitals administered by the Secretary of Veterans Affairs; to the Committee on Banking and Financial Services.

By Mr. JOHN:

H.R. 5398. A bill to provide that land which is owned by the Coushatta Tribe of Louisiana but which is not held in trust by the United States for the Tribe may be leased or transferred by the Tribe without further approval by the United States; to the Committee on Resources.

By Mr. LOBIONDO:

H.R. 5399. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Abel and Mary Nicholson House located in Elsinboro Township, Salem County, New Jersey, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. LUCAS of Oklahoma (for himself and Mr. WATKINS):

H.R. 5400. A bill to amend the Internal Revenue Code of 1986 to modify the retail tax on heavy trucks and trailers to exclude tractors suitable for use with vehicles weighing 33,000 pounds or less; to the Committee on Ways and Means.

By Mr. MOORE (for himself, Mr. WATKINS, Mr. MORAN of Kansas, Mr. STENHOLM, Mr. SISISKY, Mr. CONDIT, Mr. TAYLOR of Mississippi, Mr. CRAMER, Mr. BISHOP, Mr. POMEROY, Mr. SCOTT, Ms. MCCARTHY of Missouri, Mr. BERRY, Mr. JOHN, Mr. SANDLIN, Mr. TURNER, and Mr. SHOWS):

H.R. 5401. A bill to amend the Internal Revenue Code of 1986 to extend the section 29 credit for producing fuel from a nonconventional source; to the Committee on Ways and Means.

By Mrs. MORELLA (for herself and Mr. BARTLETT of Maryland):

H.R. 5402. A bill to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission; to the Committee on Resources.

By Mr. SOUDER:

H.R. 5403. A bill to restore Federal recognition to the Miami Nation of Indiana; to the Committee on Resources.

By Mr. STARK (for himself, Mr. NEAL of Massachusetts, Mr. JEFFERSON, and Mr. COYNE):

H.R. 5404. A bill to amend title XVIII of the Social Security Act to establish and implement a comprehensive system under the Medicare Program to assure quality of care furnished to Medicare beneficiaries, and reduce the incidence of medical errors, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIERNEY (for himself, Mr. ANDREWS, Mrs. MCCARTHY of New York, and Mr. KILDEE):

H.R. 5405. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide emergency protection for retiree health benefits; to the Committee on Education and the Workforce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF:

H.R. 5406. A bill to amend title 5, United States Code, to provide for rank awards for certain senior career employees; to the Committee on Government Reform.

By Mr. LAZIO (for himself, Mr. GILMAN, and Mr. REYNOLDS):

H. Con. Res. 418. Concurrent resolution expressing the sense of the Congress regarding the current level of violence between the Israelis and the Palestinians; to the Committee on International Relations.

¶104.29 MEMORIALS

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

475. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Resolution No. 209 memorializing the United States Army Corps of Engineeers to hold public hearings on its proposed erosion mitigation policy for portions of the Lake Michigan shoreline; to the Committee on Transportation and Infrastructure.

476. Also, a memorial of the House of Representatives of the State of Ohio, relative to Resolution No. 60 memorializing the Congress of the United States to propose and pass legislation to return adequate funding to states to fund the employment security system, ensuring a fair return to employer for the Federal Unemployment Tax Act; to the Committee on Ways and Means.

¶104.30 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. BECERRA introduced a bill (H.R. 5407) for the relief of Tony Lara; which was referred to the Committee on the Judiciary.

¶104.31 ADDITIONAL SPONSORS

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

H.R. 531: Ms. VELAZQUEZ.
H.R. 561: Mr. SMITH of Washington,
H.R. 640: Ms. BERKLEY.
H.R. 783: Ms. BALDWIN.
H.R. 963: Mr. WALDEN of Oregon.
H.R. 1303: Mr. ISTOOK, Mr. MCHUGH, Ms. ROYBAL-ALLARD, and Mr. MICA.
H.R. 1450: Ms. BALDWIN.
H.R. 2166: Mr. BAIRD, Mr. GREEN of Wisconsin, Mr. PHELPS, Mr. MEEHAN, Mr. MARKEY, and Mr. CHABOT.
H.R. 2520: Mrs. JOHNSON of Connecticut.
H.R. 2551: Mr. THORNBERRY, Mr. MALONEY of Connecticut, Mr. BEREUTER, and Mr. LOBIONDO.
H.R. 2620: Ms. CARSON and Mr. SMITH of New Jersey.
H.R. 3083: Mr. COYNE, Mr. KUCINICH, and Mr. SERRANO.
H.R. 3256: Mr. UDALL of New Mexico.
H.R. 3453: Ms. PRYCE of Ohio.
H.R. 3514: Mr. CHAMBLISS, Mrs. NORTHUP, Mr. PHELPS, Mr. GREEN of Wisconsin, Mr. MOAKLEY, Mr. CONDIT, and Mr. WEYGAND.
H.R. 3558: Mr. DINGELL.
H.R. 3628: Mr. PETERSON of Pennsylvania.
H.R. 3712: Mr. MCNULTY.
H.R. 4025: Mr. ENGLISH.
H.R. 4082: Mr. MORAN of Virginia.
H.R. 4102: Mr. DUNCAN and Mr. SCHAFFER.
H.R. 4281: Mr. OXLEY.
H.R. 4328: Mr. FOLEY.
H.R. 4511: Mr. SCHAFFER and Mr. NUSSLE.
H.R. 4547: Mr. MCCOLLUM, Mr. OXLEY, and Ms. DANNER.
H.R. 4549: Mr. EWING.
H.R. 4580: Mr. WALDEN of Oregon.
H.R. 4624: Mr. FARR of California.
H.R. 4740: Mr. BEREUTER and Mr. DIXON.
H.R. 4874: Ms. CARSON and Mr. GRAHAM.
H.R. 4894: Mr. ETHERIDGE.
H.R. 4936: Mr. GREEN of Texas.
H.R. 4971: Mr. BARRETT of Wisconsin and Mr. GOODLATTE.
H.R. 5015: Mr. GREEN of Texas and Ms. CARSON.
H.R. 5027: Mr. SCHAFFER.
H.R. 5067: Mr. REYES.
H.R. 5132: Mr. KUCINICH, Mr. MCHUGH, Mrs. LOWEY, Mrs. MORELLA, Mrs. JONES of Ohio, Mr. GORDON, and Ms. ROYBAL-ALLARD.
H.R. 5137: Mr. MCCOLLUM, Mr. PORTER, Ms. MCCARTHY of Missouri, Ms. PRYCE of Ohio, Mr. LEWIS of Georgia, Mrs. ROUKEMA, Mr. BILIRAKIS, and Mr. MCNULTY.
H.R. 5147: Mr. RANGEL, Mr. LIPINSKI, Mr. ROTHMAN, Mr. HALL of Texas, and Mr. MARTINEZ.
H.R. 5148: Mr. WEXLER.
H.R. 5151: Ms. DANNER and Mr. BILBRAY.
H.R. 5152: Mr. KENNEDY of Rhode Island, Mr. LAMPSON, and Ms. ESHOO.
H.R. 5159: Mr. ABERCROMBIE.
H.R. 5164: Mr. DEUTSCH, Mr. SHIMKUS, Mr. LATOURETTE, and Mr. KLINK.
H.R. 5180: Mr. STARK.
H.R. 5238: Ms. BERKLEY.
H.R. 5258: Mr. DELAY, Ms. GRANGER, Mr. FROST, Mr. HALL of Ohio, Mr. BOEHNER, Mr. SPENCE, Mrs. MORELLA, Mr. TRAFICANT, Mr. SESSIONS, Mr. HAYWORTH, Mrs. CLAYTON, Mrs. EMERSON, Ms. BERKLEY, Mr. SAM JOHNSON of Texas, Mr. BERMAN, Mr. ALLEN, Mr. HINOJOSA, Mr. OBERSTAR, Ms. MCKINNEY, Ms. KILPATRICK, Mr. MINGE, Mr. FATTAH, Mr. JEFFERSON, Mr. SANDLIN, Mr. MCGOVERN, Mr. SALMON, Mr. BARRETT of Nebraska, Mr. RADANOVICH, Mrs. CHENOWETH-HAGE, Mr. HOBSON, Mr. GILMAN, Mr. WALDEN of Oregon, Mr. GILCHREST, Mr. HILLEARY, Mr. GOODLATTE, Mr. SHADEGG, Mr. WAMP, Mrs. FOWLER, Mr. HANSEN, Mr. JENKINS, and Mr. WU.
H.R. 5261: Mr. SERRANO and Mr. ENGEL.
H.R. 5268: Mr. NETHERCUTT, Mrs. KELLY, Mr. DOYLE, Mr. REYES, Mr. ISAKSON, Mr. SANDLIN, Mr. NEAL of Massachusetts, Mr. MORAN of Virginia, Mr. GARY MILLER of California, and Mr. COYNE.
H.R. 5271: Mr. PETERSON of Minnesota.
H.R. 5322: Mr. GEORGE MILLER of California.
H.R. 5337: Mr. SMITH of New Jersey and Ms. PELOSI.
H.R. 5350: Mr. NETHERCUTT.
H.R. 5373: Mr. SCHAFFER and Mr. VITTER.
H. Con. Res. 58: Mr. KLINK and Ms. SLAUGHTER.
H. Con. Res. 341: Mr. BOEHLERT and Mr. HALL of Ohio.
H. Con. Res. 370: Ms. SANCHEZ.
H. Con. Res. 395: Ms. SCHAKOWSKY.
H. Con. Res. 401: Mr. HEFLEY, Mr. DOYLE, Mr. RADANOVICH, Mr. CANADY of Florida, Mr. WYNN, Mr. ACKERMAN, Mr. PAYNE, and Ms. MCKINNEY.
H. Con. Res. 404: Mr. COSTELLO, Mr. LEWIS of California, Mrs. MORELLA, Mr. SMITH of Washington, Mr. HASTINGS of Washington, Ms. BALDWIN, Mr. INSLEE, and Mr. MALONEY of Connecticut.
H. Con. Res. 408: Mr. BARRETT of Nebraska, Mr. KUCINICH, Mr. PASCRELL, Mr. GREEN of Texas, Mr. HASTINGS of Washington, and Mr. GOODLATTE.
H. Con. Res. 412: Ms. SLAUGHTER and Mr. FARR of California.
H. Res. 347: Ms. SLAUGHTER.
H. Res. 437: Mr. SANDLIN.
H. Res. 537: Mr. PRICE of North Carolina, Mr. SMITH of Washington, Mr. OLVER, and Mr. LUCAS of Oklahoma.

FRIDAY, OCTOBER 6, 2000 (105)

The House was called to order by the SPEAKER.

¶105.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, October 5, 2000.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared	Yeas	267
	Nays	50
	Answered present	1

¶105.2 [Roll No. 514]

YEAS—267

Abercrombie	Buyer	Doyle
Allen	Callahan	Dreier
Andrews	Camp	Duncan
Baca	Campbell	Ehlers
Bachus	Capps	Emerson
Baldwin	Cardin	Etheridge
Ballenger	Chabot	Evans
Barcia	Chambliss	Everett
Barr	Clayton	Ewing
Barrett (NE)	Clement	Farr
Barrett (WI)	Clyburn	Fattah
Bartlett	Coble	Fletcher
Bass	Coburn	Forbes
Becerra	Combest	Fowler
Bentsen	Condit	Frank (MA)
Bereuter	Cook	Frelinghuysen
Berkley	Cooksey	Frost
Berry	Cox	Gallegly
Biggert	Coyne	Ganske
Bishop	Cramer	Gejdenson
Blagojevich	Cunningham	Gekas
Bliley	Danner	Gillmor
Blunt	Davis (IL)	Gilman
Boehner	Deal	Gonzalez
Bonilla	DeGette	Goode
Boswell	DeLauro	Goodlatte
Boyd	DeMint	Goodling
Brady (TX)	Deutsch	Gordon
Brown (OH)	Dingell	Granger
Bryant	Doggett	Green (TX)
Burr	Dooley	Green (WI)

Greenwood
Hall (OH)
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hill (IN)
Hinojosa
Hobson
Hoeffel
Holden
Hooley
Horn
Hostettler
Houghton
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Menendez
Mica
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Nussle
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Rahall
Regula
Reynolds
Rivers
Roemer
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Upton
Velazquez
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (PA)
Weygand
Wilson
Wolf
Woolsey
Wynn
Young (FL)

NAYS—50

Aderholt
Baird
Baldacci
Borski
Brady (PA)
Capuano
Costello
Crowley
DeFazio
Dickey
Gibbons
Gutierrez
Gutknecht
Hastings (FL)
Hill (MT)
Hilleary
Hilliard
Hoekstra
Holt
Hutchinson
Kucinich
LaFalce
Lipinski
LoBiondo
McDermott
McNulty
Miller, George
Moran (KS)
Neal
Oberstar
Obey
Phelps
Ramstad
Riley
Sabo
Sanchez
Sawyer
Schaffer
Slaughter
Stark
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Weller
Wu

ANSWERED ''PRESENT''—1

Smith (MI)

NOT VOTING—116

Ackerman
Archer
Armey
Baker
Barton
Berman
Bilbray
Bilirakis
Blumenauer
Boehlert
Bonior
Bono
Boucher
Brown (FL)
Burton
Calvert
Canady
Cannon
Carson
Castle
Chenoweth-Hage
Clay
Collins
Conyers
Crane
Cubin
Cummings
Davis (FL)
Davis (VA)
Delahunt
DeLay
Diaz-Balart
Dicks
Dixon
Doolittle
Dunn
Edwards
Ehrlich
Engel
English
Eshoo
Filner
Foley
Ford
Fossella
Franks (NJ)
Gephardt
Gilchrest
Goss
Graham
Hansen
Hayes
Hefley
Herger
Hinchey
Hoyer
Hulshof
Johnson (CT)
Johnson, Sam
Kaptur
King (NY)
Kleczka
Klink
Largent
Lazio
Leach
Lewis (GA)
Lowey
Martinez
McCarthy (MO)
McCollum
McGovern
McIntosh
McKinney
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Millender-McDonald
Miller (FL)
Mollohan
Norwood
Owens
Paul
Peterson (MN)
Pombo
Porter
Quinn
Radanovich
Rangel
Reyes
Rodriguez
Rogan
Rogers
Rush
Sanders
Scott
Shuster
Smith (TX)
Souder
Spence
Stabenow
Strickland
Tancredo
Thomas
Vento
Vitter
Waters
Watt (NC)
Waxman
Weldon (FL)
Wexler
Whitfield
Wicker
Wise
Young (AK)

So the Journal was approved.

¶105.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10493. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of lieutenant general on the retired list of Lieutenant General Randolph W. House, United States Army; to the Committee on Armed Services.

10494. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of Admiral on the retirement list of Admiral Charles S, Abbot, United States Navy; to the Committee on Armed Services.

10495. A letter from the Secretary, Department of Health and Human Services, transmitting the biennial report on activities and progress toward the prevention and treatment of addictive and mental disorders prepared by the Substance Abuse and Mental Health Services Administration (SAMHSA), pursuant to 42 U.S.C. 290gg(f)(2); to the Committee on Commerce.

10496. A letter from the Secretary, Department of the Treasury, transmitting an annual report to the President and to the Congress on the audit of the Telecommunications Development Fund, pursuant to 47 U.S.C. 614; to the Committee on Commerce.

10497. A letter from the Director, International Cooperation, Acquisition and Technology, Department of Defense, transmitting a copy of Transmittal No. 21–00 which constitutes a Request for Final Approval for the of Agreement concerning the Unmanned Aerial Vehicle (UAV) Airborne Communications Node Demonstration Project, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

10498. A letter from the Chief Executive Officer, Corporation For National Service, transmitting the Corporation's strategic plan for fiscal years 2000 to 2005; to the Committee on Government Reform.

10499. A letter from the Deputy Chief Financial Officer, Environmental Protection Agency, transmitting the Strategic Plan for FY 2000–2005; to the Committee on Government Reform.

10500. A letter from the Chairman, Federal Communications Commission, transmitting the Strategic Plan, entitled, ''A New FCC for the 21st Century''; to the Committee on Government Reform.

10501. A letter from the Executive Director, Federal Reserve Employee Benefits System, transmitting transmitting the annual report disclosing the financial condition of the Retirement Plan and Annual Report as required by Public Law 95–595, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

10502. A letter from the Director, National Gallery of Art, transmitting the Year 2000 Inventory's Annual Report On Agency Management of Commercial Activities; to the Committee on Government Reform.

10503. A letter from the Secretary of the Treasury, transmitting the strategic plan for fiscal years 2000 through 2005; to the Committee on Government Reform.

10504. A letter from the Chairman, Securities and Exchange Commission, transmitting the strategic plan for fiscal years 2000–2005; to the Committee on Government Reform.

10505. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30193; Amdt. No. 2011] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10506. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30192] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10507. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace; Gary, IN; and establishment of Class E Airspace; Gary, IN [Airspace Docket No. 00–AGL–16] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10508. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E airspace, Duchesne, UT [Airspace Docket No. 00–ANM–08] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10509. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airspace Designations; Incorporation By Reference [Docket No. 29334; Amendment No. 71–32] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10510. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Section 832 Discount Factors for 2000 [Rev. Proc. 2000–45] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10511. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rabbi Trust Notice [Notice 2000–56] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10512. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Section 846 Discount Factors for 2000 [Rev. Proc. 2000–44] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10513. A letter from the Director, Office of Thrift Supervision, transmitting the Annual Consumer Report to Congress; jointly to the Committees on Banking and Financial Services and Commerce.

¶105.4 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4475

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 612):

Resolved, That upon adoption of this resolution it shall be in order to consider the

conference report to accompany the bill (H.R. 4475) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The Conference report shall be considered as read.

SEC. 2. House Resolutions 586, 592, 595, 599, and 600 are laid on the table.

When said resolution was considered.

After debate,

On motion of Mr. REYNOLDS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. REYNOLDS objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 244 / Nays 136

¶105.5 [Roll No. 515]

YEAS—244

Abercrombie
Aderholt
Archer
Armey
Bachus
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Clyburn
Coble
Collins
Combest
Cook
Cooksey
Cox
Coyne
Cramer
Cubin
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Dickey
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Evans
Everett
Ewing
Fletcher
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hilleary
Hobson
Hoeffel
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Largent
Larson
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
Markey
Mascara
McCrery
McHugh
McInnis
McKeon
McNulty
Menendez
Mica
Miller, Gary
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Oxley
Packard
Pascrell
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Schakowsky
Serrano
Sessions
Shaw
Shays
Sherwood
Shimkus
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Souder
Spratt
Stabenow
Stearns
Stump
Sununu
Talent
Tancredo
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (FL)

NAYS—136

Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berry
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Clayton
Coburn
Condit
Costello
Crowley
DeGette
DeLauro
Deutsch
Dingell
Doggett
Edwards
Etheridge
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hastings (FL)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
Lampson
Lantos
Lee
Levin
Lofgren
Lucas (KY)
Luther
Maloney (NY)
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
Meehan
Millender-McDonald
Miller, George
Minge
Moakley
Mollohan
Nadler
Napolitano
Neal
Oberstar
Obey
Owens
Pallone
Pastor
Payne
Pelosi
Petri
Phelps
Price (NC)
Rivers
Roemer
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Sensenbrenner
Sherman
Slaughter
Smith (WA)
Snyder
Stark
Stenholm
Stupak
Sweeney
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watt (NC)
Weiner
Wexler
Woolsey
Wu

NOT VOTING—53

Ackerman
Baker
Berman
Blumenauer
Boucher
Cannon
Carson
Clay
Conyers
Crane
Cummings
Delahunt
Diaz-Balart
Dicks
Dixon
Engel
Eshoo
Foley
Franks (NJ)
Gilchrest
Goss
Hansen
Hefley
King (NY)
Klink
Lazio
Lewis (GA)
Lowey
Martinez
McCollum
McIntosh
McKinney
Meek (FL)
Meeks (NY)
Metcalf
Miller (FL)
Paul
Porter
Rangel
Reyes
Rodriguez
Rush
Shadegg
Shows
Shuster
Smith (TX)
Spence
Strickland
Vento
Waters
Waxman
Wise
Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Pursuant to section 2 of House Resolution 612, House Resolution 586, House Resolution 592, House Resolution 595, House Resolution 599 and House Resolution 600 were laid on the table.

¶105.6 TRANSPORTATION APPROPRIATIONS FY 2001

Mr. WOLF, pursuant to House Resolution 612, called up the following conference report (Rept. No. 106–940):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4475) ''making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter stricken and inserted by said amendment, insert: *That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:*

Section 101. (a) The provisions of the following bill are hereby enacted into law, H.R. 5394 of the 106th Congress, as introduced on October 5, 2000.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

And the Senate agree to the same.

FRANK R. WOLF,
TOM DELAY,
RALPH REGULA,
HAROLD ROGERS,
RON PACKARD,
SONNY CALLAHAN,
TODD TIAHRT,
ROBERT B. ADERHOLT,
KAY GRANGER,
C.W. BILL YOUNG,
MARTIN OLAV SABO (except for provisions to withhold highway funds from states that do not adopt 0.08 blood alcohol concentration laws),
JOHN W. OLVER,
ED PASTOR,
CAROLYN C. KILPATRICK (except for provisions to withhold highway funds from states that do not adopt 0.08 blood alcohol concentration laws),
JOSÉ E. SERRANO,
MICHAEL P. FORBES,
DAVID R. OBEY (with exception to denial of funds to states without 0.08 BAC),
Managers on the Part of the House.

RICHARD C. SHELBY,
PETE V. DOMENICI,
ARLEN SPECTER,
CHRISTOPHER S. BOND,
SLADE GORTON,
ROBERT F. BENNETT,
BEN NIGHTHORSE CAMPBELL,

TED STEVENS,
FRANK R. LAUTENBERG,
ROBERT C. BYRD,
BARBARA A. MIKULSKI,
HARRY REID,
HERB KOHL,
PATTY MURRAY,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. UPTON, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 344 / Nays 50

¶105.7 [Roll No. 516]

YEAS—344

Abercrombie
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baldacci
Barr
Barrett (NE)
Bartlett
Bass
Becerra
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Dickey
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Granger
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stenholm
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—50

Archer
Baldwin
Barcia
Barrett (WI)
Barton
Bentsen
Boehner
Brady (TX)
Bryant
Chabot
Coburn
Cox
Cubin
DeMint
Doggett
Gillmor
Graham
Green (TX)
Green (WI)
Gutknecht
Hayworth
Herger
Hoekstra
Hostettler
Johnson, Sam
Jones (NC)
Kasich
Kind (WI)
Kleczka
Largent
Obey
Oxley
Petri
Pitts
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Stearns
Stump
Taylor (MS)
Thornberry
Toomey
Velazquez

NOT VOTING—39

Ackerman
Baker
Ballenger
Berman
Blumenauer
Campbell
Carson
Clay
Diaz-Balart
Dicks
Eshoo
Franks (NJ)
Goss
Hansen
Hefley
Hutchinson
King (NY)
Klink
Lazio
Lewis (GA)
McCollum
McIntosh
Meek (FL)
Meeks (NY)
Metcalf
Miller (FL)
Paul
Rangel
Reyes
Shuster
Smith (TX)
Spence
Strickland
Talent
Vento
Waters
Waxman
Weldon (PA)
Wise

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶105.8 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 1509. An Act to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

H.R. 2496. An Act to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

H.R. 2641. An Act to make technical corrections to title X of the Energy Policy Act of 1992.

H.R. 2778. An Act to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 2833. An Act to establish the Yuma Crossing National Heritage Area.

H.R. 3201. An Act to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Carter G. Woodson Home in the District of Columbia as a National Historic Site, and for other purposes.

H.R. 3632. An Act to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes.

H.R. 3676. An Act to establish the Santa Rosa and San Jacinto Mountains National Monument in the State of California.

H.R. 3745. An Act to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa.

H.R. 3817. An Act to dedicate the Big South Trail in the Comanche Peak Wilderness Area of Roosevelt National Forest in Colorado to the legacy of Jaryd Atadero.

H.R. 4063. An Act to establish the Rosie the Riveter/World War II Home Front National Historical Park in the State of California, and for other purposes.

H.R. 4226. An Act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest.

H.R. 4275. An Act to establish the Colorado Canyons National Conservation Area and the Black Ridge Canyons Wilderness, and for other purposes.

H.R. 4285. An Act to authorize the Secretary of Agriculture to convey certain administrative sites for National Forest System lands in the State of Texas, to convey certain National Forest System land to the New Waverly Gulf Coast Trades Center, and for other purposes.

H.R. 4286. An Act to provide for the establishment of the Cahaba River National Wildlife Refuge in Bibb County, Alabama.

H.R. 4435. An Act to clarify certain boundaries on the map relating to Unit NC–01 of the Coastal Barrier Resources System.

H.R. 4444. An Act to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.

H.R. 4613. An Act to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program.

H.R. 5036. An Act to amend the Dayton Aviation Heritage preservation act of 1992 to clarify the areas included in the Dayton Aviation Heritage National Historical Park and to authorize appropriations for that park.

H. Con. Res. 89. Concurrent resolution recognizing the Hermann Monument and Hermann Heights Park in New Ulm, Minnesota, as a national symbol of the contributions of Americans of German heritage.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 34. An Act to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

H.R. 209. An Act to improve the ability of Federal agencies to license federally owned inventions.

H.R. 468. An Act to establish the Saint Helena Island National Scenic Area.

H.R. 1695. An Act to provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes.

H.R. 1725. An Act to provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

H.R. 2879. An Act to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech.

H.R. 3292. An Act to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 707) ''An Act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes,'' with amendment.

The message also announced that the Senate has passed bills and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 134. An Act to direct the Secretary of the Interior to study whether the Apostle Islands National Lakeshore should be protected as a wilderness area.

S. 1367. An Act to amend the Act which established the Saint-Gaudens National Historic Site, in the State of New Hampshire, by modifying the boundary and for other purposes.

S. 1670. An Act to revise the boundary of Fort Matanzas National Monument, and for other purposes.

S. 1925. An Act to promote environmental restoration around the Lake Tahoe basin.

S. 1972. An Act to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

S. 2069. An Act to permit the conveyance of certain land in Powell, Wyoming.

S. 2111. An Act to direct the Secretary of Agriculture to convey for fair market value 1.06 acres of land in the San Bernardino National Forest, California, to KATY 101.3 FM, a California corporation.

S. 2273. An Act to establish the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, and for other purposes.

S. 2300. An Act to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State.

S. 2331. An Act to require the Secretary of the Interior to submit the dispute over the franchise fee owed by Fort Sumter Tours, Inc. to binding arbitration.

S. 2345. An Act to direct the Secretary of the Interior to conduct a special resource study concerning the preservation and public use of sites associated with Harriet Tubman located in Auburn, New York, and for other purposes.

S. 2439. An Act to authorize the appropriation of funds for the construction of the Southeastern Alaska Intertie system, and for other purposes.

S. 2478. An Act to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes.

S. 2485. An Act to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine.

S. 2499. An Act to extend the deadline for commencement of construction of a hydroelectric project in the State of Pennsylvania.

S. 2691. An Act to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

S. 2749. An Act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States.

S. 2757. An Act to provide for the transfer and other disposition of certain lands at Melrose Air Force Range, New Mexico, and Yakima Training Center, Washington.

S. 2865. An Act to designate certain land of the National Forest System located in the State of Virginia as wilderness.

S. 2872. An Act to improve the cause of action for misrepresentation of Indian arts and crafts.

S. 2885. An Act to establish the Jamestown 400th Commemoration Commission, and for other purposes.

S. 2942. An Act to extend the deadline for commencement of construction of certain hydroelectric projects in the State of West Virginia.

S. 2950. An Act to authorize the Secretary of the Interior to establish the Sand Creek Massacre National Historic Site in the State of Colorado.

S. 2977. An Act to assist in the establishment of an interpretive center and museum in the vicinity of the Diamond Valley Lake in southern California to ensure the protection and interpretation of the paleontology discoveries made at the lake and to develop a trail system for the lake for use by pedestrians and nonmotorized vehicles.

S. 3000. An Act to authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, and for other purposes.

S. Con. Res. 143. Concurrent resolution to make technical corrections in the enrollment of the bill, H.R. 3676.

S. Con. Res. 144. Concurrent resolution commemorating the 200th anniversary of the first meeting of Congress in Washington, DC.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1236) ''An Act to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State of Idaho.''.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1849) ''An Act to designate segments and tributaries of White Clay Creek, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.''.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 2311) ''An Act to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes.''.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 835) ''An Act to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes,'' and agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SMITH of New Hampshire, Mr. WARNER, Mr. CRAPO, Mr. BAUCUS, and Mrs. BOXER, to be the conferees on the part of the Senate.

¶105.9 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 3244

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 613):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Ms. PRYCE of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 356 / Nays ..... 28 }

¶105.10 [Roll No. 517]

YEAS—356

Abercrombie	Armey	Baldwin
Aderholt	Baca	Barcia
Allen	Bachus	Barr
Andrews	Baird	Barrett (NE)
Archer	Baldacci	Barrett (WI)

Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dickey
Dingell
Dixon
Doggett
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Istook
Jackson (IL)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—28

Clayton
Conyers
DeGette
Dooley
Doolittle
Gordon
Hulshof
Jackson-Lee (TX)
Jones (OH)
LaTourette
Lee
Lofgren
Maloney (NY)
Minge
Murtha
Nethercutt
Oberstar
Ose
Payne
Pelosi
Pombo
Sanders
Sanford
Scott
Thompson (CA)
Watt (NC)
Woolsey
Wu

NOT VOTING—49

Ackerman
Baker
Ballenger
Barton
Berman
Blumenauer
Callahan
Campbell
Carson
Clay
Diaz-Balart
Dicks
Eshoo
Forbes
Franks (NJ)
Goss
Hansen
Hefley
Hutchinson
Isakson
Jenkins
King (NY)
Klink
Kolbe
Lazio
Lewis (GA)
McCollum
McIntosh
Meek (FL)
Meeks (NY)
Metcalf
Miller (FL)
Paul
Peterson (PA)
Pickett
Rangel
Reyes
Shuster
Smith (TX)
Spence
Stark
Strickland
Talent
Thompson (MS)
Vento
Waters
Waxman
Weldon (PA)
Wise

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶105.11 TRAFFICKING VICTIMS PROTECTION

Mr. GILMAN, pursuant to House Resolution 613, called up the following conference report (Rept. No. 106–939):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3244), an Act to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Victims of Trafficking and Violence Protection Act of 2000''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions, as follows:

(1) DIVISION A.—Trafficking Victims Protection Act of 2000.

(2) DIVISION B.—Violence Against Women Act of 2000.

(3) DIVISION C.—Miscellaneous Provisions.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.

DIVISION A—TRAFFICKING VICTIMS PROTECTION ACT OF 2000

Sec. 101. Short title.
Sec. 102. Purposes and findings.
Sec. 103. Definitions.
Sec. 104. Annual Country Reports on Human Rights Practices.
Sec. 105. Interagency Task Force To Monitor and Combat Trafficking.
Sec. 106. Prevention of trafficking.
Sec. 107. Protection and assistance for victims of trafficking.
Sec. 108. Minimum standards for the elimination of trafficking.
Sec. 109. Assistance to foreign countries to meet minimum standards.
Sec. 110. Actions against governments failing to meet minimum standards.
Sec. 111. Actions against significant traffickers in persons.
Sec. 112. Strengthening prosecution and punishment of traffickers.
Sec. 113. Authorizations of appropriations.

DIVISION B—VIOLENCE AGAINST WOMEN ACT OF 2000

Sec. 1001. Short title.
Sec. 1002. Definitions.
Sec. 1003. Accountability and oversight.

TITLE I—STRENGTHENING LAW ENFORCEMENT TO REDUCE VIOLENCE AGAINST WOMEN

Sec. 1101. Full faith and credit enforcement of protection orders.
Sec. 1102. Role of courts.
Sec. 1103. Reauthorization of STOP grants.
Sec. 1104. Reauthorization of grants to encourage arrest policies.
Sec. 1105. Reauthorization of rural domestic violence and child abuse enforcement grants.
Sec. 1106. National stalker and domestic violence reduction.
Sec. 1107. Amendments to domestic violence and stalking offenses.
Sec. 1108. School and campus security.
Sec. 1109. Dating violence.

TITLE II—STRENGTHENING SERVICES TO VICTIMS OF VIOLENCE

Sec. 1201. Legal assistance for victims.
Sec. 1202. Shelter services for battered women and children.
Sec. 1203. Transitional housing assistance for victims of domestic violence.
Sec. 1204. National domestic violence hotline.
Sec. 1205. Federal victims counselors.
Sec. 1206. Study of State laws regarding insurance discrimination against victims of violence against women.
Sec. 1207. Study of workplace effects from violence against women.
Sec. 1208. Study of unemployment compensation for victims of violence against women.
Sec. 1209. Enhancing protections for older and disabled women from domestic violence and sexual assault.

TITLE III—LIMITING THE EFFECTS OF VIOLENCE ON CHILDREN

Sec. 1301. Safe havens for children pilot program.
Sec. 1302. Reauthorization of victims of child abuse programs.
Sec. 1303. Report on effects of parental kidnapping laws in domestic violence cases.

TITLE IV—STRENGTHENING EDUCATION AND TRAINING TO COMBAT VIOLENCE AGAINST WOMEN

Sec. 1401. Rape prevention and education.
Sec. 1402. Education and training to end violence against and abuse of women with disabilities.
Sec. 1403. Community initiatives.
Sec. 1404. Development of research agenda identified by the Violence Against Women Act of 1994.

Sec. 1405. Standards, practice, and training for sexual assault forensic examinations.
Sec. 1406. Education and training for judges and court personnel.
Sec. 1407. Domestic Violence Task Force.
TITLE V—BATTERED IMMIGRANT WOMEN
Sec. 1501. Short title.
Sec. 1502. Findings and purposes.
Sec. 1503. Improved access to immigration protections of the Violence Against Women Act of 1994 for battered immigrant women.
Sec. 1504. Improved access to cancellation of removal and suspension of deportation under the Violence Against Women Act of 1994.
Sec. 1505. Offering equal access to immigration protections of the Violence Against Women Act of 1994 for all qualified battered immigrant self-petitioners.
Sec. 1506. Restoring immigration protections under the Violence Against Women Act of 1994.
Sec. 1507. Remedying problems with implementation of the immigration provisions of the Violence Against Women Act of 1994.
Sec. 1508. Technical correction to qualified alien definition for battered immigrants.
Sec. 1509. Access to Cuban Adjustment Act for battered immigrant spouses and children.
Sec. 1510. Access to the Nicaraguan Adjustment and Central American Relief Act for battered spouses and children.
Sec. 1511. Access to the Haitian Refugee Fairness Act of 1998 for battered spouses and children.
Sec. 1512. Access to services and legal representation for battered immigrants.
Sec. 1513. Protection for certain crime victims including victims of crimes against women.
TITLE VI—MISCELLANEOUS
Sec. 1601. Notice requirements for sexually violent offenders.
Sec. 1602. Teen suicide prevention study.
Sec. 1603. Decade of pain control and research.
DIVISION C—MISCELLANEOUS PROVISIONS
Sec. 2001. Aimee's law.
Sec. 2002. Payment of anti-terrorism judgments.
Sec. 2003. Aid to victims of terrorism.
Sec. 2004. Twenty-first century amendment.

DIVISION A—TRAFFICKING VICTIMS PROTECTION ACT OF 2000

SEC. 101. SHORT TITLE.

This division may be cited as the ''Trafficking Victims Protection Act of 2000''.

SEC. 102. PURPOSES AND FINDINGS.

(a) PURPOSES.—The purposes of this division are to combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims.

(b) FINDINGS.—Congress finds that:

(1) As the 21st century begins, the degrading institution of slavery continues throughout the world. Trafficking in persons is a modern form of slavery, and it is the largest manifestation of slavery today. At least 700,000 persons annually, primarily women and children, are trafficked within or across international borders. Approximately 50,000 women and children are trafficked into the United States each year.

(2) Many of these persons are trafficked into the international sex trade, often by force, fraud, or coercion. The sex industry has rapidly expanded over the past several decades. It involves sexual exploitation of persons, predominantly women and girls, involving activities related to prostitution, pornography, sex tourism, and other commercial sexual services. The low status of women in many parts of the world has contributed to a burgeoning of the trafficking industry.

(3) Trafficking in persons is not limited to the sex industry. This growing transnational crime also includes forced labor and involves significant violations of labor, public health, and human rights standards worldwide.

(4) Traffickers primarily target women and girls, who are disproportionately affected by poverty, the lack of access to education, chronic unemployment, discrimination, and the lack of economic opportunities in countries of origin. Traffickers lure women and girls into their networks through false promises of decent working conditions at relatively good pay as nannies, maids, dancers, factory workers, restaurant workers, sales clerks, or models. Traffickers also buy children from poor families and sell them into prostitution or into various types of forced or bonded labor.

(5) Traffickers often transport victims from their home communities to unfamiliar destinations, including foreign countries away from family and friends, religious institutions, and other sources of protection and support, leaving the victims defenseless and vulnerable.

(6) Victims are often forced through physical violence to engage in sex acts or perform slavery-like labor. Such force includes rape and other forms of sexual abuse, torture, starvation, imprisonment, threats, psychological abuse, and coercion.

(7) Traffickers often make representations to their victims that physical harm may occur to them or others should the victim escape or attempt to escape. Such representations can have the same coercive effects on victims as direct threats to inflict such harm.

(8) Trafficking in persons is increasingly perpetrated by organized, sophisticated criminal enterprises. Such trafficking is the fastest growing source of profits for organized criminal enterprises worldwide. Profits from the trafficking industry contribute to the expansion of organized crime in the United States and worldwide. Trafficking in persons is often aided by official corruption in countries of origin, transit, and destination, thereby threatening the rule of law.

(9) Trafficking includes all the elements of the crime of forcible rape when it involves the involuntary participation of another person in sex acts by means of fraud, force, or coercion.

(10) Trafficking also involves violations of other laws, including labor and immigration codes and laws against kidnapping, slavery, false imprisonment, assault, battery, pandering, fraud, and extortion.

(11) Trafficking exposes victims to serious health risks. Women and children trafficked in the sex industry are exposed to deadly diseases, including HIV and AIDS. Trafficking victims are sometimes worked or physically brutalized to death.

(12) Trafficking in persons substantially affects interstate and foreign commerce. Trafficking for such purposes as involuntary servitude, peonage, and other forms of forced labor has an impact on the nationwide employment network and labor market. Within the context of slavery, servitude, and labor or services which are obtained or maintained through coercive conduct that amounts to a condition of servitude, victims are subjected to a range of violations.

(13) Involuntary servitude statutes are intended to reach cases in which persons are held in a condition of servitude through nonviolent coercion. In United States v. Kozminski, 487 U.S. 931 (1988), the Supreme Court found that section 1584 of title 18, United States Code, should be narrowly interpreted, absent a definition of involuntary servitude by Congress. As a result, that section was interpreted to criminalize only servitude that is brought about through use or threatened use of physical or legal coercion, and to exclude other conduct that can have the same purpose and effect.

(14) Existing legislation and law enforcement in the United States and other countries are inadequate to deter trafficking and bring traffickers to justice, failing to reflect the gravity of the offenses involved. No comprehensive law exists in the United States that penalizes the range of offenses involved in the trafficking scheme. Instead, even the most brutal instances of trafficking in the sex industry are often punished under laws that also apply to lesser offenses, so that traffickers typically escape deserved punishment.

(15) In the United States, the seriousness of this crime and its components is not reflected in current sentencing guidelines, resulting in weak penalties for convicted traffickers.

(16) In some countries, enforcement against traffickers is also hindered by official indifference, by corruption, and sometimes even by official participation in trafficking.

(17) Existing laws often fail to protect victims of trafficking, and because victims are often illegal immigrants in the destination country, they are repeatedly punished more harshly than the traffickers themselves.

(18) Additionally, adequate services and facilities do not exist to meet victims' needs regarding health care, housing, education, and legal assistance, which safely reintegrate trafficking victims into their home countries.

(19) Victims of severe forms of trafficking should not be inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked, such as using false documents, entering the country without documentation, or working without documentation.

(20) Because victims of trafficking are frequently unfamiliar with the laws, cultures, and languages of the countries into which they have been trafficked, because they are often subjected to coercion and intimidation including physical detention and debt bondage, and because they often fear retribution and forcible removal to countries in which they will face retribution or other hardship, these victims often find it difficult or impossible to report the crimes committed against them or to assist in the investigation and prosecution of such crimes.

(21) Trafficking of persons is an evil requiring concerted and vigorous action by countries of origin, transit or destination, and by international organizations.

(22) One of the founding documents of the United States, the Declaration of Independence, recognizes the inherent dignity and worth of all people. It states that all men are created equal and that they are endowed by their Creator with certain unalienable rights. The right to be free from slavery and involuntary servitude is among those unalienable rights. Acknowledging this fact, the United States outlawed slavery and involuntary servitude in 1865, recognizing them as evil institutions that must be abolished. Current practices of sexual slavery and trafficking of women and children are similarly abhorrent to the principles upon which the United States was founded.

(23) The United States and the international community agree that trafficking in persons involves grave violations of human rights and is a matter of pressing international concern. The international community has repeatedly condemned slavery and involuntary servitude, violence against women, and other elements of trafficking, through declarations, treaties, and United Nations resolutions and reports, including the Universal Declaration of Human Rights; the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery; the 1948 American Declaration on the Rights and Duties of Man; the 1957 Abolition of Forced Labor Convention; the International Covenant on Civil and Political Rights; the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; United Nations General Assembly Resolutions 50/167, 51/66, and 52/98; the Final Report of the World Congress against Sexual Exploitation of Children (Stockholm, 1996); the Fourth World Conference on

Women (Beijing, 1995); and the 1991 Moscow Document of the Organization for Security and Cooperation in Europe.

(24) Trafficking in persons is a transnational crime with national implications. To deter international trafficking and bring its perpetrators to justice, nations including the United States must recognize that trafficking is a serious offense. This is done by prescribing appropriate punishment, giving priority to the prosecution of trafficking offenses, and protecting rather than punishing the victims of such offenses. The United States must work bilaterally and multilaterally to abolish the trafficking industry by taking steps to promote cooperation among countries linked together by international trafficking routes. The United States must also urge the international community to take strong action in multilateral fora to engage recalcitrant countries in serious and sustained efforts to eliminate trafficking and protect trafficking victims.

SEC. 103. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on the Judiciary of the Senate and the Committee on International Relations and the Committee on the Judiciary of the House of Representatives.

(2) COERCION.—The term ''coercion'' means—

(A) threats of serious harm to or physical restraint against any person;

(B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or

(C) the abuse or threatened abuse of the legal process.

(3) COMMERCIAL SEX ACT.—The term ''commercial sex act'' means any sex act on account of which anything of value is given to or received by any person.

(4) DEBT BONDAGE.—The term ''debt bondage'' means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

(5) INVOLUNTARY SERVITUDE.—The term ''involuntary servitude'' includes a condition of servitude induced by means of—

(A) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint, or

(B) the abuse or threatened abuse of the legal process.

(6) MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.—The term ''minimum standards for the elimination of trafficking'' means the standards set forth in section 108.

(7) NONHUMANITARIAN, NONTRADE-RELATED FOREIGN ASSISTANCE.—The term ''nonhumanitarian, nontrade-related foreign assistance'' means—

(A) any assistance under the Foreign Assistance Act of 1961, other than—

(i) assistance under chapter 4 of part II of that Act that is made available for any program, project, or activity eligible for assistance under chapter 1 of part I of that Act;

(ii) assistance under chapter 8 of part I of that Act;

(iii) any other narcotics-related assistance under part I of that Act or under chapter 4 or 5 part II of that Act, but any such assistance provided under this clause shall be subject to the prior notification procedures applicable to reprogrammings pursuant to section 634A of that Act;

(iv) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(v) antiterrorism assistance under chapter 8 of part II of that Act;

(vi) assistance for refugees;

(vii) humanitarian and other development assistance in support of programs of nongovernmental organizations under chapters 1 and 10 of that Act;

(viii) programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation; and

(ix) other programs involving trade-related or humanitarian assistance; and

(B) sales, or financing on any terms, under the Arms Export Control Act, other than sales or financing provided for narcotics-related purposes following notification in accordance with the prior notification procedures applicable to reprogrammings pursuant to section 634A of the Foreign Assistance Act of 1961.

(8) SEVERE FORMS OF TRAFFICKING IN PERSONS.—The term ''severe forms of trafficking in persons'' means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(9) SEX TRAFFICKING.—The term ''sex trafficking'' means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

(10) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and territories and possessions of the United States.

(11) TASK FORCE.—The term ''Task Force'' means the Interagency Task Force to Monitor and Combat Trafficking established under section 105.

(12) UNITED STATES.—The term ''United States'' means the fifty States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States.

(13) VICTIM OF A SEVERE FORM OF TRAFFICKING.—The term ''victim of a severe form of trafficking'' means a person subject to an act or practice described in paragraph (8).

(14) VICTIM OF TRAFFICKING.—The term ''victim of trafficking'' means a person subjected to an act or practice described in paragraph (8) or (9).

SEC. 104. ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.

(a) COUNTRIES RECEIVING ECONOMIC ASSISTANCE.—Section 116(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151(f)) is amended to read as follows:

''(f)(1) The report required by subsection (d) shall include the following:

''(A) A description of the nature and extent of severe forms of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000, in each foreign country.

''(B) With respect to each country that is a country of origin, transit, or destination for victims of severe forms of trafficking in persons, an assessment of the efforts by the government of that country to combat such trafficking. The assessment shall address the following:

''(i) Whether government authorities in that country participate in, facilitate, or condone such trafficking.

''(ii) Which government authorities in that country are involved in activities to combat such trafficking.

''(iii) What steps the government of that country has taken to prohibit government officials from participating in, facilitating, or condoning such trafficking, including the investigation, prosecution, and conviction of such officials.

''(iv) What steps the government of that country has taken to prohibit other individuals from participating in such trafficking, including the investigation, prosecution, and conviction of individuals involved in severe forms of trafficking in persons, the criminal and civil penalties for such trafficking, and the efficacy of those penalties in eliminating or reducing such trafficking.

''(v) What steps the government of that country has taken to assist victims of such trafficking, including efforts to prevent victims from being further victimized by traffickers, government officials, or others, grants of relief from deportation, and provision of humanitarian relief, including provision of mental and physical health care and shelter.

''(vi) Whether the government of that country is cooperating with governments of other countries to extradite traffickers when requested, or, to the extent that such cooperation would be inconsistent with the laws of such country or with extradition treaties to which such country is a party, whether the government of that country is taking all appropriate measures to modify or replace such laws and treaties so as to permit such cooperation.

''(vii) Whether the government of that country is assisting in international investigations of transnational trafficking networks and in other cooperative efforts to combat severe forms of trafficking in persons.

''(viii) Whether the government of that country refrains from prosecuting victims of severe forms of trafficking in persons due to such victims having been trafficked, and refrains from other discriminatory treatment of such victims.

''(ix) Whether the government of that country recognizes the rights of victims of severe forms of trafficking in persons and ensures their access to justice.

''(C) Such other information relating to trafficking in persons as the Secretary of State considers appropriate.

''(2) In compiling data and making assessments for the purposes of paragraph (1), United States diplomatic mission personnel shall consult with human rights organizations and other appropriate nongovernmental organizations.''.

(b) COUNTRIES RECEIVING SECURITY ASSISTANCE.—Section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304) is amended by adding at the end the following new subsection:

''(h)(1) The report required by subsection (b) shall include the following:

''(A) A description of the nature and extent of severe forms of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000, in each foreign country.

''(B) With respect to each country that is a country of origin, transit, or destination for victims of severe forms of trafficking in persons, an assessment of the efforts by the government of that country to combat such trafficking. The assessment shall address the following:

''(i) Whether government authorities in that country participate in, facilitate, or condone such trafficking.

''(ii) Which government authorities in that country are involved in activities to combat such trafficking.

''(iii) What steps the government of that country has taken to prohibit government officials from participating in, facilitating, or condoning such trafficking, including the investigation, prosecution, and conviction of such officials.

''(iv) What steps the government of that country has taken to prohibit other individuals from participating in such trafficking, including the investigation, prosecution, and conviction of individuals involved in severe forms of trafficking in persons, the criminal and civil penalties for such trafficking, and the efficacy of those penalties in eliminating or reducing such trafficking.

''(v) What steps the government of that country has taken to assist victims of such traf-

ficking, including efforts to prevent victims from being further victimized by traffickers, government officials, or others, grants of relief from deportation, and provision of humanitarian relief, including provision of mental and physical health care and shelter.

''(vi) Whether the government of that country is cooperating with governments of other countries to extradite traffickers when requested, or, to the extent that such cooperation would be inconsistent with the laws of such country or with extradition treaties to which such country is a party, whether the government of that country is taking all appropriate measures to modify or replace such laws and treaties so as to permit such cooperation.

''(vii) Whether the government of that country is assisting in international investigations of transnational trafficking networks and in other cooperative efforts to combat severe forms of trafficking in persons.

''(viii) Whether the government of that country refrains from prosecuting victims of severe forms of trafficking in persons due to such victims having been trafficked, and refrains from other discriminatory treatment of such victims.

''(ix) Whether the government of that country recognizes the rights of victims of severe forms of trafficking in persons and ensures their access to justice.

''(C) Such other information relating to trafficking in persons as the Secretary of State considers appropriate.

''(2) In compiling data and making assessments for the purposes of paragraph (1), United States diplomatic mission personnel shall consult with human rights organizations and other appropriate nongovernmental organizations.''.

SEC. 105. INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

(a) ESTABLISHMENT.—The President shall establish an Interagency Task Force to Monitor and Combat Trafficking.

(b) APPOINTMENT.—The President shall appoint the members of the Task Force, which shall include the Secretary of State, the Administrator of the United States Agency for International Development, the Attorney General, the Secretary of Labor, the Secretary of Health and Human Services, the Director of Central Intelligence, and such other officials as may be designated by the President.

(c) CHAIRMAN.—The Task Force shall be chaired by the Secretary of State.

(d) ACTIVITIES OF THE TASK FORCE.—The Task Force shall carry out the following activities:

(1) Coordinate the implementation of this division.

(2) Measure and evaluate progress of the United States and other countries in the areas of trafficking prevention, protection, and assistance to victims of trafficking, and prosecution and enforcement against traffickers, including the role of public corruption in facilitating trafficking. The Task Force shall have primary responsibility for assisting the Secretary of State in the preparation of the reports described in section 110.

(3) Expand interagency procedures to collect and organize data, including significant research and resource information on domestic and international trafficking. Any data collection procedures established under this subsection shall respect the confidentiality of victims of trafficking.

(4) Engage in efforts to facilitate cooperation among countries of origin, transit, and destination. Such efforts shall aim to strengthen local and regional capacities to prevent trafficking, prosecute traffickers and assist trafficking victims, and shall include initiatives to enhance cooperative efforts between destination countries and countries of origin and assist in the appropriate reintegration of stateless victims of trafficking.

(5) Examine the role of the international ''sex tourism'' industry in the trafficking of persons and in the sexual exploitation of women and children around the world.

(6) Engage in consultation and advocacy with governmental and nongovernmental organizations, among other entities, to advance the purposes of this division.

(e) SUPPORT FOR THE TASK FORCE.—The Secretary of State is authorized to establish within the Department of State an Office to Monitor and Combat Trafficking, which shall provide assistance to the Task Force. Any such Office shall be headed by a Director. The Director shall have the primary responsibility for assisting the Secretary of State in carrying out the purposes of this division and may have additional responsibilities as determined by the Secretary. The Director shall consult with nongovernmental organizations and multilateral organizations, and with trafficking victims or other affected persons. The Director shall have the authority to take evidence in public hearings or by other means. The agencies represented on the Task Force are authorized to provide staff to the Office on a nonreimbursable basis.

SEC. 106. PREVENTION OF TRAFFICKING.

(a) ECONOMIC ALTERNATIVES TO PREVENT AND DETER TRAFFICKING.—The President shall establish and carry out international initiatives to enhance economic opportunity for potential victims of trafficking as a method to deter trafficking. Such initiatives may include—

(1) microcredit lending programs, training in business development, skills training, and job counseling;

(2) programs to promote women's participation in economic decisionmaking;

(3) programs to keep children, especially girls, in elementary and secondary schools, and to educate persons who have been victims of trafficking;

(4) development of educational curricula regarding the dangers of trafficking; and

(5) grants to nongovernmental organizations to accelerate and advance the political, economic, social, and educational roles and capacities of women in their countries.

(b) PUBLIC AWARENESS AND INFORMATION.—The President, acting through the Secretary of Labor, the Secretary of Health and Human Services, the Attorney General, and the Secretary of State, shall establish and carry out programs to increase public awareness, particularly among potential victims of trafficking, of the dangers of trafficking and the protections that are available for victims of trafficking.

(c) CONSULTATION REQUIREMENT.—The President shall consult with appropriate nongovernmental organizations with respect to the establishment and conduct of initiatives described in subsections (a) and (b).

SEC. 107. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) ASSISTANCE FOR VICTIMS IN OTHER COUNTRIES.—

(1) IN GENERAL.—The Secretary of State and the Administrator of the United States Agency for International Development, in consultation with appropriate nongovernmental organizations, shall establish and carry out programs and initiatives in foreign countries to assist in the safe integration, reintegration, or resettlement, as appropriate, of victims of trafficking. Such programs and initiatives shall be designed to meet the appropriate assistance needs of such persons and their children, as identified by the Task Force.

(2) ADDITIONAL REQUIREMENT.—In establishing and conducting programs and initiatives described in paragraph (1), the Secretary of State and the Administrator of the United States Agency for International Development shall take all appropriate steps to enhance cooperative efforts among foreign countries, including countries of origin of victims of trafficking, to assist in the integration, reintegration, or resettlement, as appropriate, of victims of trafficking, including stateless victims.

(b) VICTIMS IN THE UNITED STATES.—

(1) ASSISTANCE.—

(A) ELIGIBILITY FOR BENEFITS AND SERVICES.—Notwithstanding title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, an alien who is a victim of a severe form of trafficking in persons shall be eligible for benefits and services under any Federal or State program or activity funded or administered by any official or agency described in subparagraph (B) to the same extent as an alien who is admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act.

(B) REQUIREMENT TO EXPAND BENEFITS AND SERVICES.—Subject to subparagraph (C) and, in the case of nonentitlement programs, to the availability of appropriations, the Secretary of Health and Human Services, the Secretary of Labor, the Board of Directors of the Legal Services Corporation, and the heads of other Federal agencies shall expand benefits and services to victims of severe forms of trafficking in persons in the United States, without regard to the immigration status of such victims.

(C) DEFINITION OF VICTIM OF A SEVERE FORM OF TRAFFICKING IN PERSONS.—For the purposes of this paragraph, the term ''victim of a severe form of trafficking in persons'' means only a person—

(i) who has been subjected to an act or practice described in section 103(8) as in effect on the date of the enactment of this Act; and

(ii)(I) who has not attained 18 years of age; or

(II) who is the subject of a certification under subparagraph (E).

(D) ANNUAL REPORT.—Not later than December 31 of each year, the Secretary of Health and Human Services, in consultation with the Secretary of Labor, the Board of Directors of the Legal Services Corporation, and the heads of other appropriate Federal agencies shall submit a report, which includes information on the number of persons who received benefits or other services under this paragraph in connection with programs or activities funded or administered by such agencies or officials during the preceding fiscal year, to the Committee on Ways and Means, the Committee on International Relations, and the Committee on the Judiciary of the House of Representatives and the Committee on Finance, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate.

(E) CERTIFICATION.—

(i) IN GENERAL.—Subject to clause (ii), the certification referred to in subparagraph (C) is a certification by the Secretary of Health and Human Services, after consultation with the Attorney General, that the person referred to in subparagraph (C)(ii)(II)—

(I) is willing to assist in every reasonable way in the investigation and prosecution of severe forms of trafficking in persons; and

(II)(aa) has made a bona fide application for a visa under section 101(a)(15)(T) of the Immigration and Nationality Act, as added by subsection (e), that has not been denied; or

(bb) is a person whose continued presence in the United States the Attorney General is ensuring in order to effectuate prosecution of traffickers in persons.

(ii) PERIOD OF EFFECTIVENESS.—A certification referred to in subparagraph (C), with respect to a person described in clause (i)(II)(bb), shall be effective only for so long as the Attorney General determines that the continued presence of such person is necessary to effectuate prosecution of traffickers in persons.

(iii) INVESTIGATION AND PROSECUTION DEFINED.—For the purpose of a certification under this subparagraph, the term ''investigation and prosecution'' includes—

(I) identification of a person or persons who have committed severe forms of trafficking in persons;

(II) location and apprehension of such persons; and

(III) testimony at proceedings against such persons.

(2) GRANTS.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Attorney General may make grants to States, Indian tribes, units of local government, and nonprofit, nongovernmental victims' service organizations to develop, expand, or strengthen victim service programs for victims of trafficking.

(B) ALLOCATION OF GRANT FUNDS.—Of amounts made available for grants under this paragraph, there shall be set aside—

(i) three percent for research, evaluation, and statistics;

(ii) two percent for training and technical assistance; and

(iii) one percent for management and administration.

(C) LIMITATION ON FEDERAL SHARE.—The Federal share of a grant made under this paragraph may not exceed 75 percent of the total costs of the projects described in the application submitted.

(c) TRAFFICKING VICTIM REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Attorney General and the Secretary of State shall promulgate regulations for law enforcement personnel, immigration officials, and Department of State officials to implement the following:

(1) PROTECTIONS WHILE IN CUSTODY.—Victims of severe forms of trafficking, while in the custody of the Federal Government and to the extent practicable, shall—

(A) not be detained in facilities inappropriate to their status as crime victims;

(B) receive necessary medical care and other assistance; and

(C) be provided protection if a victim's safety is at risk or if there is danger of additional harm by recapture of the victim by a trafficker, including—

(i) taking measures to protect trafficked persons and their family members from intimidation and threats of reprisals and reprisals from traffickers and their associates; and

(ii) ensuring that the names and identifying information of trafficked persons and their family members are not disclosed to the public.

(2) ACCESS TO INFORMATION.—Victims of severe forms of trafficking shall have access to information about their rights and translation services.

(3) AUTHORITY TO PERMIT CONTINUED PRESENCE IN THE UNITED STATES.—Federal law enforcement officials may permit an alien individual's continued presence in the United States, if after an assessment, it is determined that such individual is a victim of a severe form of trafficking and a potential witness to such trafficking, in order to effectuate prosecution of those responsible, and such officials in investigating and prosecuting traffickers shall protect the safety of trafficking victims, including taking measures to protect trafficked persons and their family members from intimidation, threats of reprisals, and reprisals from traffickers and their associates.

(4) TRAINING OF GOVERNMENT PERSONNEL.—Appropriate personnel of the Department of State and the Department of Justice shall be trained in identifying victims of severe forms of trafficking and providing for the protection of such victims.

(d) CONSTRUCTION.—Nothing in subsection (c) shall be construed as creating any private cause of action against the United States or its officers or employees.

(e) PROTECTION FROM REMOVAL FOR CERTAIN CRIME VICTIMS.—

(1) IN GENERAL.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(A) by striking ''or'' at the end of subparagraph (R);

(B) by striking the period at the end of subparagraph (S) and inserting ''; or''; and

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

''(T)(i) subject to section 214(n), an alien who the Attorney General determines—

''(I) is or has been a victim of a severe form of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000,

''(II) is physically present in the United States, American Samoa, or the Commonwealth of the Northern Mariana Islands, or at a port of entry thereto, on account of such trafficking,

''(III)(aa) has complied with any reasonable request for assistance in the investigation or prosecution of acts of trafficking, or

''(bb) has not attained 15 years of age, and

''(IV) the alien would suffer extreme hardship involving unusual and severe harm upon removal; and

''(ii) if the Attorney General considers it necessary to avoid extreme hardship—

''(I) in the case of an alien described in clause (i) who is under 21 years of age, the spouse, children, and parents of such alien; and

''(II) in the case of an alien described in clause (i) who is 21 years of age or older, the spouse and children of such alien,

if accompanying, or following to join, the alien described in clause (i).''.

(2) CONDITIONS OF NONIMMIGRANT STATUS.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(A) by redesignating the subsection (l) added by section 625(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–1820) as subsection (m); and

(B) by adding at the end the following:

''(n)(1) No alien shall be eligible for admission to the United States under section 101(a)(15)(T) if there is substantial reason to believe that the alien has committed an act of a severe form of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000).

''(2) The total number of aliens who may be issued visas or otherwise provided nonimmigrant status during any fiscal year under section 101(a)(15)(T) may not exceed 5,000.

''(3) The numerical limitation of paragraph (2) shall only apply to principal aliens and not to the spouses, sons, daughters, or parents of such aliens.''.

(3) WAIVER OF GROUNDS FOR INELIGIBILITY FOR ADMISSION.—Section 212(d) of the Immigration and Nationality Act (8 U.S.C. 1182(d)) is amended by adding at the end the following:

''(13)(A) The Attorney General shall determine whether a ground for inadmissibility exists with respect to a nonimmigrant described in section 101(a)(15)(T).

''(B) In addition to any other waiver that may be available under this section, in the case of a nonimmigrant described in section 101(a)(15)(T), if the Attorney General considers it to be in the national interest to do so, the Attorney General, in the Attorney General's discretion, may waive the application of—

''(i) paragraphs (1) and (4) of subsection (a); and

''(ii) any other provision of such subsection (excluding paragraphs (3), (10)(C), and (10(E)) if the activities rendering the alien inadmissible under the provision were caused by, or were incident to, the victimization described in section 101(a)(15)(T)(i)(I).''.

(4) DUTIES OF THE ATTORNEY GENERAL WITH RESPECT TO ''T'' VISA NONIMMIGRANTS.—Section 101 of the Immigration and Nationality Act (8 U.S.C. 1101) is amended by adding at the end the following new subsection:

''(i) With respect to each nonimmigrant alien described in subsection (a)(15)(T)(i)—

''(1) the Attorney General and other Government officials, where appropriate, shall provide the alien with a referral to a nongovernmental organization that would advise the alien regarding the alien's options while in the United States and the resources available to the alien; and

''(2) the Attorney General shall, during the period the alien is in lawful temporary resident status under that subsection, grant the alien authorization to engage in employment in the United States and provide the alien with an 'employment authorized' endorsement or other appropriate work permit.''.

(5) STATUTORY CONSTRUCTION.—Nothing in this section, or in the amendments made by this section, shall be construed as prohibiting the Attorney General from instituting removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) against an alien admitted as a nonimmigrant under section 101(a)(15)(T)(i) of that Act, as added by subsection (e), for conduct committed after the alien's admission into the United States, or for conduct or a condition that was not disclosed to the Attorney General prior to the alien's admission as a nonimmigrant under such section 101(a)(15)(T)(i).

(f) ADJUSTMENT TO PERMANENT RESIDENT STATUS.—Section 245 of such Act (8 U.S.C 1255) is amended by adding at the end the following new subsection:

''(l)(1) If, in the opinion of the Attorney General, a nonimmigrant admitted into the United States under section 101(a)(15)(T)(i)—

''(A) has been physically present in the United States for a continuous period of at least 3 years since the date of admission as a nonimmigrant under section 101(a)(15)(T)(i),

''(B) has, throughout such period, been a person of good moral character, and

''(C)(i) has, during such period, complied with any reasonable request for assistance in the investigation or prosecution of acts of trafficking, or

''(ii) the alien would suffer extreme hardship involving unusual and severe harm upon removal from the United States,

the Attorney General may adjust the status of the alien (and any person admitted under that section as the spouse, parent, or child of the alien) to that of an alien lawfully admitted for permanent residence.

''(2) Paragraph (1) shall not apply to an alien admitted under section 101(a)(15)(T) who is inadmissible to the United States by reason of a ground that has not been waived under section 212, except that, if the Attorney General considers it to be in the national interest to do so, the Attorney General, in the Attorney General's discretion, may waive the application of—

''(A) paragraphs (1) and (4) of section 212(a); and

''(B) any other provision of such section (excluding paragraphs (3), (10)(C), and (10(E)), if the activities rendering the alien inadmissible under the provision were caused by, or were incident to, the victimization described in section 101(a)(15)(T)(i)(I).

''(2) An alien shall be considered to have failed to maintain continuous physical presence in the United States under paragraph (1)(A) if the alien has departed from the United States for any period in excess of 90 days or for any periods in the aggregate exceeding 180 days.

''(3)(A) The total number of aliens whose status may be adjusted under paragraph (1) during any fiscal year may not exceed 5,000.

''(B) The numerical limitation of subparagraph (A) shall only apply to principal aliens and not to the spouses, sons, daughters, or parents of such aliens.

''(4) Upon the approval of adjustment of status under paragraph (1), the Attorney General shall record the alien's lawful admission for permanent residence as of the date of such approval.''.

(g) ANNUAL REPORTS.—On or before October 31 of each year, the Attorney General shall submit a report to the appropriate congressional committees setting forth, with respect to the preceding fiscal year, the number, if any, of otherwise eligible applicants who did not receive visas under section 101(a)(15)(T) of the Immigration and Nationality Act, as added by subsection (e), or who were unable to adjust their status under section 245(l) of such Act, solely on

account of the unavailability of visas due to a limitation imposed by section 214(n)(1) or 245(l)(4)(A) of such Act.

SEC. 108. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

(a) MINIMUM STANDARDS.—For purposes of this division, the minimum standards for the elimination of trafficking applicable to the government of a country of origin, transit, or destination for a significant number of victims of severe forms of trafficking are the following:

(1) The government of the country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.

(2) For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault.

(3) For the knowing commission of any act of a severe form of trafficking in persons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.

(4) The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

(b) CRITERIA.—In determinations under subsection (a)(4), the following factors should be considered as indicia of serious and sustained efforts to eliminate severe forms of trafficking in persons:

(1) Whether the government of the country vigorously investigates and prosecutes acts of severe forms of trafficking in persons that take place wholly or partly within the territory of the country.

(2) Whether the government of the country protects victims of severe forms of trafficking in persons and encourages their assistance in the investigation and prosecution of such trafficking, including provisions for legal alternatives to their removal to countries in which they would face retribution or hardship, and ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts as a direct result of being trafficked.

(3) Whether the government of the country has adopted measures to prevent severe forms of trafficking in persons, such as measures to inform and educate the public, including potential victims, about the causes and consequences of severe forms of trafficking in persons.

(4) Whether the government of the country cooperates with other governments in the investigation and prosecution of severe forms of trafficking in persons.

(5) Whether the government of the country extradites persons charged with acts of severe forms of trafficking in persons on substantially the same terms and to substantially the same extent as persons charged with other serious crimes (or, to the extent such extradition would be inconsistent with the laws of such country or with international agreements to which the country is a party, whether the government is taking all appropriate measures to modify or replace such laws and treaties so as to permit such extradition).

(6) Whether the government of the country monitors immigration and emigration patterns for evidence of severe forms of trafficking in persons and whether law enforcement agencies of the country respond to any such evidence in a manner that is consistent with the vigorous investigation and prosecution of acts of such trafficking, as well as with the protection of human rights of victims and the internationally recognized human right to leave any country, including one's own, and to return to one's own country.

(7) Whether the government of the country vigorously investigates and prosecutes public officials who participate in or facilitate severe forms of trafficking in persons, and takes all appropriate measures against officials who condone such trafficking.

SEC. 109. ASSISTANCE TO FOREIGN COUNTRIES TO MEET MINIMUM STANDARDS.

Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following new section:

"SEC. 134. ASSISTANCE TO FOREIGN COUNTRIES TO MEET MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

''(a) AUTHORIZATION.—The President is authorized to provide assistance to foreign countries directly, or through nongovernmental and multilateral organizations, for programs, projects, and activities designed to meet the minimum standards for the elimination of trafficking (as defined in section 103 of the Trafficking Victims Protection Act of 2000), including—

''(1) the drafting of laws to prohibit and punish acts of trafficking;

''(2) the investigation and prosecution of traffickers;

''(3) the creation and maintenance of facilities, programs, projects, and activities for the protection of victims; and

''(4) the expansion of exchange programs and international visitor programs for governmental and nongovernmental personnel to combat trafficking.

''(b) FUNDING.—Amounts made available to carry out the other provisions of this part (including chapter 4 of part II of this Act) and the Support for East European Democracy (SEED) Act of 1989 shall be made available to carry out this section.''.

SEC. 110. ACTIONS AGAINST GOVERNMENTS FAILING TO MEET MINIMUM STANDARDS.

(a) STATEMENT OF POLICY.—It is the policy of the United States not to provide nonhumanitarian, nontrade-related foreign assistance to any government that—

(1) does not comply with minimum standards for the elimination of trafficking; and

(2) is not making significant efforts to bring itself into compliance with such standards.

(b) REPORTS TO CONGRESS.—

(1) ANNUAL REPORT.—Not later than June 1 of each year, the Secretary of State shall submit to the appropriate congressional committees a report with respect to the status of severe forms of trafficking in persons that shall include—

(A) a list of those countries, if any, to which the minimum standards for the elimination of trafficking are applicable and whose governments fully comply with such standards;

(B) a list of those countries, if any, to which the minimum standards for the elimination of trafficking are applicable and whose governments do not yet fully comply with such standards but are making significant efforts to bring themselves into compliance; and

(C) a list of those countries, if any, to which the minimum standards for the elimination of trafficking are applicable and whose governments do not fully comply with such standards and are not making significant efforts to bring themselves into compliance.

(2) INTERIM REPORTS.—In addition to the annual report under paragraph (1), the Secretary of State may submit to the appropriate congressional committees at any time one or more interim reports with respect to the status of severe forms of trafficking in persons, including information about countries whose governments—

(A) have come into or out of compliance with the minimum standards for the elimination of trafficking; or

(B) have begun or ceased to make significant efforts to bring themselves into compliance,

since the transmission of the last annual report.

(3) SIGNIFICANT EFFORTS.—In determinations under paragraph (1) or (2) as to whether the government of a country is making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking, the Secretary of State shall consider—

(A) the extent to which the country is a country of origin, transit, or destination for severe forms of trafficking;

(B) the extent of noncompliance with the minimum standards by the government and, particularly, the extent to which officials or employees of the government have participated in, facilitated, condoned, or are otherwise complicit in severe forms of trafficking; and

(C) what measures are reasonable to bring the government into compliance with the minimum standards in light of the resources and capabilities of the government.

(c) NOTIFICATION.—Not less than 45 days or more than 90 days after the submission, on or after January 1, 2003, of an annual report under subsection (b)(1), or an interim report under subsection (b)(2), the President shall submit to the appropriate congressional committees a notification of one of the determinations listed in subsection (d) with respect to each foreign country whose government, according to such report—

(A) does not comply with the minimum standards for the elimination of trafficking; and

(B) is not making significant efforts to bring itself into compliance, as described in subsection (b)(1)(C).

(d) PRESIDENTIAL DETERMINATIONS.—The determinations referred to in subsection (c) are the following:

(1) WITHHOLDING OF NONHUMANITARIAN, NONTRADE-RELATED ASSISTANCE.—The President has determined that—

(A)(i) the United States will not provide nonhumanitarian, nontrade-related foreign assistance to the government of the country for the subsequent fiscal year until such government complies with the minimum standards or makes significant efforts to bring itself into compliance; or

(ii) in the case of a country whose government received no nonhumanitarian, nontrade-related foreign assistance from the United States during the previous fiscal year, the United States will not provide funding for participation by officials or employees of such governments in educational and cultural exchange programs for the subsequent fiscal year until such government complies with the minimum standards or makes significant efforts to bring itself into compliance; and

(B) the President will instruct the United States Executive Director of each multilateral development bank and of the International Monetary Fund to vote against, and to use the Executive Director's best efforts to deny, any loan or other utilization of the funds of the respective institution to that country (other than for humanitarian assistance, for trade-related assistance, or for development assistance which directly addresses basic human needs, is not administered by the government of the sanctioned country, and confers no benefit to that government) for the subsequent fiscal year until such government complies with the minimum standards or makes significant efforts to bring itself into compliance.

(2) ONGOING, MULTIPLE, BROAD-BASED RESTRICTIONS ON ASSISTANCE IN RESPONSE TO HUMAN RIGHTS VIOLATIONS.—The President has determined that such country is already subject to multiple, broad-based restrictions on assistance imposed in significant part in response to human rights abuses and such restrictions are ongoing and are comparable to the restrictions provided in paragraph (1). Such determination shall be accompanied by a description of the specific restriction or restrictions that were the basis for making such determination.

(3) SUBSEQUENT COMPLIANCE.—The Secretary of State has determined that the government of the country has come into compliance with the minimum standards or is making significant efforts to bring itself into compliance.

(4) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST.—Notwithstanding the failure of the government of the country to comply with minimum standards for the elimination of traf-

ficking and to make significant efforts to bring itself into compliance, the President has determined that the provision to the country of nonhumanitarian, nontrade-related foreign assistance, or the multilateral assistance described in paragraph (1)(B), or both, would promote the purposes of this division or is otherwise in the national interest of the United States.

(5) EXERCISE OF WAIVER AUTHORITY.—

(A) IN GENERAL.—The President may exercise the authority under paragraph (4) with respect to—

(i) all nonhumanitarian, nontrade-related foreign assistance to a country;

(ii) all multilateral assistance described in paragraph (1)(B) to a country; or

(iii) one or more programs, projects, or activities of such assistance.

(B) AVOIDANCE OF SIGNIFICANT ADVERSE EFFECTS.—The President shall exercise the authority under paragraph (4) when necessary to avoid significant adverse effects on vulnerable populations, including women and children.

(6) DEFINITION OF MULTILATERAL DEVELOPMENT BANK.—In this subsection, the term ''multilateral development bank'' refers to any of the following institutions: the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the Asian Development Bank, the Inter-American Investment Corporation, the African Development Bank, the African Development Fund, the European Bank for Reconstruction and Development, and the Multilateral Investment Guaranty Agency.

(e) CERTIFICATION.—Together with any notification under subsection (c), the President shall provide a certification by the Secretary of State that, with respect to any assistance described in clause (ii), (iii), or (v) of section 103(7)(A), or with respect to any assistance described in section 103(7)(B), no assistance is intended to be received or used by any agency or official who has participated in, facilitated, or condoned a severe form of trafficking in persons.

SEC. 111. ACTIONS AGAINST SIGNIFICANT TRAFFICKERS IN PERSONS.

(a) AUTHORITY TO SANCTION SIGNIFICANT TRAFFICKERS IN PERSONS.—

(1) IN GENERAL.—The President may exercise the authorities set forth in section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1701) without regard to section 202 of that Act (50 U.S.C. 1701) in the case of any of the following persons:

(A) Any foreign person that plays a significant role in a severe form of trafficking in persons, directly or indirectly in the United States.

(B) Foreign persons that materially assist in, or provide financial or technological support for or to, or provide goods or services in support of, activities of a significant foreign trafficker in persons identified pursuant to subparagraph (A).

(C) Foreign persons that are owned, controlled, or directed by, or acting for or on behalf of, a significant foreign trafficker identified pursuant to subparagraph (A).

(2) PENALTIES.—The penalties set forth in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) apply to violations of any license, order, or regulation issued under this section.

(b) REPORT TO CONGRESS ON IDENTIFICATION AND SANCTIONING OF SIGNIFICANT TRAFFICKERS IN PERSONS.—

(1) IN GENERAL.—Upon exercising the authority of subsection (a), the President shall report to the appropriate congressional committees—

(A) identifying publicly the foreign persons that the President determines are appropriate for sanctions pursuant to this section and the basis for such determination; and

(B) detailing publicly the sanctions imposed pursuant to this section.

(2) REMOVAL OF SANCTIONS.—Upon suspending or terminating any action imposed under the authority of subsection (a), the President shall report to the committees described in paragraph (1) on such suspension or termination.

(3) SUBMISSION OF CLASSIFIED INFORMATION.—Reports submitted under this subsection may include an annex with classified information regarding the basis for the determination made by the President under paragraph (1)(A).

(c) LAW ENFORCEMENT AND INTELLIGENCE ACTIVITIES NOT AFFECTED.—Nothing in this section prohibits or otherwise limits the authorized law enforcement or intelligence activities of the United States, or the law enforcement activities of any State or subdivision thereof.

(d) EXCLUSION OF PERSONS WHO HAVE BENEFITED FROM ILLICIT ACTIVITIES OF TRAFFICKERS IN PERSONS.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by inserting at the end the following new subparagraph:

''(H) SIGNIFICANT TRAFFICKERS IN PERSONS.—

''(i) IN GENERAL.—Any alien who is listed in a report submitted pursuant to section 111(b) of the Trafficking Victims Protection Act of 2000, or who the consular officer or the Attorney General knows or has reason to believe is or has been a knowing aider, abettor, assister, conspirator, or colluder with such a trafficker in severe forms of trafficking in persons, as defined in the section 103 of such Act, is inadmissible.

''(ii) BENEFICIARIES OF TRAFFICKING.—Except as provided in clause (iii), any alien who the consular officer or the Attorney General knows or has reason to believe is the spouse, son, or daughter of an alien inadmissible under clause (i), has, within the previous 5 years, obtained any financial or other benefit from the illicit activity of that alien, and knew or reasonably should have known that the financial or other benefit was the product of such illicit activity, is inadmissible.

''(iii) EXCEPTION FOR CERTAIN SONS AND DAUGHTERS.—Clause (ii) shall not apply to a son or daughter who was a child at the time he or she received the benefit described in such clause.''.

(e) IMPLEMENTATION.—

(1) DELEGATION OF AUTHORITY.—The President may delegate any authority granted by this section, including the authority to designate foreign persons under paragraphs (1)(B) and (1)(C) of subsection (a).

(2) PROMULGATION OF RULES AND REGULATIONS.—The head of any agency, including the Secretary of Treasury, is authorized to take such actions as may be necessary to carry out any authority delegated by the President pursuant to paragraph (1), including promulgating rules and regulations.

(3) OPPORTUNITY FOR REVIEW.—Such rules and regulations shall include procedures affording an opportunity for a person to be heard in an expeditious manner, either in person or through a representative, for the purpose of seeking changes to or termination of any determination, order, designation or other action associated with the exercise of the authority in subsection (a).

(f) DEFINITION OF FOREIGN PERSONS.—In this section, the term ''foreign person'' means any citizen or national of a foreign state or any entity not organized under the laws of the United States, including a foreign government official, but does not include a foreign state.

(g) CONSTRUCTION.—Nothing in this section shall be construed as precluding judicial review of the exercise of the authority described in subsection (a).

SEC. 112. STRENGTHENING PROSECUTION AND PUNISHMENT OF TRAFFICKERS.

(a) TITLE 18 AMENDMENTS.—Chapter 77 of title 18, United States Code, is amended—

(1) in each of sections 1581(a), 1583, and 1584—

(A) by striking ''10 years'' and inserting ''20 years''; and

(B) by adding at the end the following: ''If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.'';

(2) by inserting at the end the following:

''§ 1589. Forced labor

''Whoever knowingly provides or obtains the labor or services of a person—

''(1) by threats of serious harm to, or physical restraint against, that person or another person;

''(2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or

''(3) by means of the abuse or threatened abuse of law or the legal process,

shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

''§ 1590. Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor

''Whoever knowingly recruits, harbors, transports, provides, or obtains by any means, any person for labor or services in violation of this chapter shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse, or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

''§ 1591. Sex trafficking of children or by force, fraud or coercion

''(a) Whoever knowingly—

''(1) in or affecting interstate commerce, recruits, entices, harbors, transports, provides, or obtains by any means a person; or

''(2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1),

knowing that force, fraud, or coercion described in subsection (c)(2) will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).

''(b) The punishment for an offense under subsection (a) is—

''(1) if the offense was effected by force, fraud, or coercion or if the person transported had not attained the age of 14 years at the time of such offense, by a fine under this title or imprisonment for any term of years or for life, or both; or

''(2) if the offense was not so effected, and the person transported had attained the age of 14 years but had not attained the age of 18 years at the time of such offense, by a fine under this title or imprisonment for not more than 20 years, or both.

''(c) In this section:

''(1) The term 'commercial sex act' means any sex act, on account of which anything of value is given to or received by any person.''

''(2) The term 'coercion' means—

''(A) threats of serious harm to or physical restraint against any person;

''(B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or

''(C) the abuse or threatened abuse of law or the legal process.

''(3) The term 'venture' means any group of 2 or more individuals associated in fact, whether or not a legal entity.

"§ 1592. Unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor

''(a) Whoever knowingly destroys, conceals, removes, confiscates, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person—

''(1) in the course of a violation of section 1581, 1583, 1584, 1589, 1590, 1591, or 1594(a);

''(2) with intent to violate section 1581, 1583, 1584, 1589, 1590, or 1591; or

''(3) to prevent or restrict or to attempt to prevent or restrict, without lawful authority, the person's liberty to move or travel, in order to maintain the labor or services of that person, when the person is or has been a victim of a severe form of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000;

shall be fined under this title or imprisoned for not more than 5 years, or both.

''(b) Subsection (a) does not apply to the conduct of a person who is or has been a victim of a severe form of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000, if that conduct is caused by, or incident to, that trafficking.

"§ 1593. Mandatory restitution

''(a) Notwithstanding sections 3663 or 3663A, and in addition to any other civil or criminal penalties authorized by law, the court shall order restitution for any offense under this chapter.

''(b)(1) The order of restitution under this section shall direct the defendant to pay the victim (through the appropriate court mechanism) the full amount of the victim's losses, as determined by the court under paragraph (3) of this subsection.

''(2) An order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

''(3) As used in this subsection, the term 'full amount of the victim's losses' has the same meaning as provided in section 2259(b)(3) and shall in addition include the greater of the gross income or value to the defendant of the victim's services or labor or the value of the victim's labor as guaranteed under the minimum wage and overtime guarantees of the Fair Labor Standards Act (29 U.S.C. 201, et seq.).

''(c) As used in this section, the term 'victim' means the individual harmed as a result of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or a representative of the victim's estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.

"§ 1594. General provisions

''(a) Whoever attempts to violate section 1581, 1583, 1584, 1589, 1590, or 1591 shall be punishable in the same manner as a completed violation of that section.

''(b) The court, in imposing sentence on any person convicted of a violation of this chapter, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person shall forfeit to the United States—

''(1) such person's interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

''(2) any property, real or personal, constituting or derived from, any proceeds that such person obtained, directly or indirectly, as a result of such violation.

''(c)(1) The following shall be subject to forfeiture to the United States and no property right shall exist in them:

''(A) Any property, real or personal, used or intended to be used to commit or to facilitate the commission of any violation of this chapter.

''(B) Any property, real or personal, which constitutes or is derived from proceeds traceable to any violation of this chapter.

''(2) The provisions of chapter 46 of this title relating to civil forfeitures shall extend to any seizure or civil forfeiture under this subsection.

''(d) WITNESS PROTECTION.—Any violation of this chapter shall be considered an organized criminal activity or other serious offense for the purposes of application of chapter 224 (relating to witness protection).''; and

(3) by amending the table of sections at the beginning of chapter 77 by adding at the end the following new items:

''1589. Forced labor.
''1590. Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor.
''1591. Sex trafficking of children or by force, fraud, or coercion.
''1592. Unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor.
''1593. Mandatory restitution.
''1594. General provisions.''.

(b) AMENDMENT TO THE SENTENCING GUIDELINES.—

(1) Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, if appropriate, amend the sentencing guidelines and policy statements applicable to persons convicted of offenses involving the trafficking of persons including component or related crimes of peonage, involuntary servitude, slave trade offenses, and possession, transfer or sale of false immigration documents in furtherance of trafficking, and the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act.

(2) In carrying out this subsection, the Sentencing Commission shall—

(A) take all appropriate measures to ensure that these sentencing guidelines and policy statements applicable to the offenses described in paragraph (1) of this subsection are sufficiently stringent to deter and adequately reflect the heinous nature of such offenses;

(B) consider conforming the sentencing guidelines applicable to offenses involving trafficking in persons to the guidelines applicable to peonage, involuntary servitude, and slave trade offenses; and

(C) consider providing sentencing enhancements for those convicted of the offenses described in paragraph (1) of this subsection that—

(i) involve a large number of victims;

(ii) involve a pattern of continued and flagrant violations;

(iii) involve the use or threatened use of a dangerous weapon; or

(iv) result in the death or bodily injury of any person.

(3) The Commission may promulgate the guidelines or amendments under this subsection in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987, as though the authority under that Act had not expired.

SEC. 113. AUTHORIZATIONS OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS IN SUPPORT OF THE TASK FORCE.—To carry out the purposes of sections 104, 105, and 110, there are authorized to be appropriated to the Secretary of State $1,500,000 for fiscal year 2001 and $3,000,000 for fiscal year 2002.

(b) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF HEALTH AND HUMAN SERVICES.—To carry out the purposes of section 107(b), there are authorized to be appropriated to the Secretary of Health and Human Services $5,000,000 for fiscal year 2001 and $10,000,000 for fiscal year 2002.

(c) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF STATE.—

(1) ASSISTANCE FOR VICTIMS IN OTHER COUNTRIES.—To carry out the purposes of section 107(a), there are authorized to be appropriated to the Secretary of State $5,000,000 for fiscal year 2001 and $10,000,000 for fiscal year 2002.

(2) VOLUNTARY CONTRIBUTIONS TO OSCE.—To carry out the purposes of section 109, there are authorized to be appropriated to the Secretary of State $300,000 for voluntary contributions to advance projects aimed at preventing trafficking, promoting respect for human rights of trafficking victims, and assisting the Organization for Security and Cooperation in Europe participating states in related legal reform for fiscal year 2001.

(3) PREPARATION OF ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS.—To carry out the purposes of section 104, there are authorized to be appropriated to the Secretary of State such sums as may be necessary to include the additional information required by that section in the annual Country Reports on Human Rights Practices, including the preparation and publication of the list described in subsection (a)(1) of that section.

(d) AUTHORIZATION OF APPROPRIATIONS TO ATTORNEY GENERAL.—To carry out the purposes of section 107(b), there are authorized to be appropriated to the Attorney General $5,000,000 for fiscal year 2001 and $10,000,000 for fiscal year 2002.

(e) AUTHORIZATION OF APPROPRIATIONS TO PRESIDENT.—

(1) FOREIGN VICTIM ASSISTANCE.—To carry out the purposes of section 106, there are authorized to be appropriated to the President $5,000,000 for fiscal year 2001 and $10,000,000 for fiscal year 2002.

(2) ASSISTANCE TO FOREIGN COUNTRIES TO MEET MINIMUM STANDARDS.—To carry out the purposes of section 109, there are authorized to be appropriated to the President $5,000,000 for fiscal year 2001 and $10,000,000 for fiscal year 2002.

(f) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF LABOR.—To carry out the purposes of section 107(b), there are authorized to be appropriated to the Secretary of Labor $5,000,000 for fiscal year 2001 and $10,000,000 for fiscal year 2002.

DIVISION B—VIOLENCE AGAINST WOMEN ACT OF 2000

SEC. 1001. SHORT TITLE.

This division may be cited as the ''Violence Against Women Act of 2000''.

SEC. 1002. DEFINITIONS.

In this division—

(1) the term ''domestic violence'' has the meaning given the term in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2); and

(2) the term ''sexual assault'' has the meaning given the term in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2).

SEC. 1003. ACCOUNTABILITY AND OVERSIGHT.

(a) REPORT BY GRANT RECIPIENTS.—The Attorney General or Secretary of Health and Human Services, as applicable, shall require grantees under any program authorized or reauthorized by this division or an amendment made by this division to report on the effectiveness of the activities carried out with amounts made available to carry out that program, including number of persons served, if applicable, numbers of persons seeking services who could not be served and such other information as the Attorney General or Secretary may prescribe.

(b) REPORT TO CONGRESS.—The Attorney General or Secretary of Health and Human Services, as applicable, shall report biennially to the Committees on the Judiciary of the House of

Representatives and the Senate on the grant programs described in subsection (a), including the information contained in any report under that subsection.

TITLE I—STRENGTHENING LAW ENFORCEMENT TO REDUCE VIOLENCE AGAINST WOMEN

SEC. 1101. FULL FAITH AND CREDIT ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

*(1) in the heading, by adding "**AND ENFORCEMENT OF PROTECTION ORDERS**" at the end;*

(2) in section 2101(b)—

(A) in paragraph (6), by inserting "(including juvenile courts)" after "courts"; and

(B) by adding at the end the following:

"(7) To provide technical assistance and computer and other equipment to police departments, prosecutors, courts, and tribal jurisdictions to facilitate the widespread enforcement of protection orders, including interstate enforcement, enforcement between States and tribal jurisdictions, and enforcement between tribal jurisdictions."; and

(3) in section 2102—

(A) in subsection (b)—

(i) in paragraph (1), by striking "and" at the end;

(ii) in paragraph (2), by striking the period at the end and inserting ", including the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions);"; and

(iii) by adding at the end the following:

"(3) have established cooperative agreements or can demonstrate effective ongoing collaborative arrangements with neighboring jurisdictions to facilitate the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions); and

"(4) in applications describing plans to further the purposes stated in paragraph (4) or (7) of section 2101(b), will give priority to using the grant to develop and install data collection and communication systems, including computerized systems, and training on how to use these systems effectively to link police, prosecutors, courts, and tribal jurisdictions for the purpose of identifying and tracking protection orders and violations of protection orders, in those jurisdictions where such systems do not exist or are not fully effective."; and

(B) by adding at the end the following:

"(c) DISSEMINATION OF INFORMATION.—The Attorney General shall annually compile and broadly disseminate (including through electronic publication) information about successful data collection and communication systems that meet the purposes described in this section. Such dissemination shall target States, State and local courts, Indian tribal governments, and units of local government."

(b) PROTECTION ORDERS.—

(1) FILING COSTS.—Section 2006 of part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–5) is amended—

*(A) in the heading, by striking "**FILING**" and inserting "**AND PROTECTION ORDERS**" after "**CHARGES**";*

(B) in subsection (a)—

(i) by striking paragraph (1) and inserting the following:

"(1) certifies that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal, or local jurisdiction; or"; and

(ii) in paragraph (2)(B), by striking "2 years" and inserting "2 years after the date of enactment of the Violence Against Women Act of 2000"; and

(C) by adding at the end the following:

"(c) DEFINITION.—In this section, the term 'protection order' has the meaning given the term in section 2266 of title 18, United States Code."

(2) ELIGIBILITY FOR GRANTS TO ENCOURAGE ARREST POLICIES.—Section 2101 of part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) is amended—

(A) in subsection (c), by striking paragraph (4) and inserting the following:

"(4) certify that their laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal, or local jurisdiction."; and

(B) by adding at the end the following:

"(d) DEFINITION.—In this section, the term 'protection order' has the meaning given the term in section 2266 of title 18, United States Code."

(3) APPLICATION FOR GRANTS TO ENCOURAGE ARREST POLICIES.—Section 2102(a)(1)(B) of part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh–1(a)(1)(B)) is amended by inserting before the semicolon the following: "or, in the case of the condition set forth in subsection 2101(c)(4), the expiration of the 2-year period beginning on the date of enactment of the Violence Against Women Act of 2000".

(4) REGISTRATION FOR PROTECTION ORDERS.—Section 2265 of title 18, United States Code, is amended by adding at the end the following:

"(d) NOTIFICATION AND REGISTRATION.—

"(1) NOTIFICATION.—A State or Indian tribe according full faith and credit to an order by a court of another State or Indian tribe shall not notify or require notification of the party against whom a protection order has been issued that the protection order has been registered or filed in that enforcing State or tribal jurisdiction unless requested to do so by the party protected under such order.

"(2) NO PRIOR REGISTRATION OR FILING AS PREREQUISITE FOR ENFORCEMENT.—Any protection order that is otherwise consistent with this section shall be accorded full faith and credit, notwithstanding failure to comply with any requirement that the order be registered or filed in the enforcing State or tribal jurisdiction.

"(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a tribal court shall have full civil jurisdiction to enforce protection orders, including authority to enforce any orders through civil contempt proceedings, exclusion of violators from Indian lands, and other appropriate mechanisms, in matters arising within the authority of the tribe."

(c) TECHNICAL AMENDMENT.—The table of contents for title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended in the item relating to part U, by adding "AND ENFORCEMENT OF PROTECTION ORDERS" at the end.

SEC. 1102. ROLE OF COURTS.

(a) COURTS AS ELIGIBLE STOP SUBGRANTEES.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is amended—

(1) in section 2001—

(A) in subsection (a), by striking "Indian tribal governments," and inserting "State and local courts (including juvenile courts), Indian tribal governments, tribal courts,"; and

(B) in subsection (b)—

(i) in paragraph (1), by inserting ", judges, other court personnel," after "law enforcement officers";

(ii) in paragraph (2), by inserting ", judges, other court personnel," after "law enforcement officers"; and

(iii) in paragraph (3), by inserting ", court," after "police"; and

(2) in section 2002—

(A) in subsection (a), by inserting "State and local courts (including juvenile courts)," after "States," the second place it appears;

(B) in subsection (c), by striking paragraph (3) and inserting the following:

"(3) of the amount granted—

"(A) not less than 25 percent shall be allocated to police and not less than 25 percent shall be allocated to prosecutors;

"(B) not less than 30 percent shall be allocated to victim services; and

"(C) not less than 5 percent shall be allocated for State and local courts (including juvenile courts); and"; and

(C) in subsection (d)(1), by inserting "court," after "law enforcement,".

(b) ELIGIBLE GRANTEES; USE OF GRANTS FOR EDUCATION.—Section 2101 of part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) is amended—

(1) in subsection (a), by inserting "State and local courts (including juvenile courts), tribal courts," after "Indian tribal governments,";

(2) in subsection (b)—

(A) by inserting "State and local courts (including juvenile courts)," after "Indian tribal governments";

(B) in paragraph (2), by striking "policies and" and inserting "policies, educational programs, and";

(C) in paragraph (3), by inserting "parole and probation officers," after "prosecutors,"; and

(D) in paragraph (4), by inserting "parole and probation officers," after "prosecutors,";

(3) in subsection (c), by inserting "State and local courts (including juvenile courts)," after "Indian tribal governments"; and

(4) by adding at the end the following:

"(e) ALLOTMENT FOR INDIAN TRIBES.—Not less than 5 percent of the total amount made available for grants under this section for each fiscal year shall be available for grants to Indian tribal governments."

SEC. 1103. REAUTHORIZATION OF STOP GRANTS.

(a) REAUTHORIZATION.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by striking paragraph (18) and inserting the following:

"(18) There is authorized to be appropriated to carry out part T $185,000,000 for each of fiscal years 2001 through 2005."

(b) GRANT PURPOSES.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is amended—

(1) in section 2001—

(A) in subsection (b)—

(i) in paragraph (5), by striking "racial, cultural, ethnic, and language minorities" and inserting "underserved populations";

(ii) in paragraph (6), by striking "and" at the end;

(iii) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

"(8) supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by State funds, to coordinate the response of State law enforcement agencies, prosecutors, courts, victim services agencies, and other State agencies and departments, to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence;

''(9) training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault;''; and

(B) by adding at the end the following:

''(c) STATE COALITION GRANTS.—

''(1) PURPOSE.—The Attorney General shall award grants to each State domestic violence coalition and sexual assault coalition for the purposes of coordinating State victim services activities, and collaborating and coordinating with Federal, State, and local entities engaged in violence against women activities.

''(2) GRANTS TO STATE COALITIONS.—The Attorney General shall award grants to—

''(A) each State domestic violence coalition, as determined by the Secretary of Health and Human Services through the Family Violence Prevention and Services Act (42 U.S.C. 10410 et seq.); and

''(B) each State sexual assault coalition, as determined by the Center for Injury Prevention and Control of the Centers for Disease Control and Prevention under the Public Health Service Act (42 U.S.C. 280b et seq.).

''(3) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by each State domestic violence and sexual assault coalition shall not preclude the coalition from receiving additional grants under this part to carry out the purposes described in subsection (b).'';

(2) in section 2002(b)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (5) and (6), respectively;

(B) in paragraph (1), by striking ''4 percent'' and inserting ''5 percent'';

(C) in paragraph (5), as redesignated, by striking ''$500,000'' and inserting ''$600,000''; and

(D) by inserting after paragraph (1) the following:

''(2) 2.5 percent shall be available for grants for State domestic violence coalitions under section 2001(c), with the coalition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, and the coalition for the combined Territories of the United States, each receiving an amount equal to 1/54 of the total amount made available under this paragraph for each fiscal year;

''(3) 2.5 percent shall be available for grants for State sexual assault coalitions under section 2001(c), with the coalition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, and the coalition for the combined Territories of the United States, each receiving an amount equal to 1/54 of the total amount made available under this paragraph for each fiscal year;

''(4) 1/54 shall be available for the development and operation of nonprofit tribal domestic violence and sexual assault coalitions in Indian country;'';

(3) in section 2003, by striking paragraph (7) and inserting the following:

''(7) the term 'underserved populations' includes populations underserved because of geographic location (such as rural isolation), underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the State planning process in consultation with the Attorney General;'' and

(4) in section 2004(b)(3), by inserting '', and the membership of persons served in any underserved population'' before the semicolon.

SEC. 1104. REAUTHORIZATION OF GRANTS TO ENCOURAGE ARREST POLICIES.

Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by striking paragraph (19) and inserting the following:

''(19) There is authorized to be appropriated to carry out part U $65,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 1105. REAUTHORIZATION OF RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT GRANTS.

Section 40295(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13971(c)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $40,000,000 for each of fiscal years 2001 through 2005.''; and

(2) by adding at the end the following:

''(3) ALLOTMENT FOR INDIAN TRIBES.—Not less than 5 percent of the total amount made available to carry out this section for each fiscal year shall be available for grants to Indian tribal governments.''.

SEC. 1106. NATIONAL STALKER AND DOMESTIC VIOLENCE REDUCTION.

(a) REAUTHORIZATION.—Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended to read as follows:

''SEC. 40603. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out this subtitle $3,000,000 for each of fiscal years 2001 through 2005.''.

(b) TECHNICAL AMENDMENT.—Section 40602(a) of the Violence Against Women Act of 1994 (42 U.S.C. 14031 note) is amended by inserting ''and implement'' after ''improve''.

SEC. 1107. AMENDMENTS TO DOMESTIC VIOLENCE AND STALKING OFFENSES.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261 of title 18, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) OFFENSES.—

''(1) TRAVEL OR CONDUCT OF OFFENDER.—A person who travels in interstate or foreign commerce or enters or leaves Indian country with the intent to kill, injure, harass, or intimidate a spouse or intimate partner, and who, in the course of or as a result of such travel, commits or attempts to commit a crime of violence against that spouse or intimate partner, shall be punished as provided in subsection (b).

''(2) CAUSING TRAVEL OF VICTIM.—A person who causes a spouse or intimate partner to travel in interstate or foreign commerce or to enter or leave Indian country by force, coercion, duress, or fraud, and who, in the course of, as a result of, or to facilitate such conduct or travel, commits or attempts to commit a crime of violence against that spouse or intimate partner, shall be punished as provided in subsection (b).''.

(b) INTERSTATE STALKING.—

(1) IN GENERAL.—Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Interstate stalking

''Whoever—

''(1) travels in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel places that person in reasonable fear of the death of, or serious bodily injury to, that person, a member of the immediate family (as defined in section 115) of that person, or the spouse or intimate partner of that person; or

''(2) with the intent—

''(A) to kill or injure a person in another State or tribal jurisdiction or within the special maritime and territorial jurisdiction of the United States; or

''(B) to place a person in another State or tribal jurisdiction, or within the special maritime and territorial jurisdiction of the United States, in reasonable fear of the death of, or serious bodily injury to—

''(i) that person;

''(ii) a member of the immediate family (as defined in section 115) of that person; or

''(iii) a spouse or intimate partner of that person;

uses the mail or any facility of interstate or foreign commerce to engage in a course of conduct that places that person in reasonable fear of the death of, or serious bodily injury to, any of the persons described in clauses (i) through (iii);

shall be punished as provided in section 2261(b).''.

(2) AMENDMENT OF FEDERAL SENTENCING GUIDELINES.—

(A) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines to reflect the amendment made by this subsection.

(B) FACTORS FOR CONSIDERATION.—In carrying out subparagraph (A), the Commission shall consider—

(i) whether the Federal Sentencing Guidelines relating to stalking offenses should be modified in light of the amendment made by this subsection; and

(ii) whether any changes the Commission may make to the Federal Sentencing Guidelines pursuant to clause (i) should also be made with respect to offenses under chapter 110A of title 18, United States Code.

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262 of title 18, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) OFFENSES.—

''(1) TRAVEL OR CONDUCT OF OFFENDER.—A person who travels in interstate or foreign commerce, or enters or leaves Indian country, with the intent to engage in conduct that violates the portion of a protection order that prohibits or provides protection against violence, threats, or harassment against, contact or communication with, or physical proximity to, another person, or that would violate such a portion of a protection order in the jurisdiction in which the order was issued, and subsequently engages in such conduct, shall be punished as provided in subsection (b).

''(2) CAUSING TRAVEL OF VICTIM.—A person who causes another person to travel in interstate or foreign commerce or to enter or leave Indian country by force, coercion, duress, or fraud, and in the course of, as a result of, or to facilitate such conduct or travel engages in conduct that violates the portion of a protection order that prohibits or provides protection against violence, threats, or harassment against, contact or communication with, or physical proximity to, another person, or that would violate such a portion of a protection order in the jurisdiction in which the order was issued, shall be punished as provided in subsection (b).''.

(d) DEFINITIONS.—Section 2266 of title 18, United States Code, is amended to read as follows:

''§ 2266. Definitions

''In this chapter:

''(1) BODILY INJURY.—The term 'bodily injury' means any act, except one done in self-defense, that results in physical injury or sexual abuse.

''(2) COURSE OF CONDUCT.—The term 'course of conduct' means a pattern of conduct composed of 2 or more acts, evidencing a continuity of purpose.

''(3) ENTER OR LEAVE INDIAN COUNTRY.—The term 'enter or leave Indian country' includes leaving the jurisdiction of 1 tribal government and entering the jurisdiction of another tribal government.

''(4) INDIAN COUNTRY.—The term 'Indian country' has the meaning stated in section 1151 of this title.

''(5) PROTECTION ORDER.—The term 'protection order' includes any injunction or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including any temporary or final order issued by a civil and criminal court (other than a support or child custody order issued pursuant to State divorce and child custody laws, except to the extent

that such an order is entitled to full faith and credit under other Federal law) whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

''(6) SERIOUS BODILY INJURY.—The term 'serious bodily injury' has the meaning stated in section 2119(2).

''(7) SPOUSE OR INTIMATE PARTNER.—The term 'spouse or intimate partner' includes—

''(A) for purposes of—

''(i) sections other than 2261A, a spouse or former spouse of the abuser, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited as a spouse with the abuser; and

''(ii) section 2261A, a spouse or former spouse of the target of the stalking, a person who shares a child in common with the target of the stalking, and a person who cohabits or has cohabited as a spouse with the target of the stalking; and

''(B) any other person similarly situated to a spouse who is protected by the domestic or family violence laws of the State or tribal jurisdiction in which the injury occurred or where the victim resides.

''(8) STATE.—The term 'State' includes a State of the United States, the District of Columbia, and a commonwealth, territory, or possession of the United States.

''(9) TRAVEL IN INTERSTATE OR FOREIGN COMMERCE.—The term 'travel in interstate or foreign commerce' does not include travel from 1 State to another by an individual who is a member of an Indian tribe and who remains at all times in the territory of the Indian tribe of which the individual is a member.''.

SEC. 1108. SCHOOL AND CAMPUS SECURITY.

(a) GRANTS TO REDUCE VIOLENT CRIMES AGAINST WOMEN ON CAMPUS.—Section 826 of the Higher Education Amendments of 1998 (20 U.S.C. 1152) is amended—

(1) in paragraphs (2), (6), (7), and (9) of subsection (b), by striking ''and domestic violence'' and inserting ''domestic violence, and dating violence'';

(2) in subsection (c)(2)(B), by striking ''and domestic violence'' and inserting '', domestic violence and dating violence'';

(3) in subsection (f)—

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

(B) by inserting before paragraph (2) (as redesignated by subparagraph (A)) the following:

''(1) the term 'dating violence' means violence committed by a person—

''(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

''(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

''(i) the length of the relationship;

''(ii) the type of relationship; and

''(iii) the frequency of interaction between the persons involved in the relationship.'';

(C) in paragraph (2) (as redesignated by subparagraph (A)), by inserting '', dating'' after ''domestic'' each place the term appears; and

(D) in paragraph (4) (as redesignated by subparagraph (A))—

(i) by inserting ''or a public, nonprofit organization acting in a nongovernmental capacity'' after ''organization'';

(ii) by inserting '', dating violence'' after ''assists domestic violence'';

(iii) by striking ''or domestic violence'' and inserting '', domestic violence or dating violence''; and

(iv) by inserting ''dating violence,'' before ''stalking,''; and

(4) in subsection (g), by striking ''fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''each of fiscal years 2001 through 2005''.

(b) MATCHING GRANT PROGRAM FOR SCHOOL SECURITY.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by inserting after part Z the following new part:

''PART AA—MATCHING GRANT PROGRAM FOR SCHOOL SECURITY

''SEC. 2701. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Attorney General is authorized to make grants to States, units of local government, and Indian tribes to provide improved security, including the placement and use of metal detectors and other deterrent measures, at schools and on school grounds.

''(b) USES OF FUNDS.—Grants awarded under this section shall be distributed directly to the State, unit of local government, or Indian tribe, and shall be used to improve security at schools and on school grounds in the jurisdiction of the grantee through one or more of the following:

''(1) Placement and use of metal detectors, locks, lighting, and other deterrent measures.

''(2) Security assessments.

''(3) Security training of personnel and students.

''(4) Coordination with local law enforcement.

''(5) Any other measure that, in the determination of the Attorney General, may provide a significant improvement in security.

''(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this part, the Attorney General shall give preferential consideration, if feasible, to an application from a jurisdiction that has a demonstrated need for improved security, has a demonstrated need for financial assistance, and has evidenced the ability to make the improvements for which the grant amounts are sought.

''(d) MATCHING FUNDS.—

''(1) The portion of the costs of a program provided by a grant under subsection (a) may not exceed 50 percent.

''(2) Any funds appropriated by Congress for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of a matching requirement funded under this subsection.

''(3) The Attorney General may provide, in the guidelines implementing this section, for the requirement of paragraph (1) to be waived or altered in the case of a recipient with a financial need for such a waiver or alteration.

''(e) EQUITABLE DISTRIBUTION.—In awarding grants under this part, the Attorney General shall ensure, to the extent practicable, an equitable geographic distribution among the regions of the United States and among urban, suburban, and rural areas.

''(f) ADMINISTRATIVE COSTS.—The Attorney General may reserve not more than 2 percent from amounts appropriated to carry out this part for administrative costs.

''SEC. 2702. APPLICATIONS.

''(a) IN GENERAL.—To request a grant under this part, the chief executive of a State, unit of local government, or Indian tribe shall submit an application to the Attorney General at such time, in such manner, and accompanied by such information as the Attorney General may require. Each application shall—

''(1) include a detailed explanation of—

''(A) the intended uses of funds provided under the grant; and

''(B) how the activities funded under the grant will meet the purpose of this part; and

''(2) be accompanied by an assurance that the application was prepared after consultation with individuals not limited to law enforcement officers (such as school violence researchers, child psychologists, social workers, teachers, principals, and other school personnel) to ensure that the improvements to be funded under the grant are—

''(A) consistent with a comprehensive approach to preventing school violence; and

''(B) individualized to the needs of each school at which those improvements are to be made.

''(b) GUIDELINES.—Not later than 90 days after the date of the enactment of this part, the Attorney General shall promulgate guidelines to implement this section (including the information that must be included and the requirements that the States, units of local government, and Indian tribes must meet) in submitting the applications required under this section.

''SEC. 2703. ANNUAL REPORT TO CONGRESS.

''Not later than November 30th of each year, the Attorney General shall submit a report to the Congress regarding the activities carried out under this part. Each such report shall include, for the preceding fiscal year, the number of grants funded under this part, the amount of funds provided under those grants, and the activities for which those funds were used.

''SEC. 2704. DEFINITIONS.

''For purposes of this part—

''(1) the term 'school' means a public elementary or secondary school;

''(2) the term 'unit of local government' means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level; and

''(3) the term 'Indian tribe' has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

''SEC. 2705. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part $30,000,000 for each of fiscal years 2001 through 2003.''.

SEC. 1109. DATING VIOLENCE.

(a) DEFINITIONS.—

(1) SECTION 2003.—Section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3996gg–2) is amended—

(A) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(B) by adding at the end the following:

''(9) the term 'dating violence' means violence committed by a person—

''(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

''(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

''(i) the length of the relationship;

''(ii) the type of relationship; and

''(iii) the frequency of interaction between the persons involved in the relationship.''.

(2) SECTION 2105.—Section 2105 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh–4) is amended—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the term 'dating violence' means violence committed by a person—

''(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

''(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

''(i) the length of the relationship;

''(ii) the type of relationship; and

''(iii) the frequency of interaction between the persons involved in the relationship.''.

(b) STOP GRANTS.—Section 2001(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended—

(1) in paragraph (1), by striking ''sexual assault and domestic violence'' and inserting ''sexual assault, domestic violence, and dating violence''; and

(2) in paragraph (5), by striking ''sexual assault and domestic violence'' and inserting ''sexual assault, domestic violence, and dating violence''.

(c) GRANTS TO ENCOURAGE ARREST POLICIES.—Section 2101(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh(b)) is amended—

(1) in paragraph (2), by inserting ''and dating violence'' after ''domestic violence''; and

(2) in paragraph (5), by inserting ''and dating violence'' after ''domestic violence''.

(d) RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT.—Section 40295(a) of the Safe Homes for Women Act of 1994 (42 U.S.C. 13971(a)) is amended—

(1) in paragraph (1), by inserting ''and dating violence (as defined in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3996gg–2))'' after ''domestic violence''; and

(2) in paragraph (2), by inserting ''and dating violence (as defined in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3996gg–2))'' after ''domestic violence''.

TITLE II—STRENGTHENING SERVICES TO VICTIMS OF VIOLENCE

SEC. 1201. LEGAL ASSISTANCE FOR VICTIMS.

(a) IN GENERAL.—The purpose of this section is to enable the Attorney General to award grants to increase the availability of legal assistance necessary to provide effective aid to victims of domestic violence, stalking, or sexual assault who are seeking relief in legal matters arising as a consequence of that abuse or violence, at minimal or no cost to the victims.

(b) DEFINITIONS.—In this section:

(1) DOMESTIC VIOLENCE.—The term ''domestic violence'' has the meaning given the term in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2).

(2) LEGAL ASSISTANCE FOR VICTIMS.—The term ''legal assistance'' includes assistance to victims of domestic violence, stalking, and sexual assault in family, immigration, administrative agency, or housing matters, protection or stay away order proceedings, and other similar matters. No funds made available under this section may be used to provide financial assistance in support of any litigation described in paragraph (14) of section 504 of Public Law 104–134.

(3) SEXUAL ASSAULT.—The term ''sexual assault'' has the meaning given the term in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2).

(c) LEGAL ASSISTANCE FOR VICTIMS GRANTS.—The Attorney General may award grants under this subsection to private nonprofit entities, Indian tribal governments, and publicly funded organizations not acting in a governmental capacity such as law schools, and which shall be used—

(1) to implement, expand, and establish cooperative efforts and projects between domestic violence and sexual assault victim services organizations and legal assistance providers to provide legal assistance for victims of domestic violence, stalking, and sexual assault;

(2) to implement, expand, and establish efforts and projects to provide legal assistance for victims of domestic violence, stalking, and sexual assault by organizations with a demonstrated history of providing direct legal or advocacy services on behalf of these victims; and

(3) to provide training, technical assistance, and data collection to improve the capacity of grantees and other entities to offer legal assistance to victims of domestic violence, stalking, and sexual assault.

(d) ELIGIBILITY.—To be eligible for a grant under subsection (c), applicants shall certify in writing that—

(1) any person providing legal assistance through a program funded under subsection (c) has completed or will complete training in connection with domestic violence or sexual assault and related legal issues;

(2) any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be developed with input from and in collaboration with a State, local, or tribal domestic violence or sexual assault program or coalition, as well as appropriate State and local law enforcement officials;

(3) any person or organization providing legal assistance through a program funded under subsection (c) has informed and will continue to inform State, local, or tribal domestic violence or sexual assault programs and coalitions, as well as appropriate State and local law enforcement officials of their work; and

(4) the grantee's organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, domestic violence, or child sexual abuse is an issue.

(e) EVALUATION.—The Attorney General may evaluate the grants funded under this section through contracts or other arrangements with entities expert on domestic violence, stalking, and sexual assault, and on evaluation research.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $40,000,000 for each of fiscal years 2001 through 2005.

(2) ALLOCATION OF FUNDS.—

(A) TRIBAL PROGRAMS.—Of the amount made available under this subsection in each fiscal year, not less than 5 percent shall be used for grants for programs that assist victims of domestic violence, stalking, and sexual assault on lands within the jurisdiction of an Indian tribe.

(B) VICTIMS OF SEXUAL ASSAULT.—Of the amount made available under this subsection in each fiscal year, not less than 25 percent shall be used for direct services, training, and technical assistance to support projects focused solely or primarily on providing legal assistance to victims of sexual assault.

(3) NONSUPPLANTATION.—Amounts made available under this section shall be used to supplement and not supplant other Federal, State, and local funds expended to further the purpose of this section.

SEC. 1202. SHELTER SERVICES FOR BATTERED WOMEN AND CHILDREN.

(a) REAUTHORIZATION.—Section 310(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10409(a)) is amended to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this title $175,000,000 for each of fiscal years 2001 through 2005.''.

(b) STATE MINIMUM; REALLOTMENT.—Section 304 of the Family Violence Prevention and Services Act (42 U.S.C. 10403) is amended—

(1) in subsection (a), by striking ''for grants to States for any fiscal year'' and all that follows and inserting the following: ''and available for grants to States under this subsection for any fiscal year—

''(1) Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands shall each be allotted not less than ⅛ of 1 percent of the amounts available for grants under section 303(a) for the fiscal year for which the allotment is made; and

''(2) each State shall be allotted for payment in a grant authorized under section 303(a), $600,000, with the remaining funds to be allotted to each State in an amount that bears the same ratio to such remaining funds as the population of such State bears to the population of all States.'';

(2) in subsection (c), in the first sentence, by inserting ''and available'' before ''for grants''; and

(3) by adding at the end the following:

''(e) In subsection (a)(2), the term ''State'' does not include any jurisdiction specified in subsection (a)(1).''.

SEC. 1203. TRANSITIONAL HOUSING ASSISTANCE FOR VICTIMS OF DOMESTIC VIOLENCE.

Title III of the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following:

''SEC. 319. TRANSITIONAL HOUSING ASSISTANCE.

''(a) IN GENERAL.—The Secretary shall award grants under this section to carry out programs to provide assistance to individuals, and their dependents—

''(1) who are homeless or in need of transitional housing or other housing assistance, as a result of fleeing a situation of domestic violence; and

''(2) for whom emergency shelter services are unavailable or insufficient.

''(b) ASSISTANCE DESCRIBED.—Assistance provided under this section may include—

''(1) short-term housing assistance, including rental or utilities payments assistance and assistance with related expenses, such as payment of security deposits and other costs incidental to relocation to transitional housing, in cases in which assistance described in this paragraph is necessary to prevent homelessness because an individual or dependent is fleeing a situation of domestic violence; and

''(2) support services designed to enable an individual or dependent who is fleeing a situation of domestic violence to locate and secure permanent housing, and to integrate the individual or dependent into a community, such as transportation, counseling, child care services, case management, employment counseling, and other assistance.

''(c) TERM OF ASSISTANCE.—

''(1) IN GENERAL.—Subject to paragraph (2), an individual or dependent assisted under this section may not receive assistance under this section for a total of more than 12 months.

''(2) WAIVER.—The recipient of a grant under this section may waive the restrictions of paragraph (1) for up to an additional 6-month period with respect to any individual (and dependents of the individual) who has made a good-faith effort to acquire permanent housing and has been unable to acquire the housing.

''(d) REPORTS.—

''(1) REPORT TO SECRETARY.—

''(A) IN GENERAL.—An entity that receives a grant under this section shall annually prepare and submit to the Secretary a report describing the number of individuals and dependents assisted, and the types of housing assistance and support services provided, under this section.

''(B) CONTENTS.—Each report shall include information on—

''(i) the purpose and amount of housing assistance provided to each individual or dependent assisted under this section;

''(ii) the number of months each individual or dependent received the assistance;

''(iii) the number of individuals and dependents who were eligible to receive the assistance, and to whom the entity could not provide the assistance solely due to a lack of available housing; and

''(iv) the type of support services provided to each individual or dependent assisted under this section.

''(2) REPORT TO CONGRESS.—The Secretary shall annually prepare and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that contains a compilation of the information contained in reports submitted under paragraph (1).

''(e) EVALUATION, MONITORING, AND ADMINISTRATION.—Of the amount appropriated under subsection (f) for each fiscal year, not more than 1 percent shall be used by the Secretary for evaluation, monitoring, and administrative costs under this section.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $25,000,000 for fiscal year 2001.''.

SEC. 1204. NATIONAL DOMESTIC VIOLENCE HOTLINE.

Section 316(f) of the Family Violence Prevention and Services Act (42 U.S.C. 10416(f)) is amended by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 1205. FEDERAL VICTIMS COUNSELORS.

Section 40114 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–

322; 108 Stat. 1910) is amended by striking ''(such as District of Columbia)—'' and all that follows and inserting ''(such as District of Columbia), $1,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 1206. STUDY OF STATE LAWS REGARDING INSURANCE DISCRIMINATION AGAINST VICTIMS OF VIOLENCE AGAINST WOMEN.

(a) IN GENERAL.—The Attorney General shall conduct a national study to identify State laws that address discrimination against victims of domestic violence and sexual assault related to issuance or administration of insurance policies.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the findings and recommendations of the study required by subsection (a).

SEC. 1207. STUDY OF WORKPLACE EFFECTS FROM VIOLENCE AGAINST WOMEN.

The Attorney General shall—

(1) conduct a national survey of plans, programs, and practices developed to assist employers and employees on appropriate responses in the workplace related to victims of domestic violence, stalking, or sexual assault; and

(2) not later than 18 months after the date of enactment of this Act, submit to Congress a report describing the results of that survey, which report shall include the recommendations of the Attorney General to assist employers and employees affected in the workplace by incidents of domestic violence, stalking, and sexual assault.

SEC. 1208. STUDY OF UNEMPLOYMENT COMPENSATION FOR VICTIMS OF VIOLENCE AGAINST WOMEN.

The Secretary of Labor, in consultation with the Attorney General, shall—

(1) conduct a national study to identify State laws that address the separation from employment of an employee due to circumstances directly resulting from the experience of domestic violence by the employee and circumstances governing that receipt (or nonreceipt) by the employee of unemployment compensation based on such separation; and

(2) not later than 1 year after the date of enactment of this Act, submit to Congress a report describing the results of that study, together with any recommendations based on that study.

SEC. 1209. ENHANCING PROTECTIONS FOR OLDER AND DISABLED WOMEN FROM DOMESTIC VIOLENCE AND SEXUAL ASSAULT.

(a) ELDER ABUSE, NEGLECT, AND EXPLOITATION.—The Violence Against Women Act of 1994 (108 Stat. 1902 et seq.) is amended by adding at the end the following:

"Subtitle H—Elder Abuse, Neglect, and Exploitation, Including Domestic Violence and Sexual Assault Against Older or Disabled Individuals

"SEC. 40801. DEFINITIONS.

''In this subtitle:

''(1) IN GENERAL.—The terms 'elder abuse, neglect, and exploitation', and 'older individual' have the meanings given the terms in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

''(2) DOMESTIC VIOLENCE.—The term 'domestic violence' has the meaning given such term by section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2).

''(3) SEXUAL ASSAULT.—The term 'sexual assault' has the meaning given the term in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2).

"SEC. 40802. TRAINING PROGRAMS FOR LAW ENFORCEMENT OFFICERS.

''The Attorney General may make grants for training programs to assist law enforcement officers, prosecutors, and relevant officers of Federal, State, tribal, and local courts in recognizing, addressing, investigating, and prosecuting instances of elder abuse, neglect, and exploitation and violence against individuals with disabilities, including domestic violence and sexual assault, against older or disabled individuals.

"SEC. 40803. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this subtitle $5,000,000 for each of fiscal years 2001 through 2005.''.

(b) PROTECTIONS FOR OLDER AND DISABLED INDIVIDUALS FROM DOMESTIC VIOLENCE AND SEXUAL ASSAULT IN PRO-ARREST GRANTS.—Section 2101(b) of part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended by adding at the end the following:

''(8) To develop or strengthen policies and training for police, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence and sexual assault against older individuals (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)) and individuals with disabilities (as defined in section 3(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2))).''.

(c) PROTECTIONS FOR OLDER AND DISABLED INDIVIDUALS FROM DOMESTIC VIOLENCE AND SEXUAL ASSAULT IN STOP GRANTS.—Section 2001(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(b)) (as amended by section 1103(b) of this division) is amended by adding at the end the following:

''(10) developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of domestic violence or sexual assault, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals; and''.

TITLE III—LIMITING THE EFFECTS OF VIOLENCE ON CHILDREN

SEC. 1301. SAFE HAVENS FOR CHILDREN PILOT PROGRAM.

(a) IN GENERAL.—The Attorney General may award grants to States, units of local government, and Indian tribal governments that propose to enter into or expand the scope of existing contracts and cooperative agreements with public or private nonprofit entities to provide supervised visitation and safe visitation exchange of children by and between parents in situations involving domestic violence, child abuse, sexual assault, or stalking.

(b) CONSIDERATIONS.—In awarding grants under subsection (a), the Attorney General shall take into account—

(1) the number of families to be served by the proposed visitation programs and services;

(2) the extent to which the proposed supervised visitation programs and services serve underserved populations (as defined in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2));

(3) with respect to an applicant for a contract or cooperative agreement, the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community served, including the State or tribal domestic violence coalition, State or tribal sexual assault coalition, local shelters, and programs for domestic violence and sexual assault victims; and

(4) the extent to which the applicant demonstrates coordination and collaboration with State and local court systems, including mechanisms for communication and referral.

(c) APPLICANT REQUIREMENTS.—The Attorney General shall award grants for contracts and cooperative agreements to applicants that—

(1) demonstrate expertise in the area of family violence, including the areas of domestic violence or sexual assault, as appropriate;

(2) ensure that any fees charged to individuals for use of programs and services are based on the income of those individuals, unless otherwise provided by court order;

(3) demonstrate that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, are in place for the operation of supervised visitation programs and services or safe visitation exchange; and

(4) prescribe standards by which the supervised visitation or safe visitation exchange will occur.

(d) REPORTING.—

(1) IN GENERAL.—Not later than 1 year after the last day of the first fiscal year commencing on or after the date of enactment of this Act, and not later than 180 days after the last day of each fiscal year thereafter, the Attorney General shall submit to Congress a report that includes information concerning—

(A) the number of—

(i) individuals served and the number of individuals turned away from visitation programs and services and safe visitation exchange (categorized by State);

(ii) the number of individuals from underserved populations served and turned away from services; and

(iii) the type of problems that underlie the need for supervised visitation or safe visitation exchange, such as domestic violence, child abuse, sexual assault, other physical abuse, or a combination of such factors;

(B) the numbers of supervised visitations or safe visitation exchanges ordered under this section during custody determinations under a separation or divorce decree or protection order, through child protection services or other social services agencies, or by any other order of a civil, criminal, juvenile, or family court;

(C) the process by which children or abused partners are protected during visitations, temporary custody transfers, and other activities for which supervised visitation is established under this section;

(D) safety and security problems occurring during the reporting period during supervised visitation under this section, including the number of parental abduction cases; and

(E) the number of parental abduction cases in a judicial district using supervised visitation programs and services under this section, both as identified in criminal prosecution and custody violations.

(2) GUIDELINES.—The Attorney General shall establish guidelines for the collection and reporting of data under this subsection.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2001 and 2002.

(f) ALLOTMENT FOR INDIAN TRIBES.—Not less than 5 percent of the total amount made available for each fiscal year to carry out this section shall be available for grants to Indian tribal governments.

SEC. 1302. REAUTHORIZATION OF VICTIMS OF CHILD ABUSE PROGRAMS.

(a) COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.—Section 218 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13014) is amended by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—There is authorized to be appropriated to carry out this subtitle $12,000,000 for each of fiscal years 2001 through 2005.''.

(b) CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.—Section 224 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—There is authorized to be appropriated to carry out this subtitle $2,300,000 for each of fiscal years 2001 through 2005.''.

(c) GRANTS FOR TELEVISED TESTIMONY.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C.

3793(a)) is amended by striking paragraph (7) and inserting the following:

''(7) There is authorized to be appropriated to carry out part N $1,000,000 for each of fiscal years 2001 through 2005.''.

(d) DISSEMINATION OF INFORMATION.—The Attorney General shall—

(1) annually compile and disseminate information (including through electronic publication) about the use of amounts expended and the projects funded under section 218(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13014(a)), section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)), and section 1007(a)(7) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(7)), including any evaluations of the projects and information to enable replication and adoption of the strategies identified in the projects; and

(2) focus dissemination of the information described in paragraph (1) toward community-based programs, including domestic violence and sexual assault programs.

SEC. 1303. REPORT ON EFFECTS OF PARENTAL KIDNAPPING LAWS IN DOMESTIC VIOLENCE CASES.

(a) IN GENERAL.—The Attorney General shall—

(1) conduct a study of Federal and State laws relating to child custody, including custody provisions in protection orders, the Uniform Child Custody Jurisdiction and Enforcement Act adopted by the National Conference of Commissioners on Uniform State Laws in July 1997, the Parental Kidnaping Prevention Act of 1980 and the amendments made by that Act, and the effect of those laws on child custody cases in which domestic violence is a factor; and

(2) submit to Congress a report describing the results of that study, including the effects of implementing or applying model State laws, and the recommendations of the Attorney General to reduce the incidence or pattern of violence against women or of sexual assault of the child.

(b) SUFFICIENCY OF DEFENSES.—In carrying out subsection (a) with respect to the Parental Kidnaping Prevention Act of 1980 and the amendments made by that Act, the Attorney General shall examine the sufficiency of defenses to parental abduction charges available in cases involving domestic violence, and the burdens and risks encountered by victims of domestic violence arising from jurisdictional requirements of that Act and the amendments made by that Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000 for fiscal year 2001.

(d) CONDITION FOR CUSTODY DETERMINATION.—Section 1738A(c)(2)(C)(ii) of title 28, United States Code, is amended by striking ''he'' and inserting ''the child, a sibling, or parent of the child''.

TITLE IV—STRENGTHENING EDUCATION AND TRAINING TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 1401. RAPE PREVENTION AND EDUCATION.

(a) IN GENERAL.—Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 393A the following:

"SEC. 393B. USE OF ALLOTMENTS FOR RAPE PREVENTION EDUCATION.

''(a) PERMITTED USE.—The Secretary, acting through the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention, shall award targeted grants to States to be used for rape prevention and education programs conducted by rape crisis centers, State sexual assault coalitions, and other public and private nonprofit entities for—

''(1) educational seminars;

''(2) the operation of hotlines;

''(3) training programs for professionals;

''(4) the preparation of informational material;

''(5) education and training programs for students and campus personnel designed to reduce the incidence of sexual assault at colleges and universities;

''(6) education to increase awareness about drugs used to facilitate rapes or sexual assaults; and

''(7) other efforts to increase awareness of the facts about, or to help prevent, sexual assault, including efforts to increase awareness in underserved communities and awareness among individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).

''(b) COLLECTION AND DISSEMINATION OF INFORMATION ON SEXUAL ASSAULT.—The Secretary shall, through the National Resource Center on Sexual Assault established under the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention, provide resource information, policy, training, and technical assistance to Federal, State, local, and Indian tribal agencies, as well as to State sexual assault coalitions and local sexual assault programs and to other professionals and interested parties on issues relating to sexual assault, including maintenance of a central resource library in order to collect, prepare, analyze, and disseminate information and statistics and analyses thereof relating to the incidence and prevention of sexual assault.

''(c) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $80,000,000 for each of fiscal years 2001 through 2005.

''(2) NATIONAL RESOURCE CENTER ALLOTMENT.—Of the total amount made available under this subsection in each fiscal year, not more than the greater of $1,000,000 or 2 percent of such amount shall be available for allotment under subsection (b).

''(d) LIMITATIONS.—

''(1) SUPPLEMENT NOT SUPPLANT.—Amounts provided to States under this section shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide services of the type described in subsection (a).

''(2) STUDIES.—A State may not use more than 2 percent of the amount received by the State under this section for each fiscal year for surveillance studies or prevalence studies.

''(3) ADMINISTRATION.—A State may not use more than 5 percent of the amount received by the State under this section for each fiscal year for administrative expenses.''.

(b) REPEAL.—Section 40151 of the Violence Against Women Act of 1994 (108 Stat. 1920), and the amendment made by such section, is repealed.

SEC. 1402. EDUCATION AND TRAINING TO END VIOLENCE AGAINST AND ABUSE OF WOMEN WITH DISABILITIES.

(a) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services, may award grants to States, units of local government, Indian tribal governments, and nongovernmental private entities to provide education and technical assistance for the purpose of providing training, consultation, and information on domestic violence, stalking, and sexual assault against women who are individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).

(b) PRIORITIES.—In awarding grants under this section, the Attorney General shall give priority to applications designed to provide education and technical assistance on—

(1) the nature, definition, and characteristics of domestic violence, stalking, and sexual assault experienced by women who are individuals with disabilities;

(2) outreach activities to ensure that women who are individuals with disabilities who are victims of domestic violence, stalking, and sexual assault receive appropriate assistance;

(3) the requirements of shelters and victim services organizations under Federal anti-discrimination laws, including the Americans with Disabilities Act of 1990 and section 504 of the Rehabilitation Act of 1973; and

(4) cost-effective ways that shelters and victim services may accommodate the needs of individuals with disabilities in accordance with the Americans with Disabilities Act of 1990.

(c) USES OF GRANTS.—Each recipient of a grant under this section shall provide information and training to organizations and programs that provide services to individuals with disabilities, including independent living centers, disability-related service organizations, and domestic violence programs providing shelter or related assistance.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $7,500,000 for each of fiscal years 2001 through 2005.

SEC. 1403. COMMUNITY INITIATIVES.

Section 318 of the Family Violence Prevention and Services Act (42 U.S.C. 10418) is amended by striking subsection (h) and inserting the following:

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $6,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 1404. DEVELOPMENT OF RESEARCH AGENDA IDENTIFIED BY THE VIOLENCE AGAINST WOMEN ACT OF 1994.

(a) IN GENERAL.—The Attorney General shall—

(1) direct the National Institute of Justice, in consultation and coordination with the Bureau of Justice Statistics and the National Academy of Sciences, through its National Research Council, to develop a research agenda based on the recommendations contained in the report entitled ''Understanding Violence Against Women'' of the National Academy of Sciences; and

(2) not later than 1 year after the date of enactment of this Act, in consultation with the Secretary of the Department of Health and Human Services, submit to Congress a report which shall include—

(A) a description of the research agenda developed under paragraph (1) and a plan to implement that agenda;

(B) recommendations for priorities in carrying out that agenda to most effectively advance knowledge about and means by which to prevent or reduce violence against women.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 1405. STANDARDS, PRACTICE, AND TRAINING FOR SEXUAL ASSAULT FORENSIC EXAMINATIONS.

(a) IN GENERAL.—The Attorney General shall—

(1) evaluate existing standards of training and practice for licensed health care professionals performing sexual assault forensic examinations and develop a national recommended standard for training;

(2) recommend sexual assault forensic examination training for all health care students to improve the recognition of injuries suggestive of rape and sexual assault and baseline knowledge of appropriate referrals in victim treatment and evidence collection; and

(3) review existing national, State, tribal, and local protocols on sexual assault forensic examinations, and based on this review, develop a recommended national protocol and establish a mechanism for its nationwide dissemination.

(b) CONSULTATION.—The Attorney General shall consult with national, State, tribal, and local experts in the area of rape and sexual assault, including rape crisis centers, State and tribal sexual assault and domestic violence coalitions and programs, and programs for criminal justice, forensic nursing, forensic science, emergency room medicine, law, social services, and sex crimes in underserved communities (as defined in section 2003(7) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2(7)), as amended by this division).

(c) REPORT.—The Attorney General shall ensure that not later than 1 year after the date of enactment of this Act, a report of the actions taken pursuant to subsection (a) is submitted to Congress.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000 for fiscal year 2001.

SEC. 1406. EDUCATION AND TRAINING FOR JUDGES AND COURT PERSONNEL.

(a) GRANTS FOR EDUCATION AND TRAINING FOR JUDGES AND COURT PERSONNEL IN STATE COURTS.—

(1) SECTION 40412.—Section 40412 of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 13992) is amended—

(A) by striking ''and'' at the end of paragraph (18);

(B) by striking the period at the end of paragraph (19) and inserting a semicolon; and

(C) by inserting after paragraph (19) the following:

''(20) the issues raised by domestic violence in determining custody and visitation, including how to protect the safety of the child and of a parent who is not a predominant aggressor of domestic violence, the legitimate reasons parents may report domestic violence, the ways domestic violence may relate to an abuser's desire to seek custody, and evaluating expert testimony in custody and visitation determinations involving domestic violence;

''(21) the issues raised by child sexual assault in determining custody and visitation, including how to protect the safety of the child, the legitimate reasons parents may report child sexual assault, and evaluating expert testimony in custody and visitation determinations involving child sexual assault, including the current scientifically-accepted and empirically valid research on child sexual assault;

''(22) the extent to which addressing domestic violence and victim safety contributes to the efficient administration of justice;''.

(2) SECTION 40414.—Section 40414(a) of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 13994(a)) is amended by inserting ''and $1,500,000 for each of the fiscal years 2001 through 2005'' after ''1996''.

(b) GRANTS FOR EDUCATION AND TRAINING FOR JUDGES AND COURT PERSONNEL IN FEDERAL COURTS.—

(1) SECTION 40421.—Section 40421(d) of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 14001(d)) is amended to read as follows:

''(d) CONTINUING EDUCATION AND TRAINING PROGRAMS.—The Federal Judicial Center, in carrying out section 620(b)(3) of title 28, United States Code, shall include in the educational programs it prepares, including the training programs for newly appointed judges, information on the aspects of the topics listed in section 40412 that pertain to issues within the jurisdiction of the Federal courts, and shall prepare materials necessary to implement this subsection.''.

(2) SECTION 40422.—Section 40422(2) of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 14002(2)) is amended by inserting ''and $500,000 for each of the fiscal years 2001 through 2005'' after ''1996''.

(c) TECHNICAL AMENDMENTS TO THE EQUAL JUSTICE FOR WOMEN IN THE COURTS ACT OF 1994.—

(1) ENSURING COLLABORATION WITH DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROGRAMS.—Section 40413 of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 13993) is amended by adding '', including national, State, tribal, and local domestic violence and sexual assault programs and coalitions'' after ''victim advocates''.

(2) PARTICIPATION OF TRIBAL COURTS IN STATE TRAINING AND EDUCATION PROGRAMS.—Section 40411 of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 13991) is amended by adding at the end the following: ''Nothing shall preclude the attendance of tribal judges and court personnel at programs funded under this section for States to train judges and court personnel on the laws of the States.''.

(3) USE OF FUNDS FOR DISSEMINATION OF MODEL PROGRAMS.—Section 40414 of the Equal Justice for Women in the Courts Act of 1994 (42 U.S.C. 13994) is amended by adding at the end the following:

''(c) STATE JUSTICE INSTITUTE.—The State Justice Institute may use up to 5 percent of the funds appropriated under this section for annually compiling and broadly disseminating (including through electronic publication) information about the use of funds and about the projects funded under this section, including any evaluations of the projects and information to enable the replication and adoption of the projects.''.

(d) DATING VIOLENCE.—

(1) SECTION 40411.—Section 40411 of the Equal Justice for Women in Courts Act of 1994 (42 U.S.C 13991) is amended by inserting ''dating violence,'' after ''domestic violence,''.

(2) SECTION 40412.—Section 40412 of such Act (42 U.S.C 13992) is amended—

(A) in paragraph (10), by inserting ''and dating violence (as defined in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3996gg–2))'' before the semicolon;

(B) in paragraph (11), by inserting ''and dating violence'' after ''domestic violence'';

(C) in paragraph (13), by inserting ''and dating violence'' after ''domestic violence'' in both places that it appears;

(D) in paragraph (17), by inserting ''or dating violence'' after ''domestic violence'' in both places that it appears; and

(E) in paragraph (18), by inserting ''and dating violence'' after ''domestic violence''.

SEC. 1407. DOMESTIC VIOLENCE TASK FORCE

The Violence Against Women Act of 1994 (108 Stat. 1902 et seq.) (as amended by section 1209(a) of this division) is amended by adding at the end the following:

"Subtitle I—Domestic Violence Task Force

"SEC. 40901. TASK FORCE.

''(a) ESTABLISH.—The Attorney General, in consultation with national nonprofit, nongovernmental organizations whose primary expertise is in domestic violence, shall establish a task force to coordinate research on domestic violence and to report to Congress on any overlapping or duplication of efforts on domestic violence issues. The task force shall be comprised of representatives from all Federal agencies that fund such research.

''(b) USES OF FUNDS.—Funds appropriated under this section shall be used to—

''(1) develop a coordinated strategy to strengthen research focused on domestic violence education, prevention, and intervention strategies;

''(2) track and report all Federal research and expenditures on domestic violence; and

''(3) identify gaps and duplication of efforts in domestic violence research and governmental expenditures on domestic violence issues.

''(c) REPORT.—The Task Force shall report to Congress annually on its work under subsection (b).

''(d) DEFINITION.—For purposes of this section, the term 'domestic violence' has the meaning given such term by section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2(1)).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000 for each of fiscal years 2001 through 2004.''.

TITLE V—BATTERED IMMIGRANT WOMEN

SEC. 1501. SHORT TITLE.

This title may be cited as the ''Battered Immigrant Women Protection Act of 2000''.

SEC. 1502. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the goal of the immigration protections for battered immigrants included in the Violence Against Women Act of 1994 was to remove immigration laws as a barrier that kept battered immigrant women and children locked in abusive relationships;

(2) providing battered immigrant women and children who were experiencing domestic violence at home with protection against deportation allows them to obtain protection orders against their abusers and frees them to cooperate with law enforcement and prosecutors in criminal cases brought against their abusers and the abusers of their children without fearing that the abuser will retaliate by withdrawing or threatening withdrawal of access to an immigration benefit under the abuser's control; and

(3) there are several groups of battered immigrant women and children who do not have access to the immigration protections of the Violence Against Women Act of 1994 which means that their abusers are virtually immune from prosecution because their victims can be deported as a result of action by their abusers and the Immigration and Naturalization Service cannot offer them protection no matter how compelling their case under existing law.

(b) PURPOSES.—The purposes of this title are—

(1) to remove barriers to criminal prosecutions of persons who commit acts of battery or extreme cruelty against immigrant women and children; and

(2) to offer protection against domestic violence occurring in family and intimate relationships that are covered in State and tribal protection orders, domestic violence, and family law statutes.

SEC. 1503. IMPROVED ACCESS TO IMMIGRATION PROTECTIONS OF THE VIOLENCE AGAINST WOMEN ACT OF 1994 FOR BATTERED IMMIGRANT WOMEN.

(a) INTENDED SPOUSE DEFINED.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(50) The term 'intended spouse' means any alien who meets the criteria set forth in section 204(a)(1)(A)(iii)(II)(aa)(BB), 204(a)(1)(B)(ii)(II)(aa)(BB), or 240A(b)(2)(A)(i)(III).''.

(b) IMMEDIATE RELATIVE STATUS FOR SELF-PETITIONERS MARRIED TO U.S. CITIZENS.—

(1) SELF-PETITIONING SPOUSES.—

(A) BATTERY OR CRUELTY TO ALIEN OR ALIEN'S CHILD.—Section 204(a)(1)(A)(iii) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)(iii)) is amended to read as follows:

''(iii)(I) An alien who is described in subclause (II) may file a petition with the Attorney General under this clause for classification of the alien (and any child of the alien) if the alien demonstrates to the Attorney General that—

''(aa) the marriage or the intent to marry the United States citizen was entered into in good faith by the alien; and

''(bb) during the marriage or relationship intended by the alien to be legally a marriage, the alien or a child of the alien has been battered or has been the subject of extreme cruelty perpetrated by the alien's spouse or intended spouse.

''(II) For purposes of subclause (I), an alien described in this subclause is an alien—

''(aa)(AA) who is the spouse of a citizen of the United States;

''(BB) who believed that he or she had married a citizen of the United States and with whom a marriage ceremony was actually performed and who otherwise meets any applicable requirements under this Act to establish the existence of and bona fides of a marriage, but whose marriage is not legitimate solely because of the bigamy of such citizen of the United States; or

''(CC) who was a bona fide spouse of a United States citizen within the past 2 years and—

''(aaa) whose spouse died within the past 2 years;

''(bbb) whose spouse lost or renounced citizenship status within the past 2 years related to an incident of domestic violence; or

''(ccc) who demonstrates a connection between the legal termination of the marriage within the past 2 years and battering or extreme cruelty by the United States citizen spouse;

''(bb) who is a person of good moral character;

''(cc) who is eligible to be classified as an immediate relative under section 201(b)(2)(A)(i) or who would have been so classified but for the bigamy of the citizen of the United States that the alien intended to marry; and

''(dd) who has resided with the alien's spouse or intended spouse.''.

(2) SELF-PETITIONING CHILDREN.—Section 204(a)(1)(A)(iv) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)(iv)) is amended to read as follows:

''(iv) An alien who is the child of a citizen of the United States, or who was a child of a United States citizen parent who within the past 2 years lost or renounced citizenship status related to an incident of domestic violence, and who is a person of good moral character, who is eligible to be classified as an immediate relative under section 201(b)(2)(A)(i), and who resides, or has resided in the past, with the citizen parent may file a petition with the Attorney General under this subparagraph for classification of the alien (and any child of the alien) under such section if the alien demonstrates to the Attorney General that the alien has been battered by or has been the subject of extreme cruelty perpetrated by the alien's citizen parent. For purposes of this clause, residence includes any period of visitation.''.

(3) FILING OF PETITIONS.—Section 204(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)) is amended by adding at the end the following:

''(v) An alien who—

''(I) is the spouse, intended spouse, or child living abroad of a citizen who—

''(aa) is an employee of the United States Government;

''(bb) is a member of the uniformed services (as defined in section 101(a) of title 10, United States Code); or

''(cc) has subjected the alien or the alien's child to battery or extreme cruelty in the United States; and

''(II) is eligible to file a petition under clause (iii) or (iv);

shall file such petition with the Attorney General under the procedures that apply to self-petitioners under clause (iii) or (iv), as applicable.''.

(c) SECOND PREFERENCE IMMIGRATION STATUS FOR SELF-PETITIONERS MARRIED TO LAWFUL PERMANENT RESIDENTS.—

(1) SELF-PETITIONING SPOUSES.—Section 204(a)(1)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(B)(ii)) is amended to read as follows:

''(ii)(I) An alien who is described in subclause (II) may file a petition with the Attorney General under this clause for classification of the alien (and any child of the alien) if such a child has not been classified under clause (iii) of section 203(a)(2)(A) and if the alien demonstrates to the Attorney General that—

''(aa) the marriage or the intent to marry the lawful permanent resident was entered into in good faith by the alien; and

''(bb) during the marriage or relationship intended by the alien to be legally a marriage, the alien or a child of the alien has been battered or has been the subject of extreme cruelty perpetrated by the alien's spouse or intended spouse.

''(II) For purposes of subclause (I), an alien described in this paragraph is an alien—

''(aa)(AA) who is the spouse of a lawful permanent resident of the United States; or

''(BB) who believed that he or she had married a lawful permanent resident of the United States and with whom a marriage ceremony was actually performed and who otherwise meets any applicable requirements under this Act to establish the existence of and bona fides of a marriage, but whose marriage is not legitimate solely because of the bigamy of such lawful permanent resident of the United States; or

''(CC) who was a bona fide spouse of a lawful permanent resident within the past 2 years and—

''(aaa) whose spouse lost status within the past 2 years due to an incident of domestic violence; or

''(bbb) who demonstrates a connection between the legal termination of the marriage within the past 2 years and battering or extreme cruelty by the lawful permanent resident spouse;

''(bb) who is a person of good moral character;

''(cc) who is eligible to be classified as a spouse of an alien lawfully admitted for permanent residence under section 203(a)(2)(A) or who would have been so classified but for the bigamy of the lawful permanent resident of the United States that the alien intended to marry; and

''(dd) who has resided with the alien's spouse or intended spouse.''.

(2) SELF-PETITIONING CHILDREN.—Section 204(a)(1)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(B)(iii)) is amended to read as follows:

''(iii) An alien who is the child of an alien lawfully admitted for permanent residence, or who was the child of a lawful permanent resident who within the past 2 years lost lawful permanent resident status due to an incident of domestic violence, and who is a person of good moral character, who is eligible for classification under section 203(a)(2)(A), and who resides, or has resided in the past, with the alien's permanent resident alien parent may file a petition with the Attorney General under this subparagraph for classification of the alien (and any child of the alien) under such section if the alien demonstrates to the Attorney General that the alien has been battered by or has been the subject of extreme cruelty perpetrated by the alien's permanent resident parent.''.

(3) FILING OF PETITIONS.—Section 204(a)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(B)) is amended by adding at the end the following:

''(iv) An alien who—

''(I) is the spouse, intended spouse, or child living abroad of a lawful permanent resident who—

''(aa) is an employee of the United States Government;

''(bb) is a member of the uniformed services (as defined in section 101(a) of title 10, United States Code); or

''(cc) has subjected the alien or the alien's child to battery or extreme cruelty in the United States; and

''(II) is eligible to file a petition under clause (ii) or (iii);

shall file such petition with the Attorney General under the procedures that apply to self-petitioners under clause (ii) or (iii), as applicable.''.

(d) GOOD MORAL CHARACTER DETERMINATIONS FOR SELF-PETITIONERS AND TREATMENT OF CHILD SELF-PETITIONERS AND PETITIONS INCLUDING DERIVATIVE CHILDREN ATTAINING 21 YEARS OF AGE.—Section 204(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)) is amended—

(1) by redesignating subparagraphs (C) through (H) as subparagraphs (E) through (J), respectively;

(2) by inserting after subparagraph (B) the following:

''(C) Notwithstanding section 101(f), an act or conviction that is waivable with respect to the petitioner for purposes of a determination of the petitioner's admissibility under section 212(a) or deportability under section 237(a) shall not bar the Attorney General from finding the petitioner to be of good moral character under subparagraph (A)(iii), (A)(iv), (B)(ii), or (B)(iii) if the Attorney General finds that the act or conviction was connected to the alien's having been battered or subjected to extreme cruelty.

''(D)(i)(I) Any child who attains 21 years of age who has filed a petition under clause (iv) of section 204(a)(1)(A) that was filed or approved before the date on which the child attained 21 years of age shall be considered (if the child has not been admitted or approved for lawful permanent residence by the date the child attained 21 years of age) a petitioner for preference status under paragraph (1), (2), or (3) of section 203(a), whichever paragraph is applicable, with the same priority date assigned to the self-petition filed under clause (iv) of section 204(a)(1)(A). No new petition shall be required to be filed.

''(II) Any individual described in subclause (I) is eligible for deferred action and work authorization.

''(III) Any derivative child who attains 21 years of age who is included in a petition described in clause (ii) that was filed or approved before the date on which the child attained 21 years of age shall be considered (if the child has not been admitted or approved for lawful permanent residence by the date the child attained 21 years of age) a petitioner for preference status under paragraph (1), (2), or (3) of section 203(a), whichever paragraph is applicable, with the same priority date as that assigned to the petitioner in any petition described in clause (ii). No new petition shall be required to be filed.

''(IV) Any individual described in subclause (III) and any derivative child of a petition described in clause (ii) is eligible for deferred action and work authorization.

''(ii) The petition referred to in clause (i)(III) is a petition filed by an alien under subparagraph (A)(iii), (A)(iv), (B)(ii) or (B)(iii) in which the child is included as a derivative beneficiary.''; and

(3) in subparagraph (J) (as so redesignated), by inserting ''or in making determinations under subparagraphs (C) and (D),'' after ''subparagraph (B),''.

(e) ACCESS TO NATURALIZATION FOR DIVORCED VICTIMS OF ABUSE.—Section 319(a) of the Immigration and Nationality Act (8 U.S.C. 1430(a)) is amended—

(1) by inserting '', or any person who obtained status as a lawful permanent resident by reason of his or her status as a spouse or child of a United States citizen who battered him or her or subjected him or her to extreme cruelty,'' after ''United States'' the first place such term appears; and

(2) by inserting ''(except in the case of a person who has been battered or subjected to extreme cruelty by a United States citizen spouse or parent)'' after ''has been living in marital union with the citizen spouse''.

SEC. 1504. IMPROVED ACCESS TO CANCELLATION OF REMOVAL AND SUSPENSION OF DEPORTATION UNDER THE VIOLENCE AGAINST WOMEN ACT OF 1994.

(a) CANCELLATION OF REMOVAL AND ADJUSTMENT OF STATUS FOR CERTAIN NONPERMANENT RESIDENTS.—Section 240A(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)(2)) is amended to read as follows:

''(2) SPECIAL RULE FOR BATTERED SPOUSE OR CHILD.—

''(A) AUTHORITY.—The Attorney General may cancel removal of, and adjust to the status of an alien lawfully admitted for permanent residence, an alien who is inadmissible or deportable from the United States if the alien demonstrates that—

''(i)(I) the alien has been battered or subjected to extreme cruelty by a spouse or parent who is or was a United States citizen (or is the parent of a child of a United States citizen and the child has been battered or subjected to extreme cruelty by such citizen parent);

''(II) the alien has been battered or subjected to extreme cruelty by a spouse or parent who is or was a lawful permanent resident (or is the parent of a child of an alien who is or was a lawful permanent resident and the child has

been battered or subjected to extreme cruelty by such permanent resident parent); or

''(III) the alien has been battered or subjected to extreme cruelty by a United States citizen or lawful permanent resident whom the alien intended to marry, but whose marriage is not legitimate because of that United States citizen's or lawful permanent resident's bigamy;

''(ii) the alien has been physically present in the United States for a continuous period of not less than 3 years immediately preceding the date of such application, and the issuance of a charging document for removal proceedings shall not toll the 3-year period of continuous physical presence in the United States;

''(iii) the alien has been a person of good moral character during such period, subject to the provisions of subparagraph (C);

''(iv) the alien is not inadmissible under paragraph (2) or (3) of section 212(a), is not deportable under paragraphs (1)(G) or (2) through (4) of section 237(a) (except in a case described in section 237(a)(7) where the Attorney General exercises discretion to grant a waiver), and has not been convicted of an aggravated felony; and

''(v) the removal would result in extreme hardship to the alien, the alien's child, or the alien's parent.

''(B) PHYSICAL PRESENCE.—Notwithstanding subsection (d)(2), for purposes of subparagraph (A)(i)(II) or for purposes of section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996), an alien shall not be considered to have failed to maintain continuous physical presence by reason of an absence if the alien demonstrates a connection between the absence and the battering or extreme cruelty perpetrated against the alien. No absence or portion of an absence connected to the battering or extreme cruelty shall count toward the 90-day or 180-day limits established in subsection (d)(2). If any absence or aggregate absences exceed 180 days, the absences or portions of the absences will not be considered to break the period of continuous presence. Any such period of time excluded from the 180-day limit shall be excluded in computing the time during which the alien has been physically present for purposes of the 3-year requirement set forth in section 240A(b)(2)(B) and section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996).

''(C) GOOD MORAL CHARACTER.—Notwithstanding section 101(f), an act or conviction that does not bar the Attorney General from granting relief under this paragraph by reason of subparagraph (A)(iv) shall not bar the Attorney General from finding the alien to be of good moral character under subparagraph (A)(i)(III) or section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996), if the Attorney General finds that the act or conviction was connected to the alien's having been battered or subjected to extreme cruelty and determines that a waiver is otherwise warranted.

''(D) CREDIBLE EVIDENCE CONSIDERED.—In acting on applications under this paragraph, the Attorney General shall consider any credible evidence relevant to the application. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Attorney General.''.

(b) CHILDREN OF BATTERED ALIENS AND PARENTS OF BATTERED ALIEN CHILDREN.—Section 240A(b) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)) is amended by adding at the end the following:

''(4) CHILDREN OF BATTERED ALIENS AND PARENTS OF BATTERED ALIEN CHILDREN.—

''(A) IN GENERAL.—The Attorney General shall grant parole under section 212(d)(5) to any alien who is a—

''(i) child of an alien granted relief under section 240A(b)(2) or 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996); or

''(ii) parent of a child alien granted relief under section 240A(b)(2) or 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996).

''(B) DURATION OF PAROLE.—The grant of parole shall extend from the time of the grant of relief under section 240A(b)(2) or section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996) to the time the application for adjustment of status filed by aliens covered under this paragraph has been finally adjudicated. Applications for adjustment of status filed by aliens covered under this paragraph shall be treated as if they were applications filed under section 204(a)(1) (A)(iii), (A)(iv), (B)(ii), or (B)(iii) for purposes of section 245 (a) and (c). Failure by the alien granted relief under section 240A(b)(2) or section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996) to exercise due diligence in filing a visa petition on behalf of an alien described in clause (i) or (ii) may result in revocation of parole.''.

(c) EFFECTIVE DATE.—Any individual who becomes eligible for relief by reason of the enactment of the amendments made by subsections (a) and (b), shall be eligible to file a motion to reopen pursuant to section 240(c)(6)(C)(iv). The amendments made by subsections (a) and (b) shall take effect as if included in the enactment of section 304 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 587). Such portions of the amendments made by subsection (b) that relate to section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996) shall take effect as if included in subtitle G of title IV of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1953 et seq.).

SEC. 1505. OFFERING EQUAL ACCESS TO IMMIGRATION PROTECTIONS OF THE VIOLENCE AGAINST WOMEN ACT OF 1994 FOR ALL QUALIFIED BATTERED IMMIGRANT SELF-PETITIONERS.

(a) BATTERED IMMIGRANT WAIVER.—Section 212(a)(9)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(C)(ii)) is amended by adding at the end the following: ''The Attorney General in the Attorney General's discretion may waive the provisions of section 212(a)(9)(C)(i) in the case of an alien to whom the Attorney General has granted classification under clause (iii), (iv), or (v) of section 204(a)(1)(A), or classification under clause (ii), (iii), or (iv) of section 204(a)(1)(B), in any case in which there is a connection between—

''(1) the alien's having been battered or subjected to extreme cruelty; and

''(2) the alien's—

''(A) removal;

''(B) departure from the United States;

''(C) reentry or reentries into the United States; or

''(D) attempted reentry into the United States.''.

(b) DOMESTIC VIOLENCE VICTIM WAIVER.—

(1) WAIVER FOR VICTIMS OF DOMESTIC VIOLENCE.—Section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)) is amended by inserting at the end the following:

''(7) WAIVER FOR VICTIMS OF DOMESTIC VIOLENCE.—

''(A) IN GENERAL.—The Attorney General is not limited by the criminal court record and may waive the application of paragraph (2)(E)(i) (with respect to crimes of domestic violence and crimes of stalking) and (ii) in the case of an alien who has been battered or subjected to extreme cruelty and who is not and was not the primary perpetrator of violence in the relationship—

''(i) upon a determination that—

''(I) the alien was acting is self-defense;

''(II) the alien was found to have violated a protection order intended to protect the alien; or

''(III) the alien committed, was arrested for, was convicted of, or pled guilty to committing a crime—

''(aa) that did not result in serious bodily injury; and

''(bb) where there was a connection between the crime and the alien's having been battered or subjected to extreme cruelty.

''(B) CREDIBLE EVIDENCE CONSIDERED.—In acting on applications under this paragraph, the Attorney General shall consider any credible evidence relevant to the application. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Attorney General.''.

(2) CONFORMING AMENDMENT.—Section 240A(b)(1)(C) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)(1)(C)) is amended by inserting ''(except in a case described in section 237(a)(7) where the Attorney General exercises discretion to grant a waiver)'' after ''237(a)(3)''.

(c) MISREPRESENTATION WAIVERS FOR BATTERED SPOUSES OF UNITED STATES CITIZENS AND LAWFUL PERMANENT RESIDENTS.—

(1) WAIVER OF INADMISSIBILITY.—Section 212(i)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(i)(1)) is amended by inserting before the period at the end the following: ''or, in the case of an alien granted classification under clause (iii) or (iv) of section 204(a)(1)(A) or clause (ii) or (iii) of section 204(a)(1)(B), the alien demonstrates extreme hardship to the alien or the alien's United States citizen, lawful permanent resident, or qualified alien parent or child''.

(2) WAIVER OF DEPORTABILITY.—Section 237(a)(1)(H) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(1)(H)) is amended—

(A) in clause (i), by inserting ''(I)'' after ''(i)'';

(B) by redesignating clause (ii) as subclause (II); and

(C) by adding after clause (i) the following:

''(ii) is an alien who qualifies for classification under clause (iii) or (iv) of section 204(a)(1)(A) or clause (ii) or (iii) of section 204(a)(1)(B).''.

(d) BATTERED IMMIGRANT WAIVER.—Section 212(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(g)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by adding ''or'' at the end; and

(3) by inserting after subparagraph (B) the following:

''(C) qualifies for classification under clause (iii) or (iv) of section 204(a)(1)(A) or classification under clause (ii) or (iii) of section 204(a)(1)(B);''.

(e) WAIVERS FOR VAWA ELIGIBLE BATTERED IMMIGRANTS.—Section 212(h)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(h)(1)) is amended—

(1) in subparagraph (B), by striking ''and'' and inserting ''or''; and

(2) by adding at the end the following:

''(C) the alien qualifies for classification under clause (iii) or (iv) of section 204(a)(1)(A) or classification under clause (ii) or (iii) of section 204(a)(1)(B); and''.

(f) PUBLIC CHARGE.—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by adding at the end the following:

''(p) In determining whether an alien described in subsection (a)(4)(C)(i) is inadmissible under subsection (a)(4) or ineligible to receive an immigrant visa or otherwise to adjust to the status of permanent resident by reason of subsection (a)(4), the consular officer or the Attorney General shall not consider any benefits the alien may have received that were authorized under section 501 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1641(c)).''.

(g) REPORT.—Not later than 6 months after the date of enactment of this Act, the Attorney

General shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives covering, with respect to fiscal year 1997 and each fiscal year thereafter—

(1) the policy and procedures of the Immigration and Naturalization Service under which an alien who has been battered or subjected to extreme cruelty who is eligible for suspension of deportation or cancellation of removal can request to be placed, and be placed, in deportation or removal proceedings so that such alien may apply for suspension of deportation or cancellation of removal;

(2) the number of requests filed at each district office under this policy;

(3) the number of these requests granted reported separately for each district; and

(4) the average length of time at each Immigration and Naturalization office between the date that an alien who has been subject to battering or extreme cruelty eligible for suspension of deportation or cancellation of removal requests to be placed in deportation or removal proceedings and the date that the immigrant appears before an immigration judge to file an application for suspension of deportation or cancellation of removal.

SEC. 1506. RESTORING IMMIGRATION PROTECTIONS UNDER THE VIOLENCE AGAINST WOMEN ACT OF 1994.

(a) REMOVING BARRIERS TO ADJUSTMENT OF STATUS FOR VICTIMS OF DOMESTIC VIOLENCE.—

(1) IMMIGRATION AMENDMENTS.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended—

(A) in subsection (a), by inserting ''or the status of any other alien having an approved petition for classification under subparagraph (A)(iii), (A)(iv), (B)(ii), or (B)(iii) of section 204(a)(1) or'' after ''into the United States.''; and

(B) in subsection (c), by striking ''Subsection (a) shall not be applicable to'' and inserting the following: ''Other than an alien having an approved petition for classification under subparagraph (A)(iii), (A)(iv), (A)(v), (A)(vi), (B)(ii), (B)(iii), or (B)(iv) of section 204(a)(1), subsection (a) shall not be applicable to''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to applications for adjustment of status pending on or made on or after January 14, 1998.

(b) REMOVING BARRIERS TO CANCELLATION OF REMOVAL AND SUSPENSION OF DEPORTATION FOR VICTIMS OF DOMESTIC VIOLENCE.—

(1) NOT TREATING SERVICE OF NOTICE AS TERMINATING CONTINUOUS PERIOD.—Section 240A(d)(1) of the Immigration and Nationality Act (8 U.S.C. 1229b(d)(1)) is amended by striking ''when the alien is served a notice to appear under section 239(a) or'' and inserting ''(A) except in the case of an alien who applies for cancellation of removal under subsection (b)(2), when the alien is served a notice to appear under section 239(a), or (B)''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of section 304 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 587).

(3) MODIFICATION OF CERTAIN TRANSITION RULES FOR BATTERED SPOUSE OR CHILD.—Section 309(c)(5)(C) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note) is amended—

(A) by striking the subparagraph heading and inserting the following:

''(C) SPECIAL RULE FOR CERTAIN ALIENS GRANTED TEMPORARY PROTECTION FROM DEPORTATION AND FOR BATTERED SPOUSES AND CHILDREN.—''; and

(B) in clause (i)—

(i) in subclause (IV), by striking ''or'' at the end;

(ii) in subclause (V), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(VI) is an alien who was issued an order to show cause or was in deportation proceedings before April 1, 1997, and who applied for suspension of deportation under section 244(a)(3) of the Immigration and Nationality Act (as in effect before the date of the enactment of this Act).''.

(4) EFFECTIVE DATE.—The amendments made by paragraph (3) shall take effect as if included in the enactment of section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note).

(c) ELIMINATING TIME LIMITATIONS ON MOTIONS TO REOPEN REMOVAL AND DEPORTATION PROCEEDINGS FOR VICTIMS OF DOMESTIC VIOLENCE.—

(1) REMOVAL PROCEEDINGS.—

(A) IN GENERAL.—Section 240(c)(6)(C) of the Immigration and Nationality Act (8 U.S.C. 1229a(c)(6)(C)) is amended by adding at the end the following:

''(iv) SPECIAL RULE FOR BATTERED SPOUSES AND CHILDREN.—The deadline specified in subsection (b)(5)(C) for filing a motion to reopen does not apply—

''(I) if the basis for the motion is to apply for relief under clause (iii) or (iv) of section 204(a)(1)(A), clause (ii) or (iii) of section 204(a)(1)(B), or section 240A(b)(2);

''(II) if the motion is accompanied by a cancellation of removal application to be filed with the Attorney General or by a copy of the self-petition that has been or will be filed with the Immigration and Naturalization Service upon the granting of the motion to reopen; and

''(III) if the motion to reopen is filed within 1 year of the entry of the final order of removal, except that the Attorney General may, in the Attorney General's discretion, waive this time limitation in the case of an alien who demonstrates extraordinary circumstances or extreme hardship to the alien's child.''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of section 304 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1229–1229c).

(2) DEPORTATION PROCEEDINGS.—

(A) IN GENERAL.—Notwithstanding any limitation imposed by law on motions to reopen or rescind deportation proceedings under the Immigration and Nationality Act (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note)), there is no time limit on the filing of a motion to reopen such proceedings, and the deadline specified in section 242B(c)(3) of the Immigration and Nationality Act (as so in effect) (8 U.S.C. 1252b(c)(3)) does not apply—

(i) if the basis of the motion is to apply for relief under clause (iii) or (iv) of section 204(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)), clause (ii) or (iii) of section 204(a)(1)(B) of such Act (8 U.S.C. 1154(a)(1)(B)), or section 244(a)(3) of such Act (as so in effect) (8 U.S.C. 1254(a)(3)); and

(ii) if the motion is accompanied by a suspension of deportation application to be filed with the Attorney General or by a copy of the self-petition that will be filed with the Immigration and Naturalization Service upon the granting of the motion to reopen.

(B) APPLICABILITY.—Subparagraph (A) shall apply to motions filed by aliens who—

(i) are, or were, in deportation proceedings under the Immigration and Nationality Act (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note)); and

(ii) have become eligible to apply for relief under clause (iii) or (iv) of section 204(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)), clause (ii) or (iii) of section 204(a)(1)(B) of such Act (8 U.S.C. 1154(a)(1)(B)), or section 244(a)(3) of such Act (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note)) as a result of the amendments made by—

(I) subtitle G of title IV of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1953 et seq.); or

(II) this title.

SEC. 1507. REMEDYING PROBLEMS WITH IMPLEMENTATION OF THE IMMIGRATION PROVISIONS OF THE VIOLENCE AGAINST WOMEN ACT OF 1994.

(a) EFFECT OF CHANGES IN ABUSERS' CITIZENSHIP STATUS ON SELF-PETITION.—

(1) RECLASSIFICATION.—Section 204(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)) (as amended by section 1503(b)(3) of this title) is amended by adding at the end the following:

''(vi) For the purposes of any petition filed under clause (iii) or (iv), the denaturalization, loss or renunciation of citizenship, death of the abuser, divorce, or changes to the abuser's citizenship status after filing of the petition shall not adversely affect the approval of the petition, and for approved petitions shall not preclude the classification of the eligible self-petitioning spouse or child as an immediate relative or affect the alien's ability to adjust status under subsections (a) and (c) of section 245 or obtain status as a lawful permanent resident based on the approved self-petition under such clauses.''.

(2) LOSS OF STATUS.—Section 204(a)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(B)) (as amended by section 1503(c)(3) of this title) is amended by adding at the end the following:

''(v)(I) For the purposes of any petition filed or approved under clause (ii) or (iii), divorce, or the loss of lawful permanent resident status by a spouse or parent after the filing of a petition under that clause shall not adversely affect approval of the petition, and, for an approved petition, shall not affect the alien's ability to adjust status under subsections (a) and (c) of section 245 or obtain status as a lawful permanent resident based on an approved self-petition under clause (ii) or (iii).

''(II) Upon the lawful permanent resident spouse or parent becoming or establishing the existence of United States citizenship through naturalization, acquisition of citizenship, or other means, any petition filed with the Immigration and Naturalization Service and pending or approved under clause (ii) or (iii) on behalf of an alien who has been battered or subjected to extreme cruelty shall be deemed reclassified as a petition filed under subparagraph (A) even if the acquisition of citizenship occurs after divorce or termination of parental rights.''.

(3) DEFINITION OF IMMEDIATE RELATIVES.—Section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1154(b)(2)(A)(i)) is amended by adding at the end the following: ''For purposes of this clause, an alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) of this Act remains an immediate relative in the event that the United States citizen spouse or parent loses United States citizenship on account of the abuse.''.

(b) ALLOWING REMARRIAGE OF BATTERED IMMIGRANTS.—Section 204(h) of the Immigration and Nationality Act (8 U.S.C. 1154(h)) is amended by adding at the end the following: ''Remarriage of an alien whose petition was approved under section 204(a)(1)(B)(ii) or 204(a)(1)(A)(iii) or marriage of an alien described in clause (iv) or (vi) of section 204(a)(1)(A) or in section 204(a)(1)(B)(iii) shall not be the basis for revocation of a petition approval under section 205.''.

SEC. 1508. TECHNICAL CORRECTION TO QUALIFIED ALIEN DEFINITION FOR BATTERED IMMIGRANTS.

Section 431(c)(1)(B)(iii) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)(1)(B)(iii)) is amended to read as follows:

''(iii) suspension of deportation under section 244(a)(3) of the Immigration and Nationality Act (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996).''.

SEC. 1509. ACCESS TO CUBAN ADJUSTMENT ACT FOR BATTERED IMMIGRANT SPOUSES AND CHILDREN.

(a) IN GENERAL.—The last sentence of the first section of Public Law 89–732 (November 2, 1966; 8 U.S.C. 1255 note) is amended by striking the period at the end and inserting the following: '', except that such spouse or child who has been battered or subjected to extreme cruelty may adjust to permanent resident status under this Act without demonstrating that he or she is residing with the Cuban spouse or parent in the United States. In acting on applications under this section with respect to spouses or children who have been battered or subjected to extreme cruelty, the Attorney General shall apply the provisions of section 204(a)(1)(H).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective as if included in subtitle G of title IV of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1953 et seq.).

SEC. 1510. ACCESS TO THE NICARAGUAN ADJUSTMENT AND CENTRAL AMERICAN RELIEF ACT FOR BATTERED SPOUSES AND CHILDREN.

(a) ADJUSTMENT OF STATUS OF CERTAIN NICARAGUAN AND CUBAN BATTERED SPOUSES.—Section 202(d) of the Nicaraguan Adjustment and Central American Relief Act (8 U.S.C. 1255 note; Public Law 105–100, as amended) is amended—

(1) in paragraph (1), by striking subparagraph (B) and inserting the following:

''(B) the alien—

''(i) is the spouse, child, or unmarried son or daughter of an alien whose status is adjusted to that of an alien lawfully admitted for permanent residence under subsection (a), except that in the case of such an unmarried son or daughter, the son or daughter shall be required to establish that the son or daughter has been physically present in the United States for a continuous period beginning not later than December 1, 1995, and ending not earlier than the date on which the application for adjustment under this subsection is filed; or

''(ii) was, at the time at which an alien filed for adjustment under subsection (a), the spouse or child of an alien whose status is adjusted to that of an alien lawfully admitted for permanent residence under subsection (a), and the spouse, child, or child of the spouse has been battered or subjected to extreme cruelty by the alien that filed for adjustment under subsection (a);''; and

(2) by adding at the end the following:

''(3) PROCEDURE.—In acting on an application under this section with respect to a spouse or child who has been battered or subjected to extreme cruelty, the Attorney General shall apply section 204(a)(1)(H).''.

(b) CANCELLATION OF REMOVAL AND SUSPENSION OF DEPORTATION TRANSITION RULES FOR CERTAIN BATTERED SPOUSES.—Section 309(c)(5)(C) of the Illegal Immigration and Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1101 note) (as amended by section 1506(b)(3) of this title) is amended—

(1) in clause (i)—

(A) by striking the period at the end of subclause (VI) (as added by section 1506(b)(3) of this title) and inserting ''; or''; and

(B) by adding at the end the following:

''(VII)(aa) was the spouse or child of an alien described in subclause (I), (II), or (V)—

''(AA) at the time at which a decision is rendered to suspend the deportation or cancel the removal of the alien;

''(BB) at the time at which the alien filed an application for suspension of deportation or cancellation of removal; or

''(CC) at the time at which the alien registered for benefits under the settlement agreement in American Baptist Churches, et. al. v. Thornburgh (ABC), applied for temporary protected status, or applied for asylum; and

''(bb) the spouse, child, or child of the spouse has been battered or subjected to extreme cruelty by the alien described in subclause (I), (II), or (V).''; and

(2) by adding at the end the following:

''(iii) CONSIDERATION OF PETITIONS.—In acting on a petition filed under subclause (VII) of clause (i) the provisions set forth in section 204(a)(1)(H) shall apply.

''(iv) RESIDENCE WITH SPOUSE OR PARENT NOT REQUIRED.—For purposes of the application of clause (i)(VII), a spouse or child shall not be required to demonstrate that he or she is residing with the spouse or parent in the United States.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall be effective as if included in the Nicaraguan Adjustment and Central American Relief Act (8 U.S.C. 1255 note; Public Law 105–100, as amended).

SEC. 1511. ACCESS TO THE HAITIAN REFUGEE FAIRNESS ACT OF 1998 FOR BATTERED SPOUSES AND CHILDREN.

(a) IN GENERAL.—Section 902(d)(1)(B) of the Haitian Refugee Immigration Fairness Act of 1998 (division A of section 101(h) of Public Law 105–277; 112 Stat. 2681–538) is amended to read as follows:

''(B)(i) the alien is the spouse, child, or unmarried son or daughter of an alien whose status is adjusted to that of an alien lawfully admitted for permanent residence under subsection (a), except that, in the case of such an unmarried son or daughter, the son or daughter shall be required to establish that the son or daughter has been physically present in the United States for a continuous period beginning not later than December 1, 1995, and ending not earlier than the date on which the application for such adjustment is filed;

''(ii) at the time of filing of the application for adjustment under subsection (a), the alien is the spouse or child of an alien whose status is adjusted to that of an alien lawfully admitted for permanent residence under subsection (a) and the spouse, child, or child of the spouse has been battered or subjected to extreme cruelty by the individual described in subsection (a); and

''(iii) in acting on applications under this section with respect to spouses or children who have been battered or subjected to extreme cruelty, the Attorney General shall apply the provisions of section 204(a)(1)(H).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective as if included in the Haitian Refugee Immigration Fairness Act of 1998 (division A of section 101(h) of Public Law 105–277; 112 Stat. 2681–538).

SEC. 1512. ACCESS TO SERVICES AND LEGAL REPRESENTATION FOR BATTERED IMMIGRANTS.

(a) LAW ENFORCEMENT AND PROSECUTION GRANTS.—Section 2001(b) of part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(b)) (as amended by section 1209(c) of this division) is amended by adding at the end the following:

''(11) providing assistance to victims of domestic violence and sexual assault in immigration matters.''.

(b) GRANTS TO ENCOURAGE ARRESTS.—Section 2101(b)(5) of part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh(b)(5)) is amended by inserting before the period the following: '', including strengthening assistance to such victims in immigration matters''.

(c) RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT GRANTS.—Section 40295(a)(2) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1953; 42 U.S.C. 13971(a)(2)) is amended to read as follows:

''(2) to provide treatment, counseling, and assistance to victims of domestic violence and child abuse, including in immigration matters; and''.

(d) CAMPUS DOMESTIC VIOLENCE GRANTS.—Section 826(b)(5) of the Higher Education Amendments of 1998 (Public Law 105–244; 20 U.S.C. 1152) is amended by inserting before the period at the end the following: '', including assistance to victims in immigration matters''.

SEC. 1513. PROTECTION FOR CERTAIN CRIME VICTIMS INCLUDING VICTIMS OF CRIMES AGAINST WOMEN.

(a) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress makes the following findings:

(A) Immigrant women and children are often targeted to be victims of crimes committed against them in the United States, including rape, torture, kidnaping, trafficking, incest, domestic violence, sexual assault, female genital mutilation, forced prostitution, involuntary servitude, being held hostage or being criminally restrained.

(B) All women and children who are victims of these crimes committed against them in the United States must be able to report these crimes to law enforcement and fully participate in the investigation of the crimes committed against them and the prosecution of the perpetrators of such crimes.

(2) PURPOSE.—

(A) The purpose of this section is to create a new nonimmigrant visa classification that will strengthen the ability of law enforcement agencies to detect, investigate, and prosecute cases of domestic violence, sexual assault, trafficking of aliens, and other crimes described in section 101(a)(15)(U)(iii) of the Immigration and Nationality Act committed against aliens, while offering protection to victims of such offenses in keeping with the humanitarian interests of the United States. This visa will encourage law enforcement officials to better serve immigrant crime victims and to prosecute crimes committed against aliens.

(B) Creating a new nonimmigrant visa classification will facilitate the reporting of crimes to law enforcement officials by trafficked, exploited, victimized, and abused aliens who are not in lawful immigration status. It also gives law enforcement officials a means to regularize the status of cooperating individuals during investigations or prosecutions. Providing temporary legal status to aliens who have been severely victimized by criminal activity also comports with the humanitarian interests of the United States.

(C) Finally, this section gives the Attorney General discretion to convert the status of such nonimmigrants to that of permanent residents when doing so is justified on humanitarian grounds, for family unity, or is otherwise in the public interest.

(b) ESTABLISHMENT OF HUMANITARIAN/MATERIAL WITNESS NONIMMIGRANT CLASSIFICATION.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) (as amended by section 107 of this Act) is amended—

(1) by striking ''or'' at the end of subparagraph (S);

(2) by striking the period at the end of subparagraph (T) and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(U)(i) subject to section 214(o), an alien who files a petition for status under this subparagraph, if the Attorney General determines that—

''(I) the alien has suffered substantial physical or mental abuse as a result of having been a victim of criminal activity described in clause (iii);

''(II) the alien (or in the case of an alien child under the age of 16, the parent, guardian, or next friend of the alien) possesses information concerning criminal activity described in clause (iii);

''(III) the alien (or in the case of an alien child under the age of 16, the parent, guardian, or next friend of the alien) has been helpful, is being helpful, or is likely to be helpful to a Federal, State, or local law enforcement official, to a Federal, State, or local prosecutor, to a Federal or State judge, to the Service, or to other Federal, State, or local authorities investigating or prosecuting criminal activity described in clause (iii); and

''(IV) the criminal activity described in clause (iii) violated the laws of the United States or occurred in the United States (including in Indian country and military installations) or the territories and possessions of the United States;

''(ii) if the Attorney General considers it necessary to avoid extreme hardship to the spouse, the child, or, in the case of an alien child, the parent of the alien described in clause (i), the Attorney General may also grant status under this paragraph based upon certification of a government official listed in clause (i)(III) that an investigation or prosecution would be harmed without the assistance of the spouse, the child, or, in the case of an alien child, the parent of the alien; and

''(iii) the criminal activity referred to in this clause is that involving one or more of the following or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes.''.

(c) CONDITIONS FOR ADMISSION AND DUTIES OF THE ATTORNEY GENERAL.—Section 214 of such Act (8 U.S.C. 1184) (as amended by section 107 of this Act) is amended by adding at the end the following new subsection:

''(o) REQUIREMENTS APPLICABLE TO SECTION 101(a)(15)(U) VISAS.—

''(1) PETITIONING PROCEDURES FOR SECTION 101(a)(15)(U) VISAS.—The petition filed by an alien under section 101(a)(15)(U)(i) shall contain a certification from a Federal, State, or local law enforcement official, prosecutor, judge, or other Federal, State, or local authority investigating criminal activity described in section 101(a)(15)(U)(iii). This certification may also be provided by an official of the Service whose ability to provide such certification is not limited to information concerning immigration violations. This certification shall state that the alien ''has been helpful, is being helpful, or is likely to be helpful'' in the investigation or prosecution of criminal activity described in section 101(a)(15)(U)(iii).

''(2) NUMERICAL LIMITATIONS.—

''(A) The number of aliens who may be issued visas or otherwise provided status as nonimmigrants under section 101(a)(15)(U) in any fiscal year shall not exceed 10,000.

''(B) The numerical limitations in subparagraph (A) shall only apply to principal aliens described in section 101(a)(15)(U)(i), and not to spouses, children, or, in the case of alien children, the alien parents of such children.

''(3) DUTIES OF THE ATTORNEY GENERAL WITH RESPECT TO 'U' VISA NONIMMIGRANTS.—With respect to nonimmigrant aliens described in subsection (a)(15)(U)—

''(A) the Attorney General and other government officials, where appropriate, shall provide those aliens with referrals to nongovernmental organizations to advise the aliens regarding their options while in the United States and the resources available to them; and

''(B) the Attorney General shall, during the period those aliens are in lawful temporary resident status under that subsection, provide the aliens with employment authorization.

''(4) CREDIBLE EVIDENCE CONSIDERED.—In acting on any petition filed under this subsection, the consular officer or the Attorney General, as appropriate, shall consider any credible evidence relevant to the petition.

''(5) NONEXCLUSIVE RELIEF.—Nothing in this subsection limits the ability of aliens who qualify for status under section 101(a)(15)(U) to seek any other immigration benefit or status for which the alien may be eligible.''.

(d) PROHIBITION ON ADVERSE DETERMINATIONS OF ADMISSIBILITY OR DEPORTABILITY.—Section 384(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended—

(1) by striking ''or'' at the end of paragraph (1)(C);

(2) by striking the comma at the end of paragraph (1)(D) and inserting '', or''; and

(3) by inserting after paragraph (1)(D) the following new subparagraph:

''(E) in the case of an alien applying for status under section 101(a)(15)(U) of the Immigration and Nationality Act, the perpetrator of the substantial physical or mental abuse and the criminal activity,''; and

(4) in paragraph (2), by inserting ''section 101(a)(15)(U),'' after ''section 216(c)(4)(C),''.

(e) WAIVER OF GROUNDS OF INELIGIBILITY FOR ADMISSION.—Section 212(d) of the Immigration and Nationality Act (8 U.S.C. 1182(d)) is amended by adding at the end the following new paragraph:

''(13) The Attorney General shall determine whether a ground of inadmissibility exists with respect to a nonimmigrant described in section 101(a)(15)(U). The Attorney General, in the Attorney General's discretion, may waive the application of subsection (a) (other than paragraph (3)(E)) in the case of a nonimmigrant described in section 101(a)(15)(U), if the Attorney General considers it to be in the public or national interest to do so.''.

(f) ADJUSTMENT TO PERMANENT RESIDENT STATUS.—Section 245 of such Act (8 U.S.C. 1255) is amended by adding at the end the following new subsection:

''(l)(1) The Attorney General may adjust the status of an alien admitted into the United States (or otherwise provided nonimmigrant status) under section 101(a)(15)(U) to that of an alien lawfully admitted for permanent residence if the alien is not described in section 212(a)(3)(E), unless the Attorney General determines based on affirmative evidence that the alien unreasonably refused to provide assistance in a criminal investigation or prosecution, if—

''(A) the alien has been physically present in the United States for a continuous period of at least 3 years since the date of admission as a nonimmigrant under clause (i) or (ii) of section 101(a)(15)(U); and

''(B) in the opinion of the Attorney General, the alien's continued presence in the United States is justified on humanitarian grounds, to ensure family unity, or is otherwise in the public interest.

''(2) An alien shall be considered to have failed to maintain continuous physical presence in the United States under paragraph (1)(A) if the alien has departed from the United States for any period in excess of 90 days or for any periods in the aggregate exceeding 180 days unless the absence is in order to assist in the investigation or prosecution or unless an official involved in the investigation or prosecution certifies that the absence was otherwise justified.

''(3) Upon approval of adjustment of status under paragraph (1) of an alien described in section 101(a)(15)(U)(i) the Attorney General may adjust the status of or issue an immigrant visa to a spouse, a child, or, in the case of an alien child, a parent who did not receive a nonimmigrant visa under section 101(a)(15)(U)(ii) if the Attorney General considers the grant of such status or visa necessary to avoid extreme hardship.

''(4) Upon the approval of adjustment of status under paragraph (1) or (3), the Attorney General shall record the alien's lawful admission for permanent residence as of the date of such approval.''.

TITLE VI—MISCELLANEOUS

SEC. 1601. NOTICE REQUIREMENTS FOR SEXUALLY VIOLENT OFFENDERS.

(a) SHORT TITLE.—This section may be cited as the ''Campus Sex Crimes Prevention Act''.

(b) NOTICE WITH RESPECT TO INSTITUTIONS OF HIGHER EDUCATION.—

(1) IN GENERAL.—Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071) is amended by adding at the end the following:

''(j) NOTICE OF ENROLLMENT AT OR EMPLOYMENT BY INSTITUTIONS OF HIGHER EDUCATION.—

''(1) NOTICE BY OFFENDERS.—

''(A) IN GENERAL.—In addition to any other requirements of this section, any person who is required to register in a State shall provide notice as required under State law—

''(i) of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student; and

''(ii) of each change in enrollment or employment status of such person at an institution of higher education in that State.

''(B) CHANGE IN STATUS.—A change in status under subparagraph (A)(ii) shall be reported by the person in the manner provided by State law. State procedures shall ensure that the updated information is promptly made available to a law enforcement agency having jurisdiction where such institution is located and entered into the appropriate State records or data system.

''(2) STATE REPORTING.—State procedures shall ensure that the registration information collected under paragraph (1)—

''(A) is promptly made available to a law enforcement agency having jurisdiction where such institution is located; and

''(B) entered into the appropriate State records or data system.

''(3) REQUEST.—Nothing in this subsection shall require an educational institution to request such information from any State.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect 2 years after the date of enactment of this Act.

(c) DISCLOSURES BY INSTITUTIONS OF HIGHER EDUCATION.—

(1) IN GENERAL.—Section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) is amended by adding at the end the following:

''(I) A statement advising the campus community where law enforcement agency information provided by a State under section 170101(j) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(j)), concerning registered sex offenders may be obtained, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect 2 years after the date of enactment of this Act.

(d) AMENDMENT TO FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974.—Section 444(b) of the General Education Provisions Act (20 U.S.C. 1232g(b)), also known as the Family Educational Rights and Privacy Act of 1974, is amended by adding at the end the following:

''(7)(A) Nothing in this section may be construed to prohibit an educational institution from disclosing information provided to the institution under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071) concerning registered sex offenders who are required to register under such section.

''(B) The Secretary shall take appropriate steps to notify educational institutions that disclosure of information described in subparagraph (A) is permitted.''.

SEC. 1602. TEEN SUICIDE PREVENTION STUDY.

(a) SHORT TITLE.—This section may be cited as the ''Teen Suicide Prevention Act of 2000''.

(b) FINDINGS.—Congress finds that—

(1) measures that increase public awareness of suicide as a preventable public health problem, and target parents and youth so that suicide risks and warning signs can be recognized, will help to eliminate the ignorance and stigma of suicide as barriers to youth and families seeking preventive care;

(2) suicide prevention efforts in the year 2000 should—

(A) target at-risk youth, particularly youth with mental health problems, substance abuse

problems, or contact with the juvenile justice system;

(B) involve—

(i) the identification of the characteristics of the at-risk youth and other youth who are contemplating suicide, and barriers to treatment of the youth; and

(ii) the development of model treatment programs for the youth;

(C) include a pilot study of the outcomes of treatment for juvenile delinquents with mental health or substance abuse problems;

(D) include a public education approach to combat the negative effects of the stigma of, and discrimination against individuals with, mental health and substance abuse problems; and

(E) include a nationwide effort to develop, implement, and evaluate a mental health awareness program for schools, communities, and families;

(3) although numerous symptoms, diagnoses, traits, characteristics, and psychosocial stressors of suicide have been investigated, no single factor or set of factors has ever come close to predicting suicide with accuracy;

(4) research of United States youth, such as a 1994 study by Lewinsohn, Rohde, and Seeley, has shown predictors of suicide, such as a history of suicide attempts, current suicidal ideation and depression, a recent attempt or completed suicide by a friend, and low self-esteem; and

(5) epidemiological data illustrate—

(A) the trend of suicide at younger ages as well as increases in suicidal ideation among youth in the United States; and

(B) distinct differences in approaches to suicide by gender, with—

(i) 3 to 5 times as many females as males attempting suicide; and

(ii) 3 to 5 times as many males as females completing suicide.

(c) PURPOSE.—The purpose of this section is to provide for a study of predictors of suicide among at-risk and other youth, and barriers that prevent the youth from receiving treatment, to facilitate the development of model treatment programs and public education and awareness efforts.

(d) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall carry out, directly or by grant or contract, a study that is designed to identify—

(1) the characteristics of at-risk and other youth age 13 through 21 who are contemplating suicide;

(2) the characteristics of at-risk and other youth who are younger than age 13 and are contemplating suicide; and

(3) the barriers that prevent youth described in paragraphs (1) and (2) from receiving treatment.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

SEC. 1603. DECADE OF PAIN CONTROL AND RESEARCH.

The calendar decade beginning January 1, 2001, is designated as the ''Decade of Pain Control and Research''.

DIVISION C—MISCELLANEOUS PROVISIONS

SEC. 2001. AIMEE'S LAW

(a) SHORT TITLE.—This section may be cited as ''Aimee's Law''.

(b) DEFINITIONS.—In this section:

(1) DANGEROUS SEXUAL OFFENSE.—The term ''dangerous sexual offense'' means any offense under State law for conduct that would constitute an offense under chapter 109A of title 18, United States Code, had the conduct occurred in the special maritime and territorial jurisdiction of the United States or in a Federal prison.

(2) MURDER.—The term ''murder'' has the meaning given the term in part I of the Uniform Crime Reports of the Federal Bureau of Investigation.

(3) RAPE.—The term ''rape'' has the meaning given the term in part I of the Uniform Crime Reports of the Federal Bureau of Investigation.

(c) PENALTY.—

(1) SINGLE STATE.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any one of those offenses in a State described in paragraph (3), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to the State that convicted the individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(2) MULTIPLE STATES.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any one or more of those offenses in more than one other State described in paragraph (3), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to each State that convicted such individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(3) STATE DESCRIBED.—A State is described in this paragraph if—

(A) the average term of imprisonment imposed by the State on individuals convicted of the offense for which the individual described in paragraph (1) or (2), as applicable, was convicted by the State is less than the average term of imprisonment imposed for that offense in all States; or

(B) with respect to the individual described in paragraph (1) or (2), as applicable, the individual had served less than 85 percent of the term of imprisonment to which that individual was sentenced for the prior offense.

For purposes of subparagraph (B), in a State that has indeterminate sentencing, the term of imprisonment to which that individual was sentenced for the prior offense shall be based on the lower of the range of sentences.

(d) STATE APPLICATIONS.—In order to receive an amount transferred under subsection (c), the chief executive of a State shall submit to the Attorney General an application, in such form and containing such information as the Attorney General may reasonably require, which shall include a certification that the State has convicted an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for one of those offenses in another State.

(e) SOURCE OF FUNDS.—

(1) IN GENERAL.—Any amount transferred under subsection (c) shall be derived by reducing the amount of Federal law enforcement assistance funds received by the State that convicted such individual of the prior offense before the distribution of the funds to the State. The Attorney General shall provide the State with an opportunity to select the specific Federal law enforcement assistance funds to be so reduced (other than Federal crime victim assistance funds).

(2) PAYMENT SCHEDULE.—The Attorney General, in consultation with the chief executive of the State that convicted such individual of the prior offense, shall establish a payment schedule.

(f) CONSTRUCTION.—Nothing in this section may be construed to diminish or otherwise affect any court ordered restitution.

(g) EXCEPTION.—This section does not apply if the individual convicted of murder, rape, or a dangerous sexual offense has been released from prison upon the reversal of a conviction for an offense described in subsection (c) and subsequently been convicted for an offense described in subsection (c).

(h) REPORT.—The Attorney General shall—

(1) conduct a study evaluating the implementation of this section; and

(2) not later than October 1, 2006, submit to Congress a report on the results of that study.

(i) COLLECTION OF RECIDIVISM DATA.—

(1) IN GENERAL.—Beginning with calendar year 2002, and each calendar year thereafter, the Attorney General shall collect and maintain information relating to, with respect to each State—

(A) the number of convictions during that calendar year for—

(i) any dangerous sexual offense;

(ii) rape; and

(iii) murder; and

(B) the number of convictions described in subparagraph (A) that constitute second or subsequent convictions of the defendant of an offense described in that subparagraph.

(2) REPORT.—Not later than March 1, 2003, and on March 1 of each year thereafter, the Attorney General shall submit to Congress a report, which shall include—

(A) the information collected under paragraph (1) with respect to each State during the preceding calendar year; and

(B) the percentage of cases in each State in which an individual convicted of an offense described in paragraph (1)(A) was previously convicted of another such offense in another State during the preceding calendar year.

(j) EFFECTIVE DATE.—This section shall take effect on January 1, 2002.

SEC. 2002. PAYMENT OF CERTAIN ANTI-TERRORISM JUDGMENTS.

(a) PAYMENTS.—

(1) IN GENERAL.—Subject to subsections (b) and (c), the Secretary of the Treasury shall pay each person described in paragraph (2), at the person's election—

(A) 110 percent of compensatory damages awarded by judgment of a court on a claim or claims brought by the person under section 1605(a)(7) of title 28, United States Code, plus amounts necessary to pay post-judgment interest under section 1961 of such title, and, in the case of a claim or claims against Cuba, amounts awarded as sanctions by judicial order on April 18, 2000 (as corrected on June 2, 2000), subject to final appellate review of that order; or

(B) 100 percent of the compensatory damages awarded by judgment of a court on a claim or claims brought by the person under section 1605(a)(7) of title 28, United States Code, plus amounts necessary to pay post-judgment interest, as provided in section 1961 of such title, and, in the case of a claim or claims against Cuba, amounts awarded as sanctions by judicial order on April 18, 2000 (as corrected June 2, 2000), subject to final appellate review of that order.

Payments under this subsection shall be made promptly upon request.

(2) PERSONS COVERED.—A person described in this paragraph is a person who—

(A)(i) as of July 20, 2000, held a final judgment for a claim or claims brought under section 1605(a)(7) of title 28, United States Code, against Iran or Cuba, or the right to payment of an amount awarded as a judicial sanction with respect to such claim or claims; or

(ii) filed a suit under such section 1605(a)(7) on February 17, 1999, June 7, 1999, January 28, 2000, March 15, 2000, or July 27, 2000;

(B) relinquishes all claims and rights to compensatory damages and amounts awarded as judicial sanctions under such judgments;

(C) in the case of payment under paragraph (1)(A), relinquishes all rights and claims to punitive damages awarded in connection with such claim or claims; and

(D) in the case of payment under paragraph (1)(B), relinquishes all rights to execute against or attach property that is at issue in claims against the United States before an international tribunal, that is the subject of awards rendered by such tribunal, or that is subject to

section 1610(f)(1)(A) of title 28, United States Code.

(b) FUNDING OF AMOUNTS.—

(1) JUDGMENTS AGAINST CUBA.—For purposes of funding the payments under subsection (a) in the case of judgments and sanctions entered against the Government of Cuba or Cuban entities, the President shall vest and liquidate up to and not exceeding the amount of property of the Government of Cuba and sanctioned entities in the United States or any commonwealth, territory, or possession thereof that has been blocked pursuant to section 5(b) of the Trading with the Enemy Act (50 U.S.C. App. 5(b)), sections 202 and 203 of the International Emergency Economic Powers Act (50 U.S.C. 1701–1702), or any other proclamation, order, or regulation issued thereunder. For the purposes of paying amounts for judicial sanctions, payment shall be made from funds or accounts subject to sanctions as of April 18, 2000, or from blocked assets of the Government of Cuba.

(2) JUDGMENTS AGAINST IRAN.—For purposes of funding payments under subsection (a) in the case of judgments against Iran, the Secretary of the Treasury shall make such payments from amounts paid and liquidated from—

(A) rental proceeds accrued on the date of enactment of this Act from Iranian diplomatic and consular property located in the United States; and

(B) funds not otherwise made available in an amount not to exceed the total of the amount in the Iran Foreign Military Sales Program account within the Foreign Military Sales Fund on the date of enactment of this Act.

(c) SUBROGATION.—Upon payment under subsection (a) with respect to payments in connection with a Foreign Military Sales Program account, the United States shall be fully subrogated, to the extent of the payments, to all rights of the person paid under that subsection against the debtor foreign state. The President shall pursue these subrogated rights as claims or offsets of the United States in appropriate ways, including any negotiation process which precedes the normalization of relations between the foreign state designated as a state sponsor of terrorism and the United States, except that no funds shall be paid to Iran, or released to Iran, from property blocked under the International Emergency Economic Powers Act or from the Foreign Military Sales Fund, until such subrogated claims have been dealt with to the satisfaction of the United States.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the President should not normalize relations between the United States and Iran until the claims subrogated have been dealt with to the satisfaction of the United States.

(e) REAFFIRMATION OF AUTHORITY.—Congress reaffirms the President's statutory authority to manage and, where appropriate and consistent with the national interest, vest foreign assets located in the United States for the purposes, among other things, of assisting and, where appropriate, making payments to victims of terrorism.

(f) AMENDMENTS.—(1) Section 1610(f) of title 28, United States Code, is amended—

(A) in paragraphs (2)(A) and (2)(B)(ii), by striking ''shall'' each place it appears and inserting ''should make every effort to''; and

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

''(3) WAIVER.—The President may waive any provision of paragraph (1) in the interest of national security.''.

(2) Subsections (b) and (d) of section 117 of the Treasury Department Appropriations Act, 1999 (as contained in section 101(h) of Public Law 105–277) are repealed.

SEC. 2003. AID FOR VICTIMS OF TERRORISM.

(a) MEETING THE NEEDS OF VICTIMS OF TERRORISM OUTSIDE THE UNITED STATES.—

(1) IN GENERAL.—Section 1404B(a) of the Victims of Crime Act of 1984 (42 U.S.C. 10603b(a)) is amended as follows:

''(a) VICTIMS OF ACTS OF TERRORISM OUTSIDE UNITED STATES.—

''(1) IN GENERAL.—The Director may make supplemental grants as provided in 1402(d)(5) to States, victim service organizations, and public agencies (including Federal, State, or local governments) and nongovernmental organizations that provide assistance to victims of crime, which shall be used to provide emergency relief, including crisis response efforts, assistance, training, and technical assistance, and ongoing assistance, including during any investigation or prosecution, to victims of terrorist acts or mass violence occurring outside the United States who are not persons eligible for compensation under title VIII of the Omnibus Diplomatic Security and Antiterrorism Act of 1986.

''(2) VICTIM DEFINED.—In this subsection, the term 'victim'—

''(A) means a person who is a national of the United States or an officer or employee of the United States Government who is injured or killed as a result of a terrorist act or mass violence occurring outside the United States; and

''(B) in the case of a person described in subparagraph (A) who is less than 18 years of age, incompetent, incapacitated, or deceased, includes a family member or legal guardian of that person.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to allow the Director to make grants to any foreign power (as defined by section 101(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(a)) or to any domestic or foreign organization operated for the purpose of engaging in any significant political or lobbying activities.''.

(2) APPLICABILITY.—The amendment made by this subsection shall apply to any terrorist act or mass violence occurring on or after December 21, 1988, with respect to which an investigation or prosecution was ongoing after April 24, 1996.

(3) ADMINISTRATIVE PROVISION.—Not later than 90 days after the date of enactment of this Act, the Director shall establish guidelines under section 1407(a) of the Victims of Crime Act of 1984 (42 U.S.C. 10604(a)) to specify the categories of organizations and agencies to which the Director may make grants under this subsection.

(4) TECHNICAL AMENDMENT.—Section 1404B(b) of the Victims of Crime Act of 1984 (42 U.S.C. 10603b(b)) is amended by striking ''1404(d)(4)(B)'' and inserting ''1402(d)(5)''.

(b) AMENDMENTS TO EMERGENCY RESERVE FUND.—

(1) CAP INCREASE.—Section 1402(d)(5)(A) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(5)(A)) is amended by striking ''$50,000,000'' and inserting ''$100,000,000''.

(2) TRANSFER.—Section 1402(e) of the Victims of Crime Act of 1984 (42 U.S.C 10601(e)) is amended by striking ''in excess of $500,000'' and all that follows through ''than $500,000'' and inserting ''shall be available for deposit into the emergency reserve fund referred to in subsection (d)(5) at the discretion of the Director. Any remaining unobligated sums''.

(c) COMPENSATION TO VICTIMS OF INTERNATIONAL TERRORISM.—

(1) IN GENERAL.—The Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) is amended by inserting after section 1404B the following:

"SEC. 1404C. COMPENSATION TO VICTIMS OF INTERNATIONAL TERRORISM.

''(a) DEFINITIONS.—In this section:

''(1) INTERNATIONAL TERRORISM.—The term 'international terrorism' has the meaning given the term in section 2331 of title 18, United States Code.

''(2) NATIONAL OF THE UNITED STATES.—The term 'national of the United States' has the meaning given the term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

''(3) VICTIM.—

''(A) IN GENERAL.—The term 'victim' means a person who—

''(i) suffered direct physical or emotional injury or death as a result of international terrorism occurring on or after December 21, 1988 with respect to which an investigation or prosecution was ongoing after April 24, 1996; and

''(ii) as of the date on which the international terrorism occurred, was a national of the United States or an officer or employee of the United States Government.

''(B) INCOMPETENT, INCAPACITATED, OR DECEASED VICTIMS.—In the case of a victim who is less than 18 years of age, incompetent, incapacitated, or deceased, a family member or legal guardian of the victim may receive the compensation under this section on behalf of the victim.

''(C) EXCEPTION.—Notwithstanding any other provision of this section, in no event shall an individual who is criminally culpable for the terrorist act or mass violence receive any compensation under this section, either directly or on behalf of a victim.

''(b) AWARD OF COMPENSATION.—The Director may use the emergency reserve referred to in section 1402(d)(5)(A) to carry out a program to compensate victims of acts of international terrorism that occur outside the United States for expenses associated with that victimization.

''(c) ANNUAL REPORT.—The Director shall annually submit to Congress a report on the status and activities of the program under this section, which report shall include—

''(1) an explanation of the procedures for filing and processing of applications for compensation;

''(2) a description of the procedures and policies instituted to promote public awareness about the program;

''(3) a complete statistical analysis of the victims assisted under the program, including—

''(A) the number of applications for compensation submitted;

''(B) the number of applications approved and the amount of each award;

''(C) the number of applications denied and the reasons for the denial;

''(D) the average length of time to process an application for compensation; and

''(E) the number of applications for compensation pending and the estimated future liability of the program; and

''(4) an analysis of future program needs and suggested program improvements.''.

(2) CONFORMING AMENDMENT.—Section 1402(d)(5)(B) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(5)(B)) is amended by inserting '', to provide compensation to victims of international terrorism under the program under section 1404C,'' after ''section 1404B''.

(d) AMENDMENTS TO VICTIMS OF CRIME FUND.—Section 1402(c) of the Victims of Crime Act 1984 (42 U.S.C. 10601(c)) is amended by adding at the end the following: ''Notwithstanding section 1402(d)(5), all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the Fund for obligation in future fiscal years, without fiscal year limitation.''.

SEC. 2004. TWENTY-FIRST AMENDMENT ENFORCEMENT.

(a) SHIPMENT OF INTOXICATING LIQUOR IN VIOLATION OF STATE LAW.—The Act entitled ''An Act divesting intoxicating liquors of their interstate character in certain cases'', approved March 1, 1913 (commonly known as the ''Webb-Kenyon Act'') (27 U.S.C. 122) is amended by adding at the end the following:

"SEC. 2. INJUNCTIVE RELIEF IN FEDERAL DISTRICT COURT.

''(a) DEFINITIONS.—In this section—

''(1) the term 'attorney general' means the attorney general or other chief law enforcement officer of a State or the designee thereof;

''(2) the term 'intoxicating liquor' means any spirituous, vinous, malted, fermented, or other intoxicating liquor of any kind;

''(3) the term 'person' means any individual and any partnership, corporation, company,

firm, society, association, joint stock company, trust, or other entity capable of holding a legal or beneficial interest in property, but does not include a State or agency thereof; and

''(4) the term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

''(b) ACTION BY STATE ATTORNEY GENERAL.—If the attorney general has reasonable cause to believe that a person is engaged in, or has engaged in, any act that would constitute a violation of a State law regulating the importation or transportation of any intoxicating liquor, the attorney general may bring a civil action in accordance with this section for injunctive relief (including a preliminary or permanent injunction) against the person, as the attorney general determines to be necessary to—

''(1) restrain the person from engaging, or continuing to engage, in the violation; and

''(2) enforce compliance with the State law.

''(c) FEDERAL JURISDICTION.—

''(1) IN GENERAL.—The district courts of the United States shall have jurisdiction over any action brought under this section by an attorney general against any person, except one licensed or otherwise authorized to produce, sell, or store intoxicating liquor in such State.

''(2) VENUE.—An action under this section may be brought only in accordance with section 1391 of title 28, United States Code, or in the district in which the recipient of the intoxicating liquor resides or is found.

''(3) FORM OF RELIEF.—An action under this section is limited to actions seeking injunctive relief (a preliminary and/or permanent injunction).

''(4) NO RIGHT TO JURY TRIAL.—An action under this section shall be tried before the court.

''(d) REQUIREMENTS FOR INJUNCTIONS AND ORDERS.—

''(1) IN GENERAL.—In any action brought under this section, upon a proper showing by the attorney general of the State, the court may issue a preliminary or permanent injunction to restrain a violation of this section. A proper showing under this paragraph shall require that a State prove by a preponderance of the evidence that a violation of State law as described in subsection (b) has taken place or is taking place.

''(2) ADDITIONAL SHOWING FOR PRELIMINARY INJUNCTION.—No preliminary injunction may be granted except upon—

''(A) evidence demonstrating the probability of irreparable injury if injunctive relief is not granted; and

''(B) evidence supporting the probability of success on the merits.

''(3) NOTICE.—No preliminary or permanent injunction may be issued under paragraph (1) without notice to the adverse party and an opportunity for a hearing.

''(4) FORM AND SCOPE OF ORDER.—Any preliminary or permanent injunction entered in an action brought under this section shall—

''(A) set forth the reasons for the issuance of the order;

''(B) be specific in terms;

''(C) describe in reasonable detail, and not by reference to the complaint or other document, the act or acts sought to be restrained; and

''(D) be binding upon—

''(i) the parties to the action and the officers, agents, employees, and attorneys of those parties; and

''(ii) persons in active concert or participation with the parties to the action who receive actual notice of the order by personal service or otherwise.

''(5) ADMISSIBILITY OF EVIDENCE.—In a hearing on an application for a permanent injunction, any evidence previously received on an application for a preliminary injunction in connection with the same civil action and that would otherwise be admissible, may be made a part of the record of the hearing on the permanent injunction.

''(e) RULES OF CONSTRUCTION.—This section shall be construed only to extend the jurisdiction of Federal courts in connection with State law that is a valid exercise of power vested in the States—

''(1) under the twenty-first article of amendment to the Constitution of the United States as such article of amendment is interpreted by the Supreme Court of the United States including interpretations in conjunction with other provisions of the Constitution of the United States; and

''(2) under the first section herein as such section is interpreted by the Supreme Court of the United States; but shall not be construed to grant to States any additional power.

''(f) ADDITIONAL REMEDIES.—

''(1) IN GENERAL.—A remedy under this section is in addition to any other remedies provided by law.

''(2) STATE COURT PROCEEDINGS.—Nothing in this section may be construed to prohibit an authorized State official from proceeding in State court on the basis of an alleged violation of any State law.

"SEC. 3. GENERAL PROVISIONS.

''(a) EFFECT ON INTERNET TAX FREEDOM ACT.—Nothing in this section may be construed to modify or supersede the operation of the Internet Tax Freedom Act (47 U.S.C. 151 note).

''(b) INAPPLICABILITY TO SERVICE PROVIDERS.—Nothing in this section may be construed to—

''(1) authorize any injunction against an interactive computer service (as defined in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)) used by another person to engage in any activity that is subject to this Act;

''(2) authorize any injunction against an electronic communication service (as defined in section 2510(15) of title 18, United States Code) used by another person to engage in any activity that is subject to this Act; or

''(3) authorize an injunction prohibiting the advertising or marketing of any intoxicating liquor by any person in any case in which such advertising or marketing is lawful in the jurisdiction from which the importation, transportation or other conduct to which this Act applies originates.''.

(b) EFFECTIVE DATE.—This section and the amendments made by this section shall become effective 90 days after the date of this enactment of this Act.

(c) STUDY.—The Attorney General shall carry out the study to determine the impact of this section and shall submit the results of such study not later than 180 days after the enactment of this Act.

Amend the title so as to read: ''An Act to combat trafficking in persons, especially into the sex trade, slavery, and involuntary servitude, to reauthorize certain Federal programs to prevent violence against women, and for other purposes.''.

And the Senate agree to the same.

BENJAMIN GILMAN,
BILL GOODLING,
CHRIS SMITH,
HENRY J. HYDE,
NANCY L. JOHNSON,
SAM GEJDENSON,
TOM LANTOS,
BEN CARDIN,
Managers on the Part of the House.

From the Committee on the Judiciary:

ORRIN HATCH,
STROM THURMOND,

From the Committee on Foreign Relations:

JESSE HELMS,
SAM BROWNBACK,
JOE BIDEN,
PAUL WELLSTONE,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. CONYERS objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 371
Nays 1

¶105.12 [Roll No. 518]

YEAS—371

Abercrombie	Cunningham	Hinojosa
Aderholt	Davis (FL)	Hobson
Allen	Davis (IL)	Hoeffel
Andrews	Davis (VA)	Hoekstra
Archer	Deal	Holden
Armey	DeFazio	Holt
Baca	DeGette	Hooley
Bachus	Delahunt	Horn
Baird	DeLauro	Hostettler
Baldacci	DeLay	Houghton
Baldwin	DeMint	Hoyer
Barcia	Deutsch	Hulshof
Barr	Dickey	Hyde
Barrett (NE)	Dingell	Inslee
Barrett (WI)	Dixon	Istook
Bartlett	Doggett	Jackson (IL)
Bass	Dooley	Jackson-Lee (TX)
Becerra	Doolittle	Jefferson
Bentsen	Doyle	Jenkins
Bereuter	Dreier	John
Berkley	Duncan	Johnson (CT)
Berry	Dunn	Johnson, E. B.
Biggert	Edwards	Johnson, Sam
Bilbray	Ehlers	Jones (NC)
Bishop	Ehrlich	Jones (OH)
Blagojevich	Emerson	Kanjorski
Blunt	Engel	Kaptur
Boehlert	English	Kasich
Boehner	Etheridge	Kelly
Bonilla	Evans	Kildee
Bonior	Ewing	Kilpatrick
Bono	Fattah	Kind (WI)
Borski	Filner	Kingston
Boswell	Fletcher	Kleczka
Boucher	Foley	Kucinich
Boyd	Ford	Kuykendall
Brady (PA)	Fossella	LaFalce
Brady (TX)	Frank (MA)	LaHood
Brown (FL)	Frelinghuysen	Lampson
Brown (OH)	Frost	Lantos
Bryant	Gallegly	Largent
Burr	Ganske	Larson
Burton	Gejdenson	Latham
Buyer	Gekas	Leach
Calvert	Gephardt	Lee
Camp	Gibbons	Levin
Canady	Gilchrest	Lewis (CA)
Cannon	Gillmor	Lewis (KY)
Capps	Gilman	Linder
Capuano	Gonzalez	LoBiondo
Cardin	Goode	Lofgren
Castle	Goodlatte	Lowey
Chabot	Gordon	Lucas (KY)
Chambliss	Graham	Lucas (OK)
Chenoweth-Hage	Granger	Luther
Clayton	Green (TX)	Maloney (CT)
Clement	Green (WI)	Maloney (NY)
Clyburn	Greenwood	Manzullo
Coble	Gutierrez	Markey
Coburn	Gutknecht	Martinez
Collins	Hall (OH)	Mascara
Combest	Hall (TX)	Matsui
Condit	Hastert	McCarthy (MO)
Conyers	Hastings (FL)	McCarthy (NY)
Cook	Hastings (WA)	McCrery
Cooksey	Hayes	McDermott
Costello	Hayworth	McGovern
Cox	Herger	McHugh
Coyne	Hill (IN)	McInnis
Crane	Hill (MT)	McIntyre
Crowley	Hilleary	McKeon
Cubin	Hilliard	McKinney
Cummings	Hinchey	

McNulty
Meehan
Menendez
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Sanford

NOT VOTING—62

Ackerman
Baker
Ballenger
Barton
Berman
Bilirakis
Bliley
Blumenauer
Callahan
Campbell
Carson
Clay
Cramer
Danner
Diaz-Balart
Dicks
Eshoo
Everett
Farr
Forbes
Fowler
Franks (NJ)
Goodling
Goss
Hansen
Hefley
Hunter
Hutchinson
Isakson
Kennedy
King (NY)
Klink
Knollenberg
Kolbe
LaTourette
Lazio
Lewis (GA)
Lipinski
McCollum
McIntosh
Meek (FL)
Meeks (NY)
Metcalf
Mica
Miller (FL)
Pascrell
Paul
Peterson (PA)
Pickett
Rangel
Reyes
Shuster
Smith (TX)
Spence
Stark
Strickland
Talent
Thompson (MS)
Vento
Waters
Waxman
Wise

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶105.13 H-1B NON-IMMIGRANT WORKERS FEE INCREASE

On motion of Mr. CANNON, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill (H.R. 5362) to increase the amount of fees charged to employers who are petitioners for the employment of H-1B non-immigrant workers, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶105.14 FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregon, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4475) ''An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.''.

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

S. 2547. An Act to provide for the establishment of the Great Sand Dunes National Park and Preserve and the Baca National Wildlife Refuge in the State of Colorado, and for other purposes.

¶105.15 SUBMISSION OF CONFERENCE REPORT—H.R. 4205

Mr. STUMP submitted a conference report (Rept. No. 106–945) on the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶105.16 RECESS—3:49 P.M.

The SPEAKER pro tempore, Mr. HOBSON, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 49 minutes p.m., subject to the call of the Chair.

¶105.17 AFTER RECESS—9:59 P.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶105.18 SUBMISSION OF CONFERENCE REPORT—H.R. 4461

Mr. YOUNG of Florida submitted a conference report (Rept. No. 106–948) on the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶105.19 ADJOURNMENT OVER

On motion of Mr. YOUNG of Florida, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday, October 10, 2000 at 12:30 p.m. for ''morning-hour debate''.

¶105.20 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. YOUNG of Florida, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, October 11, 2000, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶105.21 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 134. An Act to direct the Secretary of the Interior to study whether the Apostle Islands National Lakeshore should be protected as a wilderness area; to the Committee on Resources.

S. 1367. An Act to amend the Act which established the Saint-Gaudens National Historic Site, in the State of New Hampshire, by modifying the boundary and for other purposes; to the Committee on Resources.

S. 1534. An Act to reauthorize the Coastal Zone Management Act, and for other purposes; to the Committee on Resources; in addition to the Committee on Transportation and Infrastructure for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 1670. An Act to revise the boundary of Fort Matanzas National Monument, and for other purposes; to the Committee on Resources.

S. 1972. An Act to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park; to the Committee on Resources.

S. 2069. An Act to permit the conveyance of certain land in Powell, Wyoming; to the Committee on Resources.

S. 2273. An Act to establish the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, and for other purposes; to the Committee on Resources.

S. 2300. An Act to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State; to the Committee on Resources.

S. 2345. An Act to direct the Secretary of the Interior to conduct a special resource study concerning the preservation and public use of sites associated with Harriet Tubman located in Auburn, New York, and for other purposes; to the Committee on Resources.

S. 2439. An Act to authorize the appropriation of funds for the construction of the Southeastern Alaska Intertic system, and for other purposes; to the Committee on Commerce.

S. 2478. An Act to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes; to the Committee on Resources.

S. 2485. An Act to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine; to the Committee on Resources.

S. 2499. An Act to extend the deadline for commencement of construction of a hydroelectric project in the State of Pennsylvania; to the Committee on Commerce.

S. 2691. An Act to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes; to the Committee on Resources; in addition to the Committee on Agriculture for a period to be subsequently determined

by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2749. An Act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States to the Committee on Resources.

S. 2865. An Act to designate certain land of the National Forest System located in the State of Virginia as wilderness; to the Committee on Resources; in addition to the Committee on Agriculture for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2885. An Act to establish the Jamestown 400th Commemoration Commission, and for other purposes; to the Committee on Government Reform.

S. 2942. An Act to extend the deadline for commencement of construction of certain hydroelectric projects in the State of West Virginia; to the Committee on Commerce.

S. 2950. An Act to authorize the Secretary of the Interior to establish the Sand Creek Massacre National Historic Site in the State of Colorado; to the Committee on Resources.

¶105.22 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1143. An Act to establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes.

H.R. 1162. An Act to designate the bridge on United States Route 231 that crosses the Ohio river between Maceo, Kentucky, and Rockport, Indiana, as the ''William H. Natcher Bridge''.

H.R. 1605. An Act to designate the Federal building and United States courthouse located at 402 North Walnut Street in Harrison, Arkansas, as the ''J. Smith Henley Federal Building and United States Courthouse''.

H.R. 4318. An Act to establish the Red River National Wildlife Refuge.

H.R. 4578. An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4642. An Act to make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes.

H.R. 4806. An Act to designate the Federal building located at 1710 Alabama Avenue in Jasper, Alabama, as the ''Carl Elliott Federal Building''.

H.R. 5284. An Act to designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Customhouse.''.

¶105.23 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. CARSON, for today;

To Mr. DIAZ-BALART, for today;

To Mrs. FOWLER, for today after 1 p.m.;

To Mr. HEFLEY, for today and October 3;

To Mr. MEEKS of New York, for today;

To Mr. PASCRELL, for today after 1:30 p.m.;

To Mr. REYES, for today;

To Mr. STARK, for today after 12:30 p.m. and

To Ms. WATERS, for today.

And then,

¶105.24 ADJOURNMENT

On motion of Mr. YOUNG of Florida, pursuant to the special order heretofore agreed to, at 10 o'clock and 1 minute p.m., the House adjourned until 12:30 p.m. on Tuesday, October 10, 2000.

¶105.25 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 828. A bill to amend the Federal Water Pollution Control Act to require that discharges from combined storm and sanitary sewers conform to the Combined Sewer Overflow Control Policy of the Environmental Protection Agency, and for other purposes; with an amendment (Rept. No. 106–943). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 964 An act to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes (Rept. No. 106–944). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee of Conference. Conference report on H.R. 4205. A bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes (Rept. No. 106–945). Ordered to be printed.

Mr. BLILEY: Committee on Commerce. H.R. 2592. A bill to amend the Consumer Product Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act: with an amendment (Rept. No. 106–946). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 1288. An act to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, and for other purposes (Rept. No. 106–947 Pt. 1). Ordered to be printed.

Mr. SKEEN: Committee of Conference. Conference report on H.R. 4461. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–948). Ordered to be printed.

¶105.26 TIME LIMITATION OF REFERRED BILL

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

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 13, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 13, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 13, 2000.

¶105.27 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Ways and Means discharged. H.R. 3673 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

¶105.28 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SPENCE:

H.R. 5408. A bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Commerce, Education and the Workforce, Government Reform, International Relations, the Judiciary, Resources, Science, Transportation and Infrastructure, Veterans' Affairs, Ways and Means, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan:

H.R. 5409. A bill to extend for 9 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

By Mr. THOMAS (for himself, Mr. HOYER, Mr. BOEHNER, Mr. EHLERS, Mr. NEY, Mr. MICA, Mr. LINDER, and Mr. FATTAH):

H.R. 5410. A bill to establish revolving funds for the operation of certain programs and activities of the Library of Congress, and for other purposes; to the Committee on House Administration.

By Mr. COOK:

H.R. 5411. A bill to direct the Secretary of Transportation to permit the State of Utah to construct a hook ramp as part of the highway project to reconstruct the interchange at Interstate Route 15 and University Parkway in Orem, Utah; to the Committee on Transportation and Infrastructure.

By Mr. DEAL of Georgia:

H.R. 5412. A bill to amend the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5413. A bill to require the Secretary of Transportation to issue regulations addressing safety concerns in minimizing delay for automobile traffic at railroad grade crossings; to the Committee on Transportation and Infrastructure.

By Mr. FILNER:

H.R. 5414. A bill to promote global efforts to protect biological diversity by protecting the Tongass Rain Forest, the United States' largest temperate rain forest, and for other purposes; to the Committee on Resources.

By Mr. FILNER (for himself and Mr. KUCINICH):

H.R. 5415. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on wholesale electric energy sold in the Western System Coordinating Council; to the Committee on Ways and Means.

By Mr. HOUGHTON:

H.R. 5416. A bill to promote economic development and stability in Southeast Europe by providing countries in that region with additional trade benefits; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mr. GEPHARDT, Mr. FRANK of Massachusetts, Mr. LEACH, Mr. KANJORSKI, Ms. WATERS, Mr. SANDERS, Mrs. ROUKEMA, Mr. BAKER, Mr. LAZIO, Mrs.

MALONEY of New York, Mr. GUTIERREZ, Ms. VELAZQUEZ, Mr. WATT of North Carolina, Mr. ACKERMAN, Mr. BENTSEN, Mr. MALONEY of Connecticut, Ms. HOOLEY of Oregon, Ms. CARSON, Mr. WEYGAND, Mr. SHERMAN, Mr. SANDLIN, Mr. MEEKS of New York, Ms. LEE, Mr. MASCARA, Mr. INSLEE, Ms. SCHAKOWSKY, Mr. MOORE, Mr. GONZALEZ, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. FORBES, Mr. CASTLE, Mr. CAMPBELL, Mr. NEY, Mrs. KELLY, Mr. PAUL, Mr. LATOURETTE, Mrs. BIGGERT, Mr. TOOMEY, Mr. OBERSTAR, Mr. SABO, Mr. MINGE, Mr. WISE, Mr. NADLER, Mr. DAVIS of Illinois, Mr. TIERNEY, Mr. WAXMAN, Mrs. TAUSCHER, Mr. GREEN of Texas, Mr. EVANS, Mrs. MINK of Hawaii, Mr. SPRATT, Ms. BALDWIN, Mr. NEAL of Massachusetts, Mr. MEEHAN, Ms. ROYBAL-ALLARD, Ms. DANNER, Mr. DIXON, Mr. BROWN of Ohio, Mr. BOSWELL, Mr. MCGOVERN, Mrs. NAPOLITANO, Ms. MILLENDER-MCDONALD, and Mr. LUCAS of Oklahoma):

H.R. 5417. A bill to rename the Stewart B. McKinney Homeless Assistance Act as the ''McKinney-Vento Homeless Assistance Act''; to the Committee on Banking and Financial Services.

By Mr. PITTS (for himself, Mr. SHUSTER, Mr. MURTHA, Mr. GEKAS, Mr. GOODLING, Mr. PETERSON of Pennsylvania, Mr. TOOMEY, Mr. GREENWOOD, Mr. BORSKI, Mr. SHERWOOD, Mr. FATTAH, Mr. HOLDEN, Mr. ENGLISH, Mr. KANJORSKI, Mr. KLINK, Mr. BRADY of Pennsylvania, Mr. WELDON of Pennsylvania, Mr. HOEFFEL, and Mr. MASCARA):

H.R. 5418. A bill to designate the facility of the United States Postal Service located at 431 North George Street in Millersville, Pennsylvania, as the ''Robert S. Walker Post Office''; to the Committee on Government Reform.

By Ms. PRYCE of Ohio (for herself and Mrs. CAPPS):

H.R. 5419. A bill to amend the Public Health Service Act to establish a demonstration project at the National Cancer Institute to provide funding for research concerning the prevention, diagnosis, treatment, and cure for cancer; to the Committee on Commerce.

By Mr. ROYCE:

H.R. 5420. A bill to establish a National Commission to Eliminate Waste in Government; to the Committee on Government Reform.

By Mr. SHAW (for himself and Mr. STARK):

H.R. 5421. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on persons who acquire structured settlement payments in factoring transactions, and for other purposes; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. STUPAK, Mr. BOEHLERT, and Mr. METCALF):

H.R. 5422. A bill to require the Administrator of the Environmental Protection Agency to establish an integrated environmental reporting program; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON (for himself, Mr. ABERCROMBIE, Mr. BAKER, Mr. BARCIA, Mr. BARRETT of Nebraska, Mrs. CHENOWETH-HAGE, Mr. COMBEST, Mrs. CUBIN, Mr. FOLEY, Mr. HASTINGS of Florida, Mr. HASTINGS of Washington, Mr. JEFFERSON, Mr. JOHN, Ms. KAPTUR, Mr. MINGE, Mrs. MINK of Hawaii, Mr. NETHERCUTT, Mr. POMEROY, Mr. SCHAFFER, Mr. TAUZIN, and Mrs. THURMAN):

H.R. 5423. A bill to amend the Harmonized Tariff Schedule of the United States to prevent circumvention of the sugar tariff-rate quotas; to the Committee on Ways and Means.

By Mr. WELDON of Pennsylvania:

H.R. 5424. A bill to amend the Housing and Community Development Act of 1974 to authorize communities receiving community development block grants to use grant amounts to provide assistance to local firefighting, emergency medical, and rescue services; to the Committee on Banking and Financial Services.

By Mr. WELDON of Pennsylvania:

H.R. 5425. A bill to amend the National and Community Service Act of 1990 to include participation in a volunteer firefighting agency as one of the national service programs specifically authorized to receive assistance under the AmeriCorps program; to the Committee on Education and the Workforce.

By Mr. SKEEN:

H.R. 5426. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Programs for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. STUMP (for himself and Mr. HYDE):

H. Con. Res. 419. Concurrent resolution expressing the sense of Congress on the propriety and need for expeditious construction of the National World War II Memorial at the Rainbow Pool on the National Mall in the Nation's Capitol; to the Committee on Resources.

By Mr. ACKERMAN (for himself and Mr. GEJDENSON):

H. Res. 614. A resolution condemning the Government of Iran for the continued imprisonment of 10 Jews and 2 Muslims on false charges of espionage and urging the President to sustain United States sanctions against Iran, including opposition to assistance provided by international institutions, and for other purposes; to the Committee on International Relations.

¶105.29 ADDITIONAL SPONSORS

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

H.R. 303: Mr. CUMMINGS.
H.R. 352: Mr. WALDEN of Oregon.
H.R. 453: Ms. SCHAKOWSKY and Mr. GALLEGLY.
H.R. 455: Mr. BACA.
H.R. 531: Mr. LEACH.
H.R. 762: Mr. LOBIONDO.
H.R. 1194: Mr. MINGE.
H.R. 1228: Mr. CONYERS, Mrs. CLAYTON, Mr. KUCINICH, and Mr. PRICE of North Carolina.
H.R. 1640: Mr. KENNEDY of Rhode Island.
H.R. 1870: Mr. GEJDENSON.
H.R. 2341: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Washington, Mr. SMITH of Michigan, Mr. WALDEN of Oregon, and Mr. BASS.
H.R. 2457: Mr. CRAMER, Mr. WEXLER, Mr. COOK, Mr. HASTINGS of Florida, Mr. LARSON, Mr. LAMPSON, Mr. BURTON of Indiana, Mrs. JONES of Ohio, Mr. BLUMENAUER, Mr. LOBIONDO, Mr. DEFAZIO, Mr. JACKSON of Illinois, Mr. MCDERMOTT, Mrs. NAPOLITANO, Mr. SCOTT, Mr. LAZIO, Mr. KLECZKA, and Mr. TIERNEY.
H.R. 2505: Mr. KLINK.
H.R. 2738: Mr. BLAGOJEVICH.
H.R. 2774: Ms. NORTON.
H.R. 2907: Mr. CAPUANO, Mr. BONIOR, Mr. BERMAN, and Ms. CARSON.
H.R. 3004: Mr. LEWIS of Georgia and Mr. INSLEE.
H.R. 3249: Mr. UDALL of Colorado and Mr. HYDE.
H.R. 3377: Mr. GEJDENSON.
H.R. 3700: Ms. DELAURO, Mr. WU, and Mr. SNYDER.
H.R. 3905: Mr. HOBSON.
H.R. 4025: Mr. BOEHLERT.
H.R. 4178: Mr. SISISKY.
H.R. 4257: Mr. JONES of North Carolina.
H.R. 4390: Mr. WEXLER.
H.R. 4415: Mr. BONIOR.
H.R. 4434: Mr. WALSH.
H.R. 4453: Mrs. TAUSCHER.
H.R. 4467: Mr. THUNE.
H.R. 4493: Mr. HINCHEY.
H.R. 4501: Mr. LEWIS of California, Mr. COX, and Mr. CAMPBELL.
H.R. 4506: Mr. MCHUGH, Ms. DANNER, and Mr. WEYGAND.
H.R. 4570: Mr. LATHAM and Mr. ISAKSON.
H.R. 4571: Mr. WAMP, Mrs. MORELLA, Mr. BILBRAY, Mr. KILDEE, Ms. SCHAKOWSKY, Mr. BENTSEN, Mr. BOEHNER, Ms. CARSON, Mr. MCINTYRE, Mr. WELLER, and Mr. BLAGOJEVICH.
H.R. 4614: Mr. HOEFFEL.
H.R. 4707: Ms. MILLENDER-MCDONALD, Mr. PAYNE, and Mr. MCCOLLUM.
H.R. 4715: Mr. KLECZKA.
H.R. 4728: Mr. LUCAS of Kentucky, Mr. TANNER, Mr. CANNON, Mr. DAVIS of Illinois, Mr. WEINER, Mr. OWENS, Mr. DAVIS of Virginia, Mr. ISAKSON, and Mr. ALLEN.
H.R. 4740: Ms. NORTON, Mrs. CAPPS, and Mr. PRICE of North Carolina.
H.R. 4792: Mr. DEFAZIO.
H.R. 4794: Ms. DELAURO.
H.R. 4802: Mr. GREEN of Texas, Mr. BUYER, and Mr. BONILLA.
H.R. 4857: Mr. BILBRAY.
H.R. 4927: Mr. HOEFFEL.
H.R. 5027: Mr. KOLBE.
H.R. 5099: Mr. MINGE.
H.R. 5110: Mr. GARY MILLER of California.
H.R. 5121: Mr. WEXLER and Mr. BLAGOJEVICH.
H.R. 5132: Mr. PRICE of North Carolina, Mr. WELDON of Pennsylvania, and Mr. BERMAN.
H.R. 5137: Mr. BILBRAY, Mr. BACHUS, and Mr. LEVIN.
H.R. 5151: Mr. BONIOR.
H.R. 5152: Mr. DICKS.
H.R. 5163: Mr. ANDREWS, Mr. MORAN of Kansas, and Ms. WOOLSEY.
H.R. 5164: Mr. GILLMOR.
H.R. 5172: Mr. DEUTSCH, Mr. MCINTYRE, Ms. DANNER, Mr. DOOLEY of California, Mr. WELLER, Ms. STABENOW and Ms. CARSON.
H.R. 5232: Ms. SCHAKOWSKY.
H.R. 5247: Mr. DEFAZIO.
H.R. 5265: Mr. GOODE, Mr. GILLMOR, and Mr. STUMP.
H.R. 5275: Ms. RIVERS, Mr. THORNBERRY, and Mr. ISAKSON.
H.R. 5277: Mr. BALDACCI, Mr. SABO, Mr. TURNER, Mr. SISISKY, Ms. LOFGREN, Ms. RIVERS, and Mr. WEXLER.
H.R. 5314: Mr. POMBO, Mr. KOLBE, Mrs. NORTHUP, Mr. GOODE, Mr. BILBRAY, Mr. NADLER, Mr. ROYCE, Mr. SHAYS, Mr. GILCHREST, Mr. WELDON of Pennsylvania, Mr. EHRLICH, Mr. FROST, Mr. SMITH of Washington, Mr. NETHERCUTT, Mr. TAYLOR of Mississippi, Mr. BLILEY, Mr. KUCINICH, Mr. SANDERS, Mr. CONYERS, Mr. JACKSON of Illinois, Mr. ABERCROMBIE, Mr. LOBIONDO, Mr. CLEMENT, Mr. MEEHAN, Mr. STUMP, Mr. WICKER, Mr. COBURN, Mr. DOOLITTLE, Mr. REYES, Mr. GIBBONS, Mr. PITTS, Mr. KINGSTON, Mr. JONES of North Carolina, Mr. CHABOT, Mr. YOUNG of Florida, Mr. HYDE, Mr. TRAFICANT, and Mr. BACA.
H.R. 5345: Mrs. CAPPS, Mr. THOMPSON of California, Ms. PELOSI, Mrs. BONO, Mr. WYNN, and Mr. OSE.
H.R. 5356: Mr. SHERWOOD and Mr. KANJORSKI.
H.R. 5371: Mr. UDALL of Colorado.
H.R. 5375: Ms. SLAUGHTER and Mrs. KELLY.

H.R. 5392: Mr. ENGLISH.
H.R. 5397: Mr. BERMAN, Mr. HINOJOSA, Mr. PASTOR, Mr. BISHOP, Mr. BOYD, Mr. MARKEY, Mr. LANTOS, and Mr. RAMSTAD.
H. J. Res. 107: Mr. TIERNEY and Ms. CARSON.
H. Con. Res. 337: Mr. ISAKSON, Mr. HOLT, and Mr. POMBO.
H. Res. 146: Mr. INSLEE.
H. Res. 187: Ms. SLAUGHTER.
H. Res. 420: Mr. ORTIZ.
H. Res. 461: Mr. PETERSON of Pennsylvania, Mr. MEEHAN, Ms. LEE, and Mr. WEYGAND.
H. Res. 605: Mr. OSE and Mrs. FOWLER.

TUESDAY, OCTOBER 10, 2000 (106)

¶106.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mrs. BIGGERT, who laid before the House the following communication:

WASHINGTON, DC,
October 10, 2000.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

¶106.2 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Cheek, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 2302. An Act to designate the building of the United States Postal Service located at 307 Main Street in Johnson City, New York, as the ''James W. McCabe, Sr. Post Office Building''.
H.R. 2938. An Act to designate the facility of the United States Postal Service located at 424 South Michigan Street in South Bend, Indiana, as the ''John Brademas Post Office''.
H.R. 3030. An Act to designate the facility of the United States Postal Service located at 757 Warren Road in Ithaca, New York, as the ''Matthew F. McHugh Post Office''.
H.R. 3454. An Act to designate the United States post office located at 451 College Street in Macon, Georgia, as the ''Henry McNeal Turner Post Office''.
H.R. 3909. An Act to designate the facility of the United States Postal Service located at 4601 South Cottage Grove Avenue in Chicago, Illinois, as the ''Henry W. McGee Post Office Building''.
H.R. 3985. An Act to redesignate the facility of the United States Postal Service located at 14900 Southwest 30th Street in Miramar, Florida, as the ''Vicki Coceano Post Office Building''.
H.R. 4157. An Act to designate the facility of the United States Postal Service located at 600 Lincoln Avenue in Pasadena, California, as the ''Matthew 'Mack' Robinson Post Office Building''.
H.R. 4169. An Act to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building''.
H.R. 4447. An Act to designate the facility of the United States Postal Service located at 919 West 34th Street in Baltimore, Maryland, as the ''Samuel H. Lacy, Sr. Post Office Building''.
H.R. 4448. An Act to designate the facility of the United States Postal Service located at 3500 Dolefield Avenue in Baltimore, Maryland, as the ''Judge Robert Bernard Watts, Sr. Post Office Building''.
H.R. 4449. An Act to designate the facility of the United States Postal Service located at 1908 North Ellamont Street in Baltimore, Maryland, as the ''Dr. Flossie McClain Dedmond Post Office Building''.
H.R. 4484. An Act to designate the facility of the United States Postal Service located at 500 North Washington Street in Rockville, Maryland, as the ''Everett Alvarez, Jr. Post Office Building.''
H.R. 4517. An Act to designate the facility of the United States Postal Service located at 24 Tsienneto Road in Derry, New Hampshire, as the ''Alan B. Shepard, Jr. Post Office Building''.
H.R. 4534. An Act to designate the facility of the United States Postal Service located at 114 Ridge Street, N.W. in Lenoir, North Carolina, as the ''James T. Broyhill Post Office Building''.
H.R. 4554. An Act to designate the facility of the United Sates Postal Service located at 1602 Frankford Avenue in Philadelphia, Pennsylvania, as the ''Joseph F. Smith Post Office Building''.
H.R. 4615. An Act to redesignate the facility of the United States Postal Service located at 3030 Meredith Avenue in Omaha, Nebraska, as the ''Reverend J.C. Wade Post Office''.
H.R. 4658. An Act to designate the facility of the United States Postal Service located at 301 Green Street in Fayetteville, North Carolina, as the ''J.L. Dawkins Post Office Building''.
H.R. 4884. An Act to redesignate the facility of the United States Postal Service located at 200 West 2nd Street in Royal Oak, Michigan, as the ''William S. Broomfield Post Office Building''.
H.R. 4975. An Act to designate the post office and courthouse located at 2 Federal Square, Newark, New Jersey, as the ''Frank R. Lautenberg Post Office and Courthouse''.

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is respected:

S. 1756. An Act to enhance the ability of the National Laboratories to meet Department of Energy missions, and for other purposes.
S. 2686. An Act to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes.
S. 2804. An Act to designate the facility of the United States Postal Service located at 424 South Michigan Street in South Bend, Indiana, as the ''John Brademas Post Office''.
S. 3062. An Act to modify the date on which the Mayor of the District of Columbia submits a performance accountability plan to Congress, and for other purposes.
S. Con. Res. 145. Concurrent resolution expressing the sense of Congress on the propriety and need for expeditious construction of the National World War II Memorial at the Rainbow Pool on the National Mall in the Nation's Capitol.

¶106.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to the order of the House of Tuesday, January 19, 1999, recognized Members for ''morning-hour debate''.

¶106.4 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

¶106.5 RECESS—1:04 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 1 o'clock 4 minutes p.m. until 2 o'clock p.m.

¶106.6 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mrs. BIGGERT, called the House to order.

¶106.7 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. BIGGERT, announced he had examined and approved the Journal of the proceedings of Friday, October 6, 2000.

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

¶106.8 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10514. A letter from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—FOOD STAMP PROGRAM, REGULATORY REVIEW: Electronic Benefit Transfer (EBT) Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 [Amendment No. 390] (RIN: 0584–AC44) received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.
10515. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Phosphorous Acid; Exemption from the Requirement of a Tolerance [OPP–301030; FRL–6599–1] (RIN: 2070–AB) received October 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.
10516. A letter from the Assistant Secretary, Occupational Safety and Health Administration, transmitting the Administration's final rule—Nationally Recognized Testing Laborities—Fees; Public Comment Period on Regulation Notices [Docket No. NRTL 95–F–1] (RIN: 1218–AB57) received October 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.
10517. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Food Labeling: Health Claims and Labeling Statements; Dietary Fiber and Cancer; Antioxidant Vitamins and Cancer; Omega-3 Fatty Acids and Coronary Heart Disease; Folate and Neural Tube Defects; Revocation [Docket Nos. 91N–0101, 91N–0098, 91N–0103, and 91N–100H] (RIN: 0910–AA19) received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.
10518. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Regulations on Statements Made for Dietary Supplements Concerning the Effect of the Product on the Structure or Function of the Body; Partial Stay or Compliance [Docket No. 98N–0044] (RIN: 0910–AB97) received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.
10519. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Listing of Color Additives for Coloring Sutures; D&C Violet No. 2; Confirmation of Effective Date [Docket No. 99C–1455] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.
10520. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—

Gastroenterology and Urology Devices; Effective Date of Requirement for Premarket Approval of the Implanted Mechanical/Hydraulic Urinary Continence Device [Docket No. 94N–0380] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10521. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Chlorinated Aliphatics Production Wastes; Land Disposal Restrictions for Newly Identified Wastes; and CERCLA Hazardous Substance Designation and Reportable Quantities [SWH–FRL–6882–6] (RIN: 2050–AD85) received October 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10522. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Promulgation of Extension of Attainment Date for the San Diego, California Serious Ozone Nonattainment Area [CA–029–EXTa; FRL–6872–8] received October 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10523. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting a Agency's final rule—Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or SUPERFUND, Section 104 ''Announcement of Proposal Deadline for the Competition for the FY 2001 Brownfields Cleanup Revolving Loan Fund Pilots'' [FRL–6884–1] received October 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10524. A letter from the Secretary, Federal Trade Commission, Bureau of Consumer Protection, transmitting the Commission's final rule—Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act—received October 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10525. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: HI-STAR 100 Revision (RIN: 3150–AG58) received October 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10526. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom, France, Italy, Sweden, Australia, Germany, Norway, Japan, Belgium, Bermuda, Canada [DTC 111–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10527. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to France and Germany [Transmittal No. DTC 66–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10528. A letter from the Director, U.S. Trade and Development Agency, transmitting a report on the Strategic Plan for FY 2001–2006; to the Committee on Government Reform.

10529. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes [Docket No. 2000–NM–43–AD; Amendment 39–11907; AD 2000–19–06] (RIN: 2120–AA64) received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10530. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777 Series Airplanes [Docket No. 2000–NM–259–AD; Amendment 39–11909; AD 2000–19–08] (RIN: 2120–AA64) received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10531. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 and EMB–145 Series Airplanes [Docket No. 2000–NM–300–AD; Amendment 39–11903; AD 2000–19–02] (RIN: 2120–AA64) received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10532. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 and EMB–145 Series Airplanes [Docket No. 2000–NM–301–AD; Amendments 39–11904; AD 2000–19–03] (RIN: 2120–AA64) received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10533. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A. Model A109E Helicopters [Docket No. 2000–SW–41–AD; Amendment 39–11898; AD 2000–17–52] (RIN: 2120–AA64) received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10534. A letter from the General Counsel, National Aeronautics and Space Administration, transmitting the Administration's final rule—Code of Contact for International Space Station Crew (RIN: 2700–AC40) received October 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

¶106.9 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mrs. BIGGERT, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bill earlier today:

H.R. 4444. An Act to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.

¶106.10 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, WASHINGTON, DC, OCTOBER 2, 2000.

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

DEAR MR. SPEAKER: I am transmitting herewith copies of the resolutions approved on September 27, 2000 by the Committee on Transportation and Infrastructure, as follows:

• Committee survey resolutions authorizing the U.S. Army Corps of Engineers to study the following potential water resources projects: Donaldsonville, Louisiana; Atchafalaya River Channels, Louisiana; and, Tennessee River Watershed, Virginia.

• Committee resolution authorizing the Natural Resources Conservation Service to undertake a small watershed project for the Snake River, Minnesota.

With kind personal regards, I am

Sincerely,

BUD SHUSTER,
Chairman.

Enclosures.

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

¶106.11 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mrs. BIGGERT, laid before the House the following communication from Mr. FARR:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 10, 2000.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the Superior Court for San Diego County, California.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to notify the party that issued the subpoenas that I do not have any responsive documents.

Sincerely,

SAM FARR,
Member of Congress.

¶106.12 LIBERTY DAY

Mrs. MORELLA moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 376):

Whereas our rights and liberties are rooted in the cherished documents that gave birth to our nation, those being the Declaration of Independence and the United States Constitution with its Bill of Rights;

Whereas the patriot James Madison, fourth President of the United States, was the major author of the Virginia Plan, the model and the basis for that United States Constitution that emerged from the Constitutional Convention in 1787;

Whereas James Madison kept detailed written records of the debates and compromises that were in integral part of that Convention of 1787, which records were published only after the death of all delegates to the Convention;

Whereas James Madison wrote many of the newspaper articles now known as the Federalist Papers, outlining why States should endorse the new Constitution and enduring as some of the best arguments for our form of government;

Whereas James Madison introduced the Bill of Rights into the 1st Congress of the United States, whereupon the first ten amendments to the Constitution were adopted; and

Whereas it is altogether fitting that the 16th day of March, the birthday of the distinguished founding father, James Madison, would serve as a fitting reminder of Liberty Day, a celebration of the Declaration of Independence and the United States Constitution, where our unalienable rights and liberties are enumerated: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) a Liberty Day should be celebrated each year in the United States as a remembrance of both the freedom that Americans were given in the Declaration of Independence and the extraordinary rights and liberties that Americans were given in their Constitution; and

(2) all elected and previously-elected representatives of the people who voluntarily give of their time to speak to Americans about those founding documents, in furtherance of that remembrance of our freedom, our rights and our liberties, deserve our thanks.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mrs. MORELLA and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶106.13 ROLLOVER DISTRIBUTIONS TO ACCOUNTS IN THRIFT SAVINGS PLAN

Mrs. MORELLA moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 208) to amend title 5, United States Code, to allow for the contribution of certain rollover distributions to accounts in the Thrift Savings Plan, to eliminate certain waiting-period requirements for participating in the Thrift Savings Plan, and for other purposes:

Page 2, line 15, strike out all after ''distribution'' down to and including ''trust.'' in line 16 and insert: *that a qualified trust could accept under the Internal Revenue Code of 1986.*

Page 3, strike out lines 1 through 5 and insert:

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect at the earliest practicable date after September 30, 2000, as determined by the Executive Director in regulations.

Page 6, strike out lines 5 through 10 and insert:

(1) IN GENERAL.—The amendments made by this section shall take effect at the earliest practicable date after September 30, 2000, as determined by the Executive Director in regulations.

Page 6, strike out all after line 15, over to and including line 2 on page 8, and insert:

SEC. 3. COURT ORDERS AFFECTING REFUNDS.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8342(j)(1) of title 5, United States Code, is amended to read as follows:

''(j)(1)(A) Payment of the lump-sum credit under subsection (a) may be made only if the spouse, if any, and any former spouse of the employee or Member are notified of the employee or Member's application.

''(B) The Office shall prescribe regulations under which the lump-sum credit shall not be paid without the consent of a spouse or former spouse of the employee or Member where the Office has received such additional information and documentation as the Office may require that—

''(i) a court order bars payment of the lump-sum credit in order to preserve the court's ability to award an annuity under section 8341(h) or section 8345(j); or

''(ii) payment of the lump-sum credit would extinguish the entitlement of the spouse or former spouse, under a court order on file with the Office, to a survivor annuity under section 8341(h) or to any portion of an annuity under section 8345(j).''.

(b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—Section 8424(b)(1) of title 5, United States Code, is amended to read as follows:

''(b)(1)(A) Payment of the lump-sum credit under subsection (a) may be made only if the spouse, if any, and any former spouse of the employee or Member are notified of the employee or Member's application.

''(B) The Office shall prescribe regulations under which the lump-sum credit shall not be paid without the consent of a spouse or former spouse of the employee or Member where the Office has received such additional information or documentation as the Office may require that—

''(i) a court order bars payment of the lump-sum credit in order to preserve the court's ability to award an annuity under section 8445 or 8467; or

''(ii) payment of the lump-sum credit would extinguish the entitlement of the spouse or former spouse, under a court order on file with the Office, to a survivor annuity under section 8445 or to any portion of an annuity under section 8467.''.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mrs. MORELLA and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. MORELLA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶106.14 RUTH HARRIS COLEMAN POST OFFICE

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 5229) to designate the facility of the United States Postal Service located at 219 South Church Street in Odum, Georgia, as the ''Ruth Harris Coleman Post Office''.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mrs. MORELLA and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.15 ROBERTO CLEMENTE POST OFFICE

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 4831) to redesignate the facility of the United States Postal Service located at 2339 North California Street in Chicago, Illinois, as the ''Robert Clemente Post Office''; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mrs. MORELLA and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to redesignate the facility of the United States Postal Service located at 2339 North California Avenue in Chicago, Illinois, as the 'Roberto Clemente Post Office'.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.16 POSTPARTUM DEPRESSION

Mr. BILIRAKIS moved to suspend the rules and agree to the following resolution (H. Res. 163):

Whereas postpartum depression is the name given to a wide range of emotional, psychological, and physiological reactions to childbirth including loneliness, sadness, fatigue, low self-esteem, loss of identity, increased vulnerability, irritability, confusion, disorientation, memory impairment, agitation, and anxiety, which challenge the stamina of the new mother suffering from postpartum depression and can intensify and impair her ability to function and nurture her newborn(s);

Whereas as many as 400,000 American women will suffer from postpartum depression this year and will require treatment. This constitutes up to 20 percent of women who give birth. Incidence of mild, ''transitory blues'' ranges from 500 to 800 cases per 1,000 births (50 to 80 percent);

Whereas postpartum depression is the result of a chemical imbalance triggered by a sudden dramatic drop in hormonal production after the birth of a baby, especially in women who have an increased risk. Those women at highest risk are those with a previous psychiatric difficulty, such as depression, anxiety, or panic disorder. Levels of risk are greater for those with a family member suffering from the same, including alcoholism;

Whereas women are more likely to suffer from mood and anxiety disorders during pregnancy and following childbirth than at any other time in their lives. 70 to 80 percent of all new mothers suffer some degree of postpartum mood disorder lasting anywhere from a week to as much as a year or more. Approximately 10 to 20 percent of new mothers experience a paralyzing, diagnosable clinical depression;

Whereas many new mothers suffering from postpartum depression require counseling and treatment, yet many do not realize that they require help. It is imperative that the health care provider who treats her has a thorough understanding of this disorder. Those whose illness is severe may require medication to correct the underlying brain chemistry that is disturbed. This often debilitating condition has typically been a silent condition suffered privately by women because of the feelings of shame or guilt;

Whereas postpartum depression frequently strikes without warning in women without any past emotional problems, without any history of depression and without any complications in pregnancy. Postpartum depression strikes mothers who are in very satisfying marriages as well as those who are single. It strikes women who had easy pregnancies and deliveries, as well as women who suffered prolonged, complicated labors and caesarean section deliveries. Symptoms may appear at any time after delivery, often after the woman has returned home from the hospital. It may strike after the first, third, or even fourth birth;

Whereas postpartum depression is not a new phenomenon. Hippocrates observed the connection between childbirth and mental illness over 2,000 years ago. Louis V. Marce, a French physician, detailed the identifiable signs and symptoms of postpartum depression in 1858;

Whereas the most extreme and rare form of this condition, called postpartum psychosis, hosts a quick and severe onset, usually within 3 months. 80 percent of all cases of this more extreme form present within 3 to 14 days after delivery with intensifying symptoms; once suffered recurrence rate with subsequent pregnancies is high;

Whereas postpartum mood disorders occur after the mother has had frequent contact prenatally with health care professionals who might identify symptoms and those at risk. In the United States, where medical surveillance of new mothers often lapses between discharge from the hospital and the physical checkup 6 weeks later, the recognition of postpartum illness is left mainly to chance. The focus of the 6-week checkup is on the medical aspects of her reproductive system and not her mental health;

Whereas having a baby often marks one of the happiest times in a woman's life. For 9 months, she awaits her child's birth with a whole range of emotions ranging from nervous anticipation to complete joy. Society is quite clear about what her emotions are expected to be once the baby is born. Joy and other positive feelings are emphasized, while sadness and other negative emotions are minimized. It is culturally acceptable to be depressed after a death or divorce but not by the arrival of an infant. Because of the social stigma surrounding depression after delivery, women are afraid to say that something is wrong if they are experiencing something different than what they are expected to feel. Mothers are ashamed, fearful, and embarrassed to share their negative feelings and can also be fearful of losing their babies;

Whereas treatment can significantly reduce the duration and severity of postpartum psychiatric illness;

Whereas postpartum depression dramatically distorts the image of perfect new motherhood and is often dismissed by those suffering and those around her. It is thought to be a weakness on the part of the sufferer—self-induced an self-controllable;

Whereas education can help take away the ''stigma'' of postpartum depression and can make it easier to detect and diagnose this disorder in its earliest stages, preventing the most severe cases;

Whereas at present, the United States lacks any organized treatment protocol for postpartum depression. Sufferers have few treatment resources. The United States lags behind most other developed countries in providing such information, support, and treatment;

Whereas the United States Government and its agencies collect very little data on postpartum illness;

Whereas if early recognition and treatment are to occur, postpartum depression must be discussed in childbirth classes and obstetrical office visits, as are conditions, such as hemorrhage and sepsis;

Whereas early detection, diagnosis, and treatment of postpartum illness will become easier if public education is enhanced to lift the social stigma, thereby increasing the chance that women will inform others of her symptoms as she would for physical complications;

Whereas research shows that in the first few weeks after delivery, a woman's chance of requiring a psychiatric admission is 7 times higher than at any other time in her life. It is estimated that as many as 90 percent realize something is wrong, but less than 2 percent report symptoms to their health care provider. The remaining individuals are either undiagnosed, misdiagnosed, or seek no medical assistance;

Whereas it is estimated that as many as 90 percent of women realize something is wrong; however less than 2 percent report symptoms to their health care provider. Only about 20 percent of women with the disorder receive treatment. The remaining individuals are either undiagnosed, misdiagnosed, or seek no medical assistance;

Whereas in addition to the mother, the effects of postpartum depression can also impact the child and the father significantly. Infants of mothers with postpartum depression are at risk for socioemotional difficulties in life. Maternal depression can affect the mother's ability to respond sensitively to her infant's needs. A depressed mother is less likely to provide her children with appropriate levels of stimulation and to express positive affect. Research generally shows that children who receive warm and responsive caregiving from the moment of birth and are securely attached to their caregivers cope with difficult times more easily when they are older. They are more curious, get along better with other children, and perform better in school than those who are less securely attached;

Whereas a mother's marriage can also become severely strained when dealing with a postpartum illness. Husbands/fathers feel anxious and helpless, not understanding what is going wrong or what is the source of the depression. They can express exasperation and even resentment as a result of the problems created by the illness. They are also more likely to become depressed themselves, further compromising the functioning of the family. Lack of support from the partner can contribute to the development or continuation of postpartum depression. Husbands, partners, family members, and friends need access to information on these issues in order to support their wives, relatives, or friends;

Whereas severe postpartum illness can obstruct the important pattern of friendship and support that most couples with newborns tend to form. Family units as a whole can experience isolation;

Whereas education is helpful to new parents coping with these emotional and hormonal changes and also helps them to decide if and when they need to seek outside help; and

Whereas postpartum depression is one of the most treatable and curable of all forms of mental illness. Learning about postpartum depression helps prevent it and relieve it: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recommends that all hospitals and clinics which deliver babies provide departing new mothers and fathers or family members with complete information about postpartum depression, its symptoms, methods of coping with it, and treatment resources;

(2) encourages all obstetricians to inquire prenatally about any psychiatric problems the mother may have experienced, including substance abuse, existence of the above in any family members, and, ideally screen for ongoing depression;

(3) encourages all obstetricians to screen new mothers for postpartum depression symptoms prior to discharge from the hospital and again when they bring in their babies for early checkups;

(4) recommends that appropriate health care professionals be trained specifically in screening women for signs of postpartum depression in order to improve chances of early detection;

(5) recognizes that a coordinated system of registry should be developed to collect data on mental disorders in the new mother and that the National Institutes of Health should undertake additional research on postpartum psychiatric illnesses;

(6) recognizes the impact of a mother's postpartum depression on fathers and other family members as well and strongly encourages that they be included in both the education and treatment processes to help them better understand the nature and causes of postpartum depression so they too can overcome the spillover effects of the condition and improve their ability to be supportive; and

(7) calls on the citizens of the United States, particularly the medical community, to learn more about postpartum depression, how to educate women and families about it, and thus ultimately lower the likelihood that women around the country will continue to suffer in silence.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. BILIRAKIS and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶106.17 LUPUS RESEARCH AND CARE AMENDMENTS

Mr. BILIRAKIS moved to suspend the rules and pass the bill (H.R. 762) to amend the Public Health Service Act to provide for research and services with respect to lupus; as amended.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. BILIRAKIS and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BILIRAKIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶106.18 DRUG DEALER LIABILITY

Mr. BILIRAKIS moved to suspend the rules and pass the bill (H.R. 1042) to amend the Controlled Substances Act to provide civil liability for illegal manufacturers and distributors of controlled substances for the harm caused by the use of those controlled substances.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. BILIRAKIS and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.19 INTERNET SAFETY AWARENESS

Mr. BILIRAKIS moved to suspend the rules and agree to the following resolution (H. Res. 575); as amended:

Whereas the Internet provides citizens of the United States with the technology for research, education, entertainment, and communication;

Whereas millions of Americans, many school libraries and classrooms, and many public libraries are connected to the Internet;

Whereas more than 1 out of 5 missing 15- to 17-year-old teenagers have disappeared because of someone they met while chatting on the Internet;

Whereas there are an estimated 10,000 Internet websites designed for or by individuals who have a sexual preference for children;

Whereas there are an estimated 200 million pages of pornography, hate, violence, and abuse on the Internet;

Whereas there are multitudes of strangers who use the Internet to enter homes, talk to and ''groom'' children, and will take indecent advantages of those children if given a chance;

Whereas children have been raped, assaulted, kidnapped, and deprived of their innocence by individuals they met on the Internet; and

Whereas September 2000 is Internet Safety Awareness Month: Now, therefore, be it

Resolved, That the House of Representatives—

(1) urges the citizens of the United States to recognize and support educational programs that make surfing on the Internet safe and fun;

(2) supports initiatives to educate parents, children, educators, and community leaders about the enormous possibilities and the potential dangers of the Internet;

(3) urges all Americans to become informed about the Internet and to support proactive efforts that will provide Internet safety for children and for future generations to come; and

(4) expresses the sincere appreciation of the House of Representatives for the thousands of law enforcement officials who are aggressively working to protect America's children while they are online.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. BILIRAKIS and Mr. MARKEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶106.20 STANDARD TIME ZONE FOR GUAM AND NORTHERN MARIANA ISLANDS

Mr. OXLEY moved to suspend the rules and pass the bill (H.R. 3756) to establish a standard time zone for Guam and the Commonwealth of the Northern Mariana Islands, and for other purposes.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. OXLEY and Mr. TOWNS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.21 SECURITY BEYOND THE SUPREME COURT BUILDING AND GROUNDS

Mr. CANADY moved to suspend the rules and pass the bill (H.R. 5136) to make permanent the authority of the Marshal of the Supreme Court and the Supreme Court Police to provide security beyond the Supreme Court building and grounds.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. CANADY and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.22 VISA WAIVER PERMANENT PROGRAM

Mr. SMITH of Texas moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 3767) to amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under section 217 of such Act:

Page 5, line 12, strike out ''2006'' and insert ''2007''.

Page 7, line 11, strike out all after ''(g)'' down to and including ''SYSTEM'' in line 13 and insert ''VISA APPLICATION SOLE METHOD TO DISPUTE DENIAL OF WAIVER BASED ON A GROUND OF INADMISSIBILITY

Page 7, line 13, strike out all after ''alien'' down to and including ''use'' in line 16 and insert'' denied a waiver under the program by reason of a ground of inadmissibility described in section 212(a) that is discovered at the time of the alien's application for the waiver or through the use''.

Page 7, strike out all after line 22 over to and including line 15 on page 8

Page 9, line 6, strike out ''United States);'' and insert ''United States and the existence and effectiveness of its agreements and procedures for extraditing to the United States individuals, including its own nationals, who commit crimes that violate United States law);''.

Page 9, line 11, strike out all after ''Judiciary'' down to and including ''and'' in line 12 and insert ''and the Committee on International Relations of the House of Representatives and the Committee on the Judiciary and the Committee on Foreign Relations''.

Page 10, line 7, strike out ''United States);'' and insert ''United States and the existence and effectiveness of its agreements and procedures for extraditing to the United States individuals, including its own nationals, who commit crimes that violate United States law);''.

Page 10, line 8, after ''determine'' insert '', based upon the evaluation in subclause (I),''.

Page 10, line 14, strike out all after ''ary'' down to and including ''and'' in line 15 and insert ''and the Committee on International Relations of the House of Representatives and the Committee on the Judiciary and the Committee on Foreign Relations''.

Page 10, line 25, strike out all after ''General,'' over to and including ''Register'' in line 3 on page 11 and insert ''in consultation with the Secretary of State''.

Page 11, strike out all after line 12 over to and including line 9 on page 12

Page 12, line 10, strike out ''(C)'' and insert ''(B)''.

Page 13, line 3, after ''ity)'' insert ''on the territory of the program country''.

Page 13, strike out all after line 3 down to and including line 6 and insert:

''(III) a severe breakdown in law and order affecting a significant portion of the program country's territory;

''(IV) a severe economic collapse in the program country; or''.

Page 13, line 8, after ''event'' insert ''in the program country''.

Page 13, line 12, after ''States)'' insert ''and where the country's participation in the program could contribute to that threat''.

Page 13, line 17, after ''General'' insert '', in consultation with the Secretary of State,''.

Page 14, line 7, strike out ''(D)'' and insert ''(C)''.

Page 14, line 12, strike out '', (B), or (C)'' and insert ''or (B)''.

Page 14, line 18, strike out ''a designation''

Page 15, line 11, after ''arrives'' insert ''and departs''.

Page 16, line 25, strike out all after ''RECORD.—'' over to and including ''Senate'' in line 6 on page 17 and insert ''As part of the annual report required to be submitted under section 110(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the Attorney General shall include a section''.

Page 17, line 8, after ''year'' insert '', together with an analysis of that information''.

Page 17, line 10, strike out ''October 1'' and insert ''December 31''.

Page 18, after line 2 insert:

''The report required by this clause may be combined with the annual report required to be submitted on that date under section 110(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.''

Page 19, line 21, after ''name'' insert ''or Service identification number''.

Page 20, strike out all after line 21 over to and including line 4 on page 21 and insert:

''(6) COMPUTATION OF VISA REFUSAL RATES.—For purposes of determining the eligibility of a country to be designated as a program country, the calculation of visa refusal rates shall not include any visa refusals which incorporate any procedures based on, or are otherwise based on, race, sex, or disability, unless otherwise specifically authorized by law or regulation. No court shall have jurisdiction under this paragraph to review any visa refusal, the denial of admission to the United States of any alien by the Attorney General, the Secretary's computation of the visa refusal rate, or the designation or nondesignation of any country.''.

Page 21, after line 4 insert:

"SEC. 207. VISA WAIVER INFORMATION.

''Section 217(c) of the Immigration and Nationality Act (8 U.S.C. 1187(c)), as amended by sections 204(b) and 206 of this Act, is further amended by adding at the end the following:

''(7) VISA WAIVER INFORMATION.—

''(A) IN GENERAL.—In refusing the application of nationals of a program country for United States visas, or the applications of nationals of a country seeking entry into the visa waiver program, a consular officer shall not knowingly or intentionally classify the refusal of the visa under a category that is not included in the calculation of the visa refusal rate only so that the percentage of that country's visa refusals is less than the percentage limitation applicable to qualification for participation in the visa waiver program.

''(B) REPORTING REQUIREMENT.—On May 1 of each year, for each country under consideration for inclusion in the visa waiver program, the Secretary of State shall provide to the appropriate congressional committees—

''(i) the total number of nationals of that country that applied for United States visas in that country during the previous calendar year;

''(ii) the total number of such nationals who received United States visas during the previous calendar year;

''(iii) the total number of such nationals who were refused United States visas during the previous calendar year;

''(iv) the total number of such nationals who were refused United States visas during the previous calendar year under each provision of this Act under which the visas were refused; and

''(v) the number of such nationals that were refused under section 214(b) as a percentage of the visas that were issued to such nationals.

''(C) CERTIFICATION.—Not later than May 1 of each year, the United States chief of mission, acting or permanent, to each country under consideration for inclusion in the visa waiver program shall certify to the appropriate congressional committees that the information described in subparagraph (B) is accurate and provide a copy of that certification to those committees.

''(D) CONSIDERATION OF COUNTRIES IN THE VISA WAIVER PROGRAM.—Upon notification to the Attorney General that a country is under consideration for inclusion in the visa waiver program, the Secretary of State shall provide all of the information described in subparagraph (B) to the Attorney General.

''(E) DEFINITION.—In this paragraph, the term 'appropriate congressional committees' means the Committee on the Judiciary and the Committee on Foreign Relations of the Senate and the Committee on the Judiciary and the Committee on International Relations of the House of Representatives.''.

"TITLE III—IMMIGRATION STATUS OF ALIEN EMPLOYEES OF INTELSAT AFTER PRIVATIZATION

"SEC. 301. MAINTENANCE OF NONIMMIGRANT AND SPECIAL IMMIGRANT STATUS NOTWITHSTANDING INTELSAT PRIVATIZATION.

''(a) OFFICERS AND EMPLOYEES.—

''(1) AFTER PRIVATIZATION.—In the case of an alien who, during the 6-month period ending on the day before the date of privatization, was continuously an officer or employee of INTELSAT, and pursuant to such position continuously maintained, during such period, the status of a lawful nonimmigrant described in section 101(a)(15)(G)(iv) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(G)(iv)), the alien shall be considered as maintaining such nonimmigrant status on and after the date of privatization, but only during the period in which the alien is an officer or employee of INTELSAT or any successor or separated entity of INTELSAT.

''(2) PRECURSORY EMPLOYMENT WITH SUCCESSOR BEFORE PRIVATIZATION COMPLETION.—In the case of an alien who commences service as an officer or employee of a successor or separated entity of INTELSAT before the date of privatization, but after the date of the enactment of the ORBIT Act (Public Law 106–180; 114 Stat. 48) and in anticipation of privatization, if the alien, during the 6-month period ending on the day before such commencement date, was continuously an officer or employee of INTELSAT, and pursuant to such position continuously maintained, during such period, the status of a lawful nonimmigrant described in section 101(a)(15)(G)(iv) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(G)(iv)), the alien shall be considered as maintaining such nonimmigrant status on and after such commencement date, but only during the period in which the alien is an officer or employee of any successor or separated entity of INTELSAT.

''(b) IMMEDIATE FAMILY MEMBERS.—

''(1) ALIENS MAINTAINING STATUS.—

''(A) AFTER PRIVATIZATION.—An alien who, on the day before the date of privatization, was a member of the immediate family of an alien described in subsection (a)(1), and had the status of a lawful nonimmigrant described in section 101(a)(15)(G)(iv) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(G)(iv)) on such day, shall be considered as maintaining such nonimmigrant status on and after the date of privatization, but, only during the period in which the alien described in subsection (a)(1) is an officer or employee of INTELSAT or any successor or separated entity of INTELSAT.

''(B) AFTER PRECURSORY EMPLOYMENT.—An alien who, on the day before a commencement date described in subsection (a)(2), was a member of the immediate family of the commencing alien, and had the status of a lawful nonimmigrant described in section 101(a)(15)(G)(iv) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(G)(iv)) on such day, shall be considered as maintaining such nonimmigrant status on and after such commencement date, but only during the period in which the commencing alien is an officer or employee of any successor or separated entity of INTELSAT.

''(2) ALIENS CHANGING STATUS.—In the case of an alien who is a member of the immediate family of an alien described in paragraph (1) or (2) of subsection (a), the alien may be granted and may maintain status as a nonimmigrant described in section 101(a)(15)(G)(iv) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(G)(iv)) on the same terms as an alien described in subparagraph (A) or (B), respectively, of paragraph (1).

''(c) SPECIAL IMMIGRANTS.—For purposes of section 101(a)(27)(I) (8 U.S.C. 1101(a)(27)(I)) of the Immigration and Nationality Act, the term ''international organization'' includes INTELSAT or any successor or separated entity of INTELSAT.

"SEC. 302. TREATMENT OF EMPLOYMENT FOR PURPOSES OF OBTAINING IMMIGRANT STATUS AS A MULTINATIONAL EXECUTIVE OR MANAGER.

''(a) IN GENERAL.—Notwithstanding section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)), in the case of an alien described in subsection (b)—

''(1) any services performed by the alien in the United States as an officer or employee of INTELSAT or any successor or separated entity of INTELSAT, and in a capacity that is managerial or executive, shall be considered employment outside the United States by an employer described in section 203(b)(1)(C) of such Act (8 U.S.C. 1153(b)(1)(C)), if the alien has the status of a lawful nonimmigrant described in section 101(a)(15)(G)(iv) of such Act (8 U.S.C. 1101(a)(15)(G)(iv)) during such period of service; and

''(2) the alien shall be considered as seeking to enter the United States in order to continue to render services to the same employer.

''(b) ALIENS DESCRIBED.—An alien described in this subsection is an alien—

''(1) whose nonimmigrant status is maintained pursuant to section 301(a); and

''(2) who seeks adjustment of status after the date of privatization to that of an alien lawfully admitted for permanent residence under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) based on section 203(b)(1)(C) of such Act (8 U.S.C. 1153(b)(1)(C)) during the period in which the alien is—

''(A) an officer or employee of INTELSAT or any successor or separated entity of INTELSAT; and

''(B) rendering services as such an officer or employee in a capacity that is managerial or executive.

"SEC. 303. DEFINITIONS.

''For purposes of this title—

''(1) the terms ''INTELSAT'', ''separated entity'', and ''successor entity'' shall have the meaning given such terms in the ORBIT Act (Public Law 106–180; 114 Stat. 48);

''(2) the term ''date of privatization'' means the date on which all or substantially all of the then existing assets of INTELSAT are legally transferred to one or more stock corporations or other similar commercial entities; and

''(3) all other terms shall have the meaning given such terms in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

"TITLE IV—MISCELLANEOUS PROVISIONS

"SEC. 401. AMENDMENT TO SECTION 214 OF THE IMMIGRATION AND NATIONALITY ACT.

''Section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)) is amended by adding the following new paragraph:

''(10) An amended H–1B petition shall not be required where the petitioning employer is involved in a corporate restructuring, including but not limited to a merger, acquisition, or consolidation, where a new corporate entity succeeds to the interests and obligations of the original petitioning employer and where the terms and conditions of employment remain the same but for the identity of the petitioner.''.

"SEC. 402. THE IMMIGRANT INVESTOR PILOT PROGRAM.

''(a) EXTENSION OF PROGRAM.—Section 610(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended by striking ''seven years'' and inserting ''ten years''.

''(b) DETERMINATIONS OF JOB CREATION.—Section 610(c) of such Act is amended by inserting '', improved regional productivity, job creation, or increased domestic capital investment'' after ''increased exports''.

"SEC. 403. PARTICIPATION OF BUSINESS AIRCRAFT IN THE VISA WAIVER PROGRAM.

''(a) ENTRY OF BUSINESS AIRCRAFT.—Section 217(a)(5) of the Immigration and Nationality Act (as redesignated by this Act) is amended by striking all after ''carrier'' and inserting the following: '', including any carrier conducting operations under part 135 of title 14, Code of Federal Regulations, or a noncommercial aircraft that is owned or operated by a domestic corporation conducting operations under part 91 of title 14, Code of Federal Regulations which has entered into an agreement with the Attorney General pursuant to subsection (e). The Attorney General is authorized to require a carrier conducting operations under part 135 of title 14, Code of Federal Regulations, or a domestic corporation conducting operations under part 91 of that title, to give suitable and proper bond, in such reasonable amount and containing such conditions as the Attorney General may deem sufficient to ensure compliance with the indemnification requirements of this section, as a term of such an agreement.''.

''(b) ROUND-TRIP TICKET.—Section 217(a)(8) of the Immigration and Nationality Act (as redesignated by this Act) is amended by inserting ''or the alien is arriving at the port of entry on an aircraft operated under part 135 of title 14, Code of Federal Regulations, or a noncommercial aircraft that is owned or operated by a domestic corporation conducting operations under part 91 of title 14, Code of Federal Regulations'' after ''regulations''.

''(c) AUTOMATED SYSTEM CHECK.—Section 217(a) (8 U.S.C. 1187(a)) of the Immigration and Nationality Act is amended by adding at the end the following: ''Operators of aircraft under part 135 of title 14, Code of Federal Regulations, or operators of noncommercial aircraft that are owned or operated by a domestic corporation conducting operations under part 91 of title 14, Code of Federal Regulations, carrying any alien passenger who will apply for admission under this section shall furnish such information as the Attorney General by regulation shall prescribe as necessary for the identification of any alien passenger being transported and for the enforcement of the immigration laws. Such information shall be electronically transmitted not less than one hour prior to arrival at the port of entry for purposes of checking for inadmissibility using the automated electronic database.''.

''(d) CARRIER AGREEMENT REQUIREMENTS TO INCLUDE BUSINESS AIRCRAFT.—

''(1) IN GENERAL.—Section 217(e) (8 U.S.C. 1187(e)) of the Immigration and Nationality Act is amended—

''(A) by striking ''carrier'' each place it appears and inserting ''carrier (including any carrier conducting operations under part 135 of title 14, Code of Federal Regulations) or a domestic corporation conducting operations under part 91 of that title''; and

''(B) in paragraph (2), by striking ''carrier's failure'' and inserting ''failure by a carrier (including any carrier conducting operations under part 135 of title 14, Code of Federal Regulations) or a domestic corporation conducting operations under part 91 of that title''.

''(2) BUSINESS AIRCRAFT REQUIREMENTS.—Section 217(e) (8 U.S.C. 1187(e)) of the Immigration and Nationality Act is amended by adding at the end the following new paragraph:

''(3) BUSINESS AIRCRAFT REQUIREMENTS.—

''(A) IN GENERAL.—For purposes of this section, a domestic corporation conducting operations under part 91 of title 14, Code of Federal Regulations that owns or operates a noncommercial aircraft is a corporation that is organized under the laws of any of the States of the United States or the District of Columbia and is accredited by or a member of a national organization that sets business aviation standards. The Attorney General shall prescribe by regulation the provision of such information as the Attorney General deems necessary to identify the domestic corporation, its officers, employees, shareholders, its place of business, and its business activities.

''(B) COLLECTIONS.—In addition to any other fee authorized by law, the Attorney General is authorized to charge and collect, on a periodic basis, an amount from each domestic corporation conducting operations under part 91 of title 14, Code of Federal Regulations, for nonimmigrant visa waiver admissions on noncommercial aircraft owned or operated by such domestic corporation equal to the total amount of fees assessed for issuance of nonimmigrant visa waiver arrival/departure forms at land border ports of entry. All fees collected under this paragraph shall be deposited into the Immigration User Fee Account established under section 286(h).''.

''(e) REPORT REQUIRED.—Not later than two years after the date of enactment of this Act, the Attorney General shall submit a report to the Committees on the Judiciary of the House of Representatives and the Senate assessing the effectiveness of the program implemented under the amendments made by this section for simplifying the admission of business travelers from visa waiver program countries and compliance with the Immigration and Nationality Act by such travelers under that program.

SEC. 404. MORE EFFICIENT COLLECTION OF INFORMATION FEE.

''Section 641(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208) is amended—

''(1) in paragraph (1)—

''(A) by striking ''an approved institution of higher education and a designated exchange visitor program'' and inserting ''the Attorney General'';

''(B) by striking ''the time—'' and inserting the following: ''a time prior to the alien being classified under subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act.''; and

''(C) by striking subparagraphs (A) and (B);

''(2) by amending paragraph (2) to read as follows:

''(2) REMITTANCE.—The fees collected under paragraph (1) shall be remitted by the alien pursuant to a schedule established by the Attorney General for immediate deposit and availability as described under section 286(m) of the Immigration and Nationality Act.'';

''(3) in paragraph (3)—

''(A) by striking ''has'' the first place it appears and inserting ''seeks''; and

''(B) by striking ''has'' the second place it appears and inserting ''seeks to'';

''(4) in paragraph (4)—

''(A) by inserting before the period at the end of the second sentence of subparagraph (A) the following: '', except that, in the case of an alien admitted under section 101(a)(15)(J) of the Immigration and Nationality Act as an au pair, camp counselor, or participant in a summer work travel program, the fee shall not exceed $40''; and

''(B) by adding at the end of subparagraph (B) the following new sentence: ''Such expenses include, but are not necessarily limited to, those incurred by the Secretary of State in connection with the program under subsection (a).''; and

''(5) by adding at the end the following new paragraphs:

''(5) PROOF OF PAYMENT.—The alien shall present proof of payment of the fee before the granting of—

''(A) a visa under section 222 of the Immigration and Nationality Act or, in the case of an alien who is exempt from the visa requirement described in section 212(d)(4) of the Immigration and Nationality Act, admission to the United States; or

''(B) change of nonimmigrant classification under section 248 of the Immigration and Nationality Act to a classification described in paragraph (3).

''(6) IMPLEMENTATION.—The provisions of section 553 of title 5, United States Code (relating to rule-making) shall not apply to the extent the Attorney General determines necessary to ensure the expeditious, initial implementation of this section.''.

"SEC. 405. NEW TIME-FRAME FOR IMPLEMENTATION OF DATA COLLECTION PROGRAM.

''Section 641(g)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208) is amended to read as follows:

''(1) EXPANSION OF PROGRAM.—Not later than 12 months after the submission of the report required by subsection (f), the Attorney General, in consultation with the Secretary of State and the Secretary of Education, shall commence expansion of the program to cover the nationals of all countries.''.

"SEC. 406. TECHNICAL AMENDMENTS.

''Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208) is amended—

''(1) in subsection (h)(2)(A), by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State''; and

''(2) in subsection (d)(1), by inserting ''institutions of higher education or exchange visitor programs'' after ''by''.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. SMITH of Texas and Ms. JACKSON-LEE of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to were, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶106.23 NATURALIZATION OF ALIENS WITH CERTAIN DISABILITIES

Mr. SMITH of Texas moved to suspend the rules and pass the bill (H.R.

4838) to amend the Immigration and Nationality Act to provide a waiver of the oath of renunciation and allegiance for naturalization of aliens having certain disabilities; as amended.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. SMITH of Texas and Ms. JACKSON-LEE of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.24 ALLEGIANCE FOR NATURALIZATION WAIVER FOR ALIENS WITH CERTAIN DISABILITIES

On motion of Mr. SMITH of Texas, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 2812) to amend the Immigration and Nationality Act to provide a waiver of the oath of renunciation and allegiance for naturalization of aliens having certain disabilities.

When said bill was considered and read twice.

Mr. SMITH of Texas submitted the following amendment which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 4838, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

By unanimous consent, H.R. 4838, a similar House bill, was laid on the table.

¶106.25 PIPELINE SAFETY IMPROVEMENT

Mr. SHUSTER moved to suspend the rules and pass the bill of the Senate (S. 2438) to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. SHUSTER and Mr. OBERSTAR, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. DICKEY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. OBERSTAR objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. DICKEY, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶106.26 DISASTER MITIGATION

Mr. SHUSTER moved to suspend the rules and concur in the following amendment of the Senate to the amendment of the House amendment to the amendment of the Senate to the bill (H.R. 707) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Disaster Mitigation Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PREDISASTER HAZARD MITIGATION

Sec. 101. Findings and purpose.
Sec. 102. Predisaster hazard mitigation.
Sec. 103. Interagency task force.
Sec. 104. Mitigation planning; minimum standards for public and private structures.

TITLE II—STREAMLINING AND COST REDUCTION

Sec. 201. Technical amendments.
Sec. 202. Management costs.
Sec. 203. Public notice, comment, and consultation requirements.
Sec. 204. State administration of hazard mitigation grant program.
Sec. 205. Assistance to repair, restore, reconstruct, or replace damaged facilities.
Sec. 206. Federal assistance to individuals and households.
Sec. 207. Community disaster loans.
Sec. 208. Report on State management of small disasters initiative.
Sec. 209. Study regarding cost reduction.

TITLE III—MISCELLANEOUS

Sec. 301. Technical correction of short title.
Sec. 302. Definitions.
Sec. 303. Fire management assistance.
Sec. 304. Disaster grant closeout procedures.
Sec. 305. Public safety officer benefits for certain Federal and State employees.
Sec. 306. Buy American.
Sec. 307. Treatment of certain real property.
Sec. 308. Study of participation by Indian tribes in emergency management.

TITLE I—PREDISASTER HAZARD MITIGATION

SEC. 101. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) natural disasters, including earthquakes, tsunamis, tornadoes, hurricanes, flooding, and wildfires, pose great danger to human life and to property throughout the United States;

(2) greater emphasis needs to be placed on—

(A) identifying and assessing the risks to States and local governments (including Indian tribes) from natural disasters;

(B) implementing adequate measures to reduce losses from natural disasters; and

(C) ensuring that the critical services and facilities of communities will continue to function after a natural disaster;

(3) expenditures for postdisaster assistance are increasing without commensurate reductions in the likelihood of future losses from natural disasters;

(4) in the expenditure of Federal funds under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), high priority should be given to mitigation of hazards at the local level; and

(5) with a unified effort of economic incentives, awareness and education, technical assistance, and demonstrated Federal support, States and local governments (including Indian tribes) will be able to—

(A) form effective community-based partnerships for hazard mitigation purposes;

(B) implement effective hazard mitigation measures that reduce the potential damage from natural disasters;

(C) ensure continued functionality of critical services;

(D) leverage additional non-Federal resources in meeting natural disaster resistance goals; and

(E) make commitments to long-term hazard mitigation efforts to be applied to new and existing structures.

(b) PURPOSE.—The purpose of this title is to establish a national disaster hazard mitigation program—

(1) to reduce the loss of life and property, human suffering, economic disruption, and disaster assistance costs resulting from natural disasters; and

(2) to provide a source of predisaster hazard mitigation funding that will assist States and local governments (including Indian tribes) in implementing effective hazard mitigation measures that are designed to ensure the continued functionality of critical services and facilities after a natural disaster.

SEC. 102. PREDISASTER HAZARD MITIGATION.

(a) IN GENERAL.—Title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.) is amended by adding at the end the following:

''SEC. 203. PREDISASTER HAZARD MITIGATION.

''(a) DEFINITION OF SMALL IMPOVERISHED COMMUNITY.—In this section, the term 'small impoverished community' means a community of 3,000 or fewer individuals that is economically disadvantaged, as determined by the State in which the community is located and based on criteria established by the President.

''(b) ESTABLISHMENT OF PROGRAM.—The President may establish a program to provide technical and financial assistance to States and local governments to assist in the implementation of predisaster hazard mitigation measures that are cost-effective and are designed to reduce injuries, loss of life, and damage and destruction of property, including damage to critical services and facilities under the jurisdiction of the States or local governments.

''(c) APPROVAL BY PRESIDENT.—If the President determines that a State or local government has identified natural disaster hazards in areas under its jurisdiction and has demonstrated the ability to form effective public-private natural disaster hazard mitigation partnerships, the President, using amounts in the National Predisaster Mitigation Fund established under subsection (i) (referred to in this section as the 'Fund'), may provide technical and financial assistance to the State or local government to be used in accordance with subsection (e).

''(d) STATE RECOMMENDATIONS.—

''(1) IN GENERAL.—

''(A) RECOMMENDATIONS.—The Governor of each State may recommend to the President not fewer than 5 local governments to receive assistance under this section.

''(B) DEADLINE FOR SUBMISSION.—The recommendations under subparagraph (A) shall be

submitted to the President not later than October 1, 2001, and each October 1st thereafter or such later date in the year as the President may establish.

''(C) CRITERIA.—In making recommendations under subparagraph (A), a Governor shall consider the criteria specified in subsection (g).

''(2) USE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), in providing assistance to local governments under this section, the President shall select from local governments recommended by the Governors under this subsection.

''(B) EXTRAORDINARY CIRCUMSTANCES.—In providing assistance to local governments under this section, the President may select a local government that has not been recommended by a Governor under this subsection if the President determines that extraordinary circumstances justify the selection and that making the selection will further the purpose of this section.

''(3) EFFECT OF FAILURE TO NOMINATE.—If a Governor of a State fails to submit recommendations under this subsection in a timely manner, the President may select, subject to the criteria specified in subsection (g), any local governments of the State to receive assistance under this section.

''(e) USES OF TECHNICAL AND FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—Technical and financial assistance provided under this section—

''(A) shall be used by States and local governments principally to implement predisaster hazard mitigation measures that are cost-effective and are described in proposals approved by the President under this section; and

''(B) may be used—

''(i) to support effective public-private natural disaster hazard mitigation partnerships;

''(ii) to improve the assessment of a community's vulnerability to natural hazards; or

''(iii) to establish hazard mitigation priorities, and an appropriate hazard mitigation plan, for a community.

''(2) DISSEMINATION.—A State or local government may use not more than 10 percent of the financial assistance received by the State or local government under this section for a fiscal year to fund activities to disseminate information regarding cost-effective mitigation technologies.

''(f) ALLOCATION OF FUNDS.—The amount of financial assistance made available to a State (including amounts made available to local governments of the State) under this section for a fiscal year—

''(1) shall be not less than the lesser of—

''(A) $500,000; or

''(B) the amount that is equal to 1.0 percent of the total funds appropriated to carry out this section for the fiscal year;

''(2) shall not exceed 15 percent of the total funds described in paragraph (1)(B); and

''(3) shall be subject to the criteria specified in subsection (g).

''(g) CRITERIA FOR ASSISTANCE AWARDS.—In determining whether to provide technical and financial assistance to a State or local government under this section, the President shall take into account—

''(1) the extent and nature of the hazards to be mitigated;

''(2) the degree of commitment of the State or local government to reduce damages from future natural disasters;

''(3) the degree of commitment by the State or local government to support ongoing non-Federal support for the hazard mitigation measures to be carried out using the technical and financial assistance;

''(4) the extent to which the hazard mitigation measures to be carried out using the technical and financial assistance contribute to the mitigation goals and priorities established by the State;

''(5) the extent to which the technical and financial assistance is consistent with other assistance provided under this Act;

''(6) the extent to which prioritized, cost-effective mitigation activities that produce meaningful and definable outcomes are clearly identified;

''(7) if the State or local government has submitted a mitigation plan under section 322, the extent to which the activities identified under paragraph (6) are consistent with the mitigation plan;

''(8) the opportunity to fund activities that maximize net benefits to society;

''(9) the extent to which assistance will fund mitigation activities in small impoverished communities; and

''(10) such other criteria as the President establishes in consultation with State and local governments.

''(h) FEDERAL SHARE.—

''(1) IN GENERAL.—Financial assistance provided under this section may contribute up to 75 percent of the total cost of mitigation activities approved by the President.

''(2) SMALL IMPOVERISHED COMMUNITIES.—Notwithstanding paragraph (1), the President may contribute up to 90 percent of the total cost of a mitigation activity carried out in a small impoverished community.

''(i) NATIONAL PREDISASTER MITIGATION FUND.—

''(1) ESTABLISHMENT.—The President may establish in the Treasury of the United States a fund to be known as the 'National Predisaster Mitigation Fund', to be used in carrying out this section.

''(2) TRANSFERS TO FUND.—There shall be deposited in the Fund—

''(A) amounts appropriated to carry out this section, which shall remain available until expended; and

''(B) sums available from gifts, bequests, or donations of services or property received by the President for the purpose of predisaster hazard mitigation.

''(3) EXPENDITURES FROM FUND.—Upon request by the President, the Secretary of the Treasury shall transfer from the Fund to the President such amounts as the President determines are necessary to provide technical and financial assistance under this section.

''(4) INVESTMENT OF AMOUNTS.—

''(A) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

''(B) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under subparagraph (A), obligations may be acquired—

''(i) on original issue at the issue price; or

''(ii) by purchase of outstanding obligations at the market price.

''(C) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

''(D) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

''(E) TRANSFERS OF AMOUNTS.—

''(i) IN GENERAL.—The amounts required to be transferred to the Fund under this subsection shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

''(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

''(j) LIMITATION ON TOTAL AMOUNT OF FINANCIAL ASSISTANCE.—The President shall not provide financial assistance under this section in an amount greater than the amount available in the Fund.

''(k) MULTIHAZARD ADVISORY MAPS.—

''(1) DEFINITION OF MULTIHAZARD ADVISORY MAP.—In this subsection, the term 'multihazard advisory map' means a map on which hazard data concerning each type of natural disaster is identified simultaneously for the purpose of showing areas of hazard overlap.

''(2) DEVELOPMENT OF MAPS.—In consultation with States, local governments, and appropriate Federal agencies, the President shall develop multihazard advisory maps for areas, in not fewer than 5 States, that are subject to commonly recurring natural hazards (including flooding, hurricanes and severe winds, and seismic events).

''(3) USE OF TECHNOLOGY.—In developing multihazard advisory maps under this subsection, the President shall use, to the maximum extent practicable, the most cost-effective and efficient technology available.

''(4) USE OF MAPS.—

''(A) ADVISORY NATURE.—The multihazard advisory maps shall be considered to be advisory and shall not require the development of any new policy by, or impose any new policy on, any government or private entity.

''(B) AVAILABILITY OF MAPS.—The multihazard advisory maps shall be made available to the appropriate State and local governments for the purposes of—

''(i) informing the general public about the risks of natural hazards in the areas described in paragraph (2);

''(ii) supporting the activities described in subsection (e); and

''(iii) other public uses.

''(l) REPORT ON FEDERAL AND STATE ADMINISTRATION.—Not later than 18 months after the date of enactment of this section, the President, in consultation with State and local governments, shall submit to Congress a report evaluating efforts to implement this section and recommending a process for transferring greater authority and responsibility for administering the assistance program established under this section to capable States.

''(m) TERMINATION OF AUTHORITY.—The authority provided by this section terminates December 31, 2003.''.

(b) CONFORMING AMENDMENT.—Title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.) is amended by striking the title heading and inserting the following:

"TITLE II—DISASTER PREPAREDNESS AND MITIGATION ASSISTANCE".

SEC. 103. INTERAGENCY TASK FORCE.

Title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.) (as amended by section 102(a)) is amended by adding at the end the following:

"SEC. 204. INTERAGENCY TASK FORCE.

''(a) IN GENERAL.—The President shall establish a Federal interagency task force for the purpose of coordinating the implementation of predisaster hazard mitigation programs administered by the Federal Government.

''(b) CHAIRPERSON.—The Director of the Federal Emergency Management Agency shall serve as the chairperson of the task force.

''(c) MEMBERSHIP.—The membership of the task force shall include representatives of—

''(1) relevant Federal agencies;

''(2) State and local government organizations (including Indian tribes); and

''(3) the American Red Cross.''.

SEC. 104. MITIGATION PLANNING; MINIMUM STANDARDS FOR PUBLIC AND PRIVATE STRUCTURES.

(a) IN GENERAL.—Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) is amended by adding at the end the following:

"SEC. 322. MITIGATION PLANNING.

''(a) REQUIREMENT OF MITIGATION PLAN.—As a condition of receipt of an increased Federal share for hazard mitigation measures under subsection (e), a State, local, or tribal government shall develop and submit for approval to the President a mitigation plan that outlines proc-

esses for identifying the natural hazards, risks, and vulnerabilities of the area under the jurisdiction of the government.

''(b) LOCAL AND TRIBAL PLANS.—Each mitigation plan developed by a local or tribal government shall—

''(1) describe actions to mitigate hazards, risks, and vulnerabilities identified under the plan; and

''(2) establish a strategy to implement those actions.

''(c) STATE PLANS.—The State process of development of a mitigation plan under this section shall—

''(1) identify the natural hazards, risks, and vulnerabilities of areas in the State;

''(2) support development of local mitigation plans;

''(3) provide for technical assistance to local and tribal governments for mitigation planning; and

''(4) identify and prioritize mitigation actions that the State will support, as resources become available.

''(d) FUNDING.—

''(1) IN GENERAL.—Federal contributions under section 404 may be used to fund the development and updating of mitigation plans under this section.

''(2) MAXIMUM FEDERAL CONTRIBUTION.—With respect to any mitigation plan, a State, local, or tribal government may use an amount of Federal contributions under section 404 not to exceed 7 percent of the amount of such contributions available to the government as of a date determined by the government.

''(e) INCREASED FEDERAL SHARE FOR HAZARD MITIGATION MEASURES.—

''(1) IN GENERAL.—If, at the time of the declaration of a major disaster, a State has in effect an approved mitigation plan under this section, the President may increase to 20 percent, with respect to the major disaster, the maximum percentage specified in the last sentence of section 404(a).

''(2) FACTORS FOR CONSIDERATION.—In determining whether to increase the maximum percentage under paragraph (1), the President shall consider whether the State has established—

''(A) eligibility criteria for property acquisition and other types of mitigation measures;

''(B) requirements for cost effectiveness that are related to the eligibility criteria;

''(C) a system of priorities that is related to the eligibility criteria; and

''(D) a process by which an assessment of the effectiveness of a mitigation action may be carried out after the mitigation action is complete.

"SEC. 323. MINIMUM STANDARDS FOR PUBLIC AND PRIVATE STRUCTURES.

''(a) IN GENERAL.—As a condition of receipt of a disaster loan or grant under this Act—

''(1) the recipient shall carry out any repair or construction to be financed with the loan or grant in accordance with applicable standards of safety, decency, and sanitation and in conformity with applicable codes, specifications, and standards; and

''(2) the President may require safe land use and construction practices, after adequate consultation with appropriate State and local government officials.

''(b) EVIDENCE OF COMPLIANCE.—A recipient of a disaster loan or grant under this Act shall provide such evidence of compliance with this section as the President may require by regulation.''.

(b) LOSSES FROM STRAIGHT LINE WINDS.—The President shall increase the maximum percentage specified in the last sentence of section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(a)) from 15 percent to 20 percent with respect to any major disaster that is in the State of Minnesota and for which assistance is being provided as of the date of enactment of this Act, except that additional assistance provided under this subsection shall not exceed $6,000,000. The mitigation measures assisted under this subsection shall be related to losses in the State of Minnesota from straight line winds.

(c) CONFORMING AMENDMENTS.—

(1) Section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(a)) is amended—

(A) in the second sentence, by striking ''section 409'' and inserting ''section 322''; and

(B) in the third sentence, by striking ''The total'' and inserting ''Subject to section 322, the total''.

(2) Section 409 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5176) is repealed.

TITLE II—STREAMLINING AND COST REDUCTION

SEC. 201. TECHNICAL AMENDMENTS.

Section 311 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5154) is amended in subsections (a)(1), (b), and (c) by striking ''section 803 of the Public Works and Economic Development Act of 1965'' each place it appears and inserting ''section 209(c)(2) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149(c)(2))''.

SEC. 202. MANAGEMENT COSTS.

(a) IN GENERAL.—Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) (as amended by section 104(a)) is amended by adding at the end the following:

"SEC. 324. MANAGEMENT COSTS.

''(a) DEFINITION OF MANAGEMENT COST.—In this section, the term 'management cost' includes any indirect cost, any administrative expense, and any other expense not directly chargeable to a specific project under a major disaster, emergency, or disaster preparedness or mitigation activity or measure.

''(b) ESTABLISHMENT OF MANAGEMENT COST RATES.—Notwithstanding any other provision of law (including any administrative rule or guidance), the President shall by regulation establish management cost rates, for grantees and subgrantees, that shall be used to determine contributions under this Act for management costs.

''(c) REVIEW.—The President shall review the management cost rates established under subsection (b) not later than 3 years after the date of establishment of the rates and periodically thereafter.''.

(b) APPLICABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), subsections (a) and (b) of section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as added by subsection (a)) shall apply to major disasters declared under that Act on or after the date of enactment of this Act.

(2) INTERIM AUTHORITY.—Until the date on which the President establishes the management cost rates under section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as added by subsection (a)), section 406(f) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(f)) (as in effect on the day before the date of enactment of this Act) shall be used to establish management cost rates.

SEC. 203. PUBLIC NOTICE, COMMENT, AND CONSULTATION REQUIREMENTS.

Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) (as amended by section 202(a)) is amended by adding at the end the following:

"SEC. 325. PUBLIC NOTICE, COMMENT, AND CONSULTATION REQUIREMENTS.

''(a) PUBLIC NOTICE AND COMMENT CONCERNING NEW OR MODIFIED POLICIES.—

''(1) IN GENERAL.—The President shall provide for public notice and opportunity for comment before adopting any new or modified policy that—

''(A) governs implementation of the public assistance program administered by the Federal Emergency Management Agency under this Act; and

''(B) could result in a significant reduction of assistance under the program.

''(2) APPLICATION.—Any policy adopted under paragraph (1) shall apply only to a major disaster or emergency declared on or after the date on which the policy is adopted.

''(b) CONSULTATION CONCERNING INTERIM POLICIES.—

''(1) IN GENERAL.—Before adopting any interim policy under the public assistance program to address specific conditions that relate to a major disaster or emergency that has been declared under this Act, the President, to the maximum extent practicable, shall solicit the views and recommendations of grantees and subgrantees with respect to the major disaster or emergency concerning the potential interim policy, if the interim policy is likely—

''(A) to result in a significant reduction of assistance to applicants for the assistance with respect to the major disaster or emergency; or

''(B) to change the terms of a written agreement to which the Federal Government is a party concerning the declaration of the major disaster or emergency.

''(2) NO LEGAL RIGHT OF ACTION.—Nothing in this subsection confers a legal right of action on any party.

''(c) PUBLIC ACCESS.—The President shall promote public access to policies governing the implementation of the public assistance program.''.

SEC. 204. STATE ADMINISTRATION OF HAZARD MITIGATION GRANT PROGRAM.

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by adding at the end the following:

''(c) PROGRAM ADMINISTRATION BY STATES.—

''(1) IN GENERAL.—A State desiring to administer the hazard mitigation grant program established by this section with respect to hazard mitigation assistance in the State may submit to the President an application for the delegation of the authority to administer the program.

''(2) CRITERIA.—The President, in consultation and coordination with States and local governments, shall establish criteria for the approval of applications submitted under paragraph (1). The criteria shall include, at a minimum—

''(A) the demonstrated ability of the State to manage the grant program under this section;

''(B) there being in effect an approved mitigation plan under section 322; and

''(C) a demonstrated commitment to mitigation activities.

''(3) APPROVAL.—The President shall approve an application submitted under paragraph (1) that meets the criteria established under paragraph (2).

''(4) WITHDRAWAL OF APPROVAL.—If, after approving an application of a State submitted under paragraph (1), the President determines that the State is not administering the hazard mitigation grant program established by this section in a manner satisfactory to the President, the President shall withdraw the approval.

''(5) AUDITS.—The President shall provide for periodic audits of the hazard mitigation grant programs administered by States under this subsection.''.

SEC. 205. ASSISTANCE TO REPAIR, RESTORE, RECONSTRUCT, OR REPLACE DAMAGED FACILITIES.

(a) CONTRIBUTIONS.—Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) is amended by striking subsection (a) and inserting the following:

''(a) CONTRIBUTIONS.—

''(1) IN GENERAL.—The President may make contributions—

''(A) to a State or local government for the repair, restoration, reconstruction, or replacement of a public facility damaged or destroyed by a

major disaster and for associated expenses incurred by the government; and

''(B) subject to paragraph (3), to a person that owns or operates a private nonprofit facility damaged or destroyed by a major disaster for the repair, restoration, reconstruction, or replacement of the facility and for associated expenses incurred by the person.

''(2) ASSOCIATED EXPENSES.—For the purposes of this section, associated expenses shall include—

''(A) the costs of mobilizing and employing the National Guard for performance of eligible work;

''(B) the costs of using prison labor to perform eligible work, including wages actually paid, transportation to a worksite, and extraordinary costs of guards, food, and lodging; and

''(C) base and overtime wages for the employees and extra hires of a State, local government, or person described in paragraph (1) that perform eligible work, plus fringe benefits on such wages to the extent that such benefits were being paid before the major disaster.

''(3) CONDITIONS FOR ASSISTANCE TO PRIVATE NONPROFIT FACILITIES.—

''(A) IN GENERAL.—The President may make contributions to a private nonprofit facility under paragraph (1)(B) only if—

''(i) the facility provides critical services (as defined by the President) in the event of a major disaster; or

''(ii) the owner or operator of the facility—

''(I) has applied for a disaster loan under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and

''(II)(aa) has been determined to be ineligible for such a loan; or

''(bb) has obtained such a loan in the maximum amount for which the Small Business Administration determines the facility is eligible.

''(B) DEFINITION OF CRITICAL SERVICES.—In this paragraph, the term 'critical services' includes power, water (including water provided by an irrigation organization or facility), sewer, wastewater treatment, communications, and emergency medical care.

''(4) NOTIFICATION TO CONGRESS.—Before making any contribution under this section in an amount greater than $20,000,000, the President shall notify—

''(A) the Committee on Environment and Public Works of the Senate;

''(B) the Committee on Transportation and Infrastructure of the House of Representatives;

''(C) the Committee on Appropriations of the Senate; and

''(D) the Committee on Appropriations of the House of Representatives.''.

(b) FEDERAL SHARE.—Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) is amended by striking subsection (b) and inserting the following:

''(b) FEDERAL SHARE.—

''(1) MINIMUM FEDERAL SHARE.—Except as provided in paragraph (2), the Federal share of assistance under this section shall be not less than 75 percent of the eligible cost of repair, restoration, reconstruction, or replacement carried out under this section.

''(2) REDUCED FEDERAL SHARE.—The President shall promulgate regulations to reduce the Federal share of assistance under this section to not less than 25 percent in the case of the repair, restoration, reconstruction, or replacement of any eligible public facility or private nonprofit facility following an event associated with a major disaster—

''(A) that has been damaged, on more than 1 occasion within the preceding 10-year period, by the same type of event; and

''(B) the owner of which has failed to implement appropriate mitigation measures to address the hazard that caused the damage to the facility.''.

(c) LARGE IN-LIEU CONTRIBUTIONS.—Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) is amended by striking subsection (c) and inserting the following:

''(c) LARGE IN-LIEU CONTRIBUTIONS.—

''(1) FOR PUBLIC FACILITIES.—

''(A) IN GENERAL.—In any case in which a State or local government determines that the public welfare would not best be served by repairing, restoring, reconstructing, or replacing any public facility owned or controlled by the State or local government, the State or local government may elect to receive, in lieu of a contribution under subsection (a)(1)(A), a contribution in an amount equal to 75 percent of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstructing, or replacing the facility and of management expenses.

''(B) AREAS WITH UNSTABLE SOIL.—In any case in which a State or local government determines that the public welfare would not best be served by repairing, restoring, reconstructing, or replacing any public facility owned or controlled by the State or local government because soil instability in the disaster area makes repair, restoration, reconstruction, or replacement infeasible, the State or local government may elect to receive, in lieu of a contribution under subsection (a)(1)(A), a contribution in an amount equal to 90 percent of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstructing, or replacing the facility and of management expenses.

''(C) USE OF FUNDS.—Funds contributed to a State or local government under this paragraph may be used—

''(i) to repair, restore, or expand other selected public facilities;

''(ii) to construct new facilities; or

''(iii) to fund hazard mitigation measures that the State or local government determines to be necessary to meet a need for governmental services and functions in the area affected by the major disaster.

''(D) LIMITATIONS.—Funds made available to a State or local government under this paragraph may not be used for—

''(i) any public facility located in a regulatory floodway (as defined in section 59.1 of title 44, Code of Federal Regulations (or a successor regulation)); or

''(ii) any uninsured public facility located in a special flood hazard area identified by the Director of the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

''(2) FOR PRIVATE NONPROFIT FACILITIES.—

''(A) IN GENERAL.—In any case in which a person that owns or operates a private nonprofit facility determines that the public welfare would not best be served by repairing, restoring, reconstructing, or replacing the facility, the person may elect to receive, in lieu of a contribution under subsection (a)(1)(B), a contribution in an amount equal to 75 percent of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstructing, or replacing the facility and of management expenses.

''(B) USE OF FUNDS.—Funds contributed to a person under this paragraph may be used—

''(i) to repair, restore, or expand other selected private nonprofit facilities owned or operated by the person;

''(ii) to construct new private nonprofit facilities to be owned or operated by the person; or

''(iii) to fund hazard mitigation measures that the person determines to be necessary to meet a need for the person's services and functions in the area affected by the major disaster.

''(C) LIMITATIONS.—Funds made available to a person under this paragraph may not be used for—

''(i) any private nonprofit facility located in a regulatory floodway (as defined in section 59.1 of title 44, Code of Federal Regulations (or a successor regulation)); or

''(ii) any uninsured private nonprofit facility located in a special flood hazard area identified by the Director of the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).''.

(d) ELIGIBLE COST.—

(1) IN GENERAL.—Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) is amended by striking subsection (e) and inserting the following:

''(e) ELIGIBLE COST.—

''(1) DETERMINATION.—

''(A) IN GENERAL.—For the purposes of this section, the President shall estimate the eligible cost of repairing, restoring, reconstructing, or replacing a public facility or private nonprofit facility—

''(i) on the basis of the design of the facility as the facility existed immediately before the major disaster; and

''(ii) in conformity with codes, specifications, and standards (including floodplain management and hazard mitigation criteria required by the President or under the Coastal Barrier Resources Act (16 U.S.C. 3501 et seq.)) applicable at the time at which the disaster occurred.

''(B) COST ESTIMATION PROCEDURES.—

''(i) IN GENERAL.—Subject to paragraph (2), the President shall use the cost estimation procedures established under paragraph (3) to determine the eligible cost under this subsection.

''(ii) APPLICABILITY.—The procedures specified in this paragraph and paragraph (2) shall apply only to projects the eligible cost of which is equal to or greater than the amount specified in section 422.

''(2) MODIFICATION OF ELIGIBLE COST.—

''(A) ACTUAL COST GREATER THAN CEILING PERCENTAGE OF ESTIMATED COST.—In any case in which the actual cost of repairing, restoring, reconstructing, or replacing a facility under this section is greater than the ceiling percentage established under paragraph (3) of the cost estimated under paragraph (1), the President may determine that the eligible cost includes a portion of the actual cost of the repair, restoration, reconstruction, or replacement that exceeds the cost estimated under paragraph (1).

''(B) ACTUAL COST LESS THAN ESTIMATED COST.—

''(i) GREATER THAN OR EQUAL TO FLOOR PERCENTAGE OF ESTIMATED COST.—In any case in which the actual cost of repairing, restoring, reconstructing, or replacing a facility under this section is less than 100 percent of the cost estimated under paragraph (1), but is greater than or equal to the floor percentage established under paragraph (3) of the cost estimated under paragraph (1), the State or local government or person receiving funds under this section shall use the excess funds to carry out cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster.

''(ii) LESS THAN FLOOR PERCENTAGE OF ESTIMATED COST.—In any case in which the actual cost of repairing, restoring, reconstructing, or replacing a facility under this section is less than the floor percentage established under paragraph (3) of the cost estimated under paragraph (1), the State or local government or person receiving assistance under this section shall reimburse the President in the amount of the difference.

''(C) NO EFFECT ON APPEALS PROCESS.—Nothing in this paragraph affects any right of appeal under section 423.

''(3) EXPERT PANEL.—

''(A) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this paragraph, the President, acting through the Director of the Federal Emergency Management Agency, shall establish an expert panel, which shall include representatives from the construction industry and State and local government.

''(B) DUTIES.—The expert panel shall develop recommendations concerning—

''(i) procedures for estimating the cost of repairing, restoring, reconstructing, or replacing a facility consistent with industry practices; and

''(ii) the ceiling and floor percentages referred to in paragraph (2).

''(C) REGULATIONS.—Taking into account the recommendations of the expert panel under subparagraph (B), the President shall promulgate regulations that establish—

''(i) cost estimation procedures described in subparagraph (B)(i); and

''(ii) the ceiling and floor percentages referred to in paragraph (2).

''(D) REVIEW BY PRESIDENT.—Not later than 2 years after the date of promulgation of regulations under subparagraph (C) and periodically thereafter, the President shall review the cost estimation procedures and the ceiling and floor percentages established under this paragraph.

''(E) REPORT TO CONGRESS.—Not later than 1 year after the date of promulgation of regulations under subparagraph (C), 3 years after that date, and at the end of each 2-year period thereafter, the expert panel shall submit to Congress a report on the appropriateness of the cost estimation procedures.

''(4) SPECIAL RULE.—In any case in which the facility being repaired, restored, reconstructed, or replaced under this section was under construction on the date of the major disaster, the cost of repairing, restoring, reconstructing, or replacing the facility shall include, for the purposes of this section, only those costs that, under the contract for the construction, are the owner's responsibility and not the contractor's responsibility.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) takes effect on the date of enactment of this Act and applies to funds appropriated after the date of enactment of this Act, except that paragraph (1) of section 406(e) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as amended by paragraph (1)) takes effect on the date on which the cost estimation procedures established under paragraph (3) of that section take effect.

(e) CONFORMING AMENDMENT.—Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) is amended by striking subsection (f).

SEC. 206. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

(a) IN GENERAL.—Section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) is amended to read as follows:

"SEC. 408. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

''(a) IN GENERAL.—

''(1) PROVISION OF ASSISTANCE.—In accordance with this section, the President, in consultation with the Governor of a State, may provide financial assistance, and, if necessary, direct services, to individuals and households in the State who, as a direct result of a major disaster, have necessary expenses and serious needs in cases in which the individuals and households are unable to meet such expenses or needs through other means.

''(2) RELATIONSHIP TO OTHER ASSISTANCE.—Under paragraph (1), an individual or household shall not be denied assistance under paragraph (1), (3), or (4) of subsection (c) solely on the basis that the individual or household has not applied for or received any loan or other financial assistance from the Small Business Administration or any other Federal agency.

''(b) HOUSING ASSISTANCE.—

''(1) ELIGIBILITY.—The President may provide financial or other assistance under this section to individuals and households to respond to the disaster-related housing needs of individuals and households who are displaced from their predisaster primary residences or whose predisaster primary residences are rendered uninhabitable as a result of damage caused by a major disaster.

''(2) DETERMINATION OF APPROPRIATE TYPES OF ASSISTANCE.—

''(A) IN GENERAL.—The President shall determine appropriate types of housing assistance to be provided under this section to individuals and households described in subsection (a)(1) based on considerations of cost effectiveness, convenience to the individuals and households, and such other factors as the President may consider appropriate.

''(B) MULTIPLE TYPES OF ASSISTANCE.—One or more types of housing assistance may be made available under this section, based on the suitability and availability of the types of assistance, to meet the needs of individuals and households in the particular disaster situation.

''(c) TYPES OF HOUSING ASSISTANCE.—

''(1) TEMPORARY HOUSING.—

''(A) FINANCIAL ASSISTANCE.—

''(i) IN GENERAL.—The President may provide financial assistance to individuals or households to rent alternate housing accommodations, existing rental units, manufactured housing, recreational vehicles, or other readily fabricated dwellings.

''(ii) AMOUNT.—The amount of assistance under clause (i) shall be based on the fair market rent for the accommodation provided plus the cost of any transportation, utility hookups, or unit installation not provided directly by the President.

''(B) DIRECT ASSISTANCE.—

''(i) IN GENERAL.—The President may provide temporary housing units, acquired by purchase or lease, directly to individuals or households who, because of a lack of available housing resources, would be unable to make use of the assistance provided under subparagraph (A).

''(ii) PERIOD OF ASSISTANCE.—The President may not provide direct assistance under clause (i) with respect to a major disaster after the end of the 18-month period beginning on the date of the declaration of the major disaster by the President, except that the President may extend that period if the President determines that due to extraordinary circumstances an extension would be in the public interest.

''(iii) COLLECTION OF RENTAL CHARGES.—After the end of the 18-month period referred to in clause (ii), the President may charge fair market rent for each temporary housing unit provided.

''(2) REPAIRS.—

''(A) IN GENERAL.—The President may provide financial assistance for—

''(i) the repair of owner-occupied private residences, utilities, and residential infrastructure (such as a private access route) damaged by a major disaster to a safe and sanitary living or functioning condition; and

''(ii) eligible hazard mitigation measures that reduce the likelihood of future damage to such residences, utilities, or infrastructure.

''(B) RELATIONSHIP TO OTHER ASSISTANCE.—A recipient of assistance provided under this paragraph shall not be required to show that the assistance can be met through other means, except insurance proceeds.

''(C) MAXIMUM AMOUNT OF ASSISTANCE.—The amount of assistance provided to a household under this paragraph shall not exceed $5,000, as adjusted annually to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

''(3) REPLACEMENT.—

''(A) IN GENERAL.—The President may provide financial assistance for the replacement of owner-occupied private residences damaged by a major disaster.

''(B) MAXIMUM AMOUNT OF ASSISTANCE.—The amount of assistance provided to a household under this paragraph shall not exceed $10,000, as adjusted annually to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

''(C) APPLICABILITY OF FLOOD INSURANCE REQUIREMENT.—With respect to assistance provided under this paragraph, the President may not waive any provision of Federal law requiring the purchase of flood insurance as a condition of the receipt of Federal disaster assistance.

''(4) PERMANENT HOUSING CONSTRUCTION.—The President may provide financial assistance or direct assistance to individuals or households to construct permanent housing in insular areas outside the continental United States and in other remote locations in cases in which—

''(A) no alternative housing resources are available; and

''(B) the types of temporary housing assistance described in paragraph (1) are unavailable, infeasible, or not cost-effective.

''(d) TERMS AND CONDITIONS RELATING TO HOUSING ASSISTANCE.—

''(1) SITES.—

''(A) IN GENERAL.—Any readily fabricated dwelling provided under this section shall, whenever practicable, be located on a site that—

''(i) is complete with utilities; and

''(ii) is provided by the State or local government, by the owner of the site, or by the occupant who was displaced by the major disaster.

''(B) SITES PROVIDED BY THE PRESIDENT.—A readily fabricated dwelling may be located on a site provided by the President if the President determines that such a site would be more economical or accessible.

''(2) DISPOSAL OF UNITS.—

''(A) SALE TO OCCUPANTS.—

''(i) IN GENERAL.—Notwithstanding any other provision of law, a temporary housing unit purchased under this section by the President for the purpose of housing disaster victims may be sold directly to the individual or household who is occupying the unit if the individual or household lacks permanent housing.

''(ii) SALE PRICE.—A sale of a temporary housing unit under clause (i) shall be at a price that is fair and equitable.

''(iii) DEPOSIT OF PROCEEDS.—Notwithstanding any other provision of law, the proceeds of a sale under clause (i) shall be deposited in the appropriate Disaster Relief Fund account.

''(iv) HAZARD AND FLOOD INSURANCE.—A sale of a temporary housing unit under clause (i) shall be made on the condition that the individual or household purchasing the housing unit agrees to obtain and maintain hazard and flood insurance on the housing unit.

''(v) USE OF GSA SERVICES.—The President may use the services of the General Services Administration to accomplish a sale under clause (i).

''(B) OTHER METHODS OF DISPOSAL.—If not disposed of under subparagraph (A), a temporary housing unit purchased under this section by the President for the purpose of housing disaster victims—

''(i) may be sold to any person; or

''(ii) may be sold, transferred, donated, or otherwise made available directly to a State or other governmental entity or to a voluntary organization for the sole purpose of providing temporary housing to disaster victims in major disasters and emergencies if, as a condition of the sale, transfer, or donation, the State, other governmental agency, or voluntary organization agrees—

''(I) to comply with the nondiscrimination provisions of section 308; and

''(II) to obtain and maintain hazard and flood insurance on the housing unit.

''(e) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—

''(1) MEDICAL, DENTAL, AND FUNERAL EXPENSES.—The President, in consultation with the Governor of a State, may provide financial assistance under this section to an individual or household in the State who is adversely affected by a major disaster to meet disaster-related medical, dental, and funeral expenses.

''(2) PERSONAL PROPERTY, TRANSPORTATION, AND OTHER EXPENSES.—The President, in consultation with the Governor of a State, may provide financial assistance under this section to an individual or household described in paragraph (1) to address personal property, transportation, and other necessary expenses or serious needs resulting from the major disaster.

''(f) STATE ROLE.—

''(1) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—

''(A) GRANT TO STATE.—Subject to subsection (g), a Governor may request a grant from the President to provide financial assistance to individuals and households in the State under subsection (e).

''(B) ADMINISTRATIVE COSTS.—A State that receives a grant under subparagraph (A) may expend not more than 5 percent of the amount of

the grant for the administrative costs of providing financial assistance to individuals and households in the State under subsection (e).

''(2) ACCESS TO RECORDS.—In providing assistance to individuals and households under this section, the President shall provide for the substantial and ongoing involvement of the States in which the individuals and households are located, including by providing to the States access to the electronic records of individuals and households receiving assistance under this section in order for the States to make available any additional State and local assistance to the individuals and households.

''(g) COST SHARING.—

''(1) FEDERAL SHARE.—Except as provided in paragraph (2), the Federal share of the costs eligible to be paid using assistance provided under this section shall be 100 percent.

''(2) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—In the case of financial assistance provided under subsection (e)—

''(A) the Federal share shall be 75 percent; and

''(B) the non-Federal share shall be paid from funds made available by the State.

''(h) MAXIMUM AMOUNT OF ASSISTANCE.—

''(1) IN GENERAL.—No individual or household shall receive financial assistance greater than $25,000 under this section with respect to a single major disaster.

''(2) ADJUSTMENT OF LIMIT.—The limit established under paragraph (1) shall be adjusted annually to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

''(i) RULES AND REGULATIONS.—The President shall prescribe rules and regulations to carry out this section, including criteria, standards, and procedures for determining eligibility for assistance.''.

(b) CONFORMING AMENDMENT.—Section 502(a)(6) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5192(a)(6)) is amended by striking ''temporary housing''.

(c) ELIMINATION OF INDIVIDUAL AND FAMILY GRANT PROGRAMS.—Section 411 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5178) is repealed.

(d) EFFECTIVE DATE.—The amendments made by this section take effect 18 months after the date of enactment of this Act.

SEC. 207. COMMUNITY DISASTER LOANS.

Section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184) is amended—

(1) by striking ''(a) The President'' and inserting the following:

''(a) IN GENERAL.—The President'';

(2) by striking ''The amount'' and inserting the following:

''(b) AMOUNT.—The amount'';

(3) by striking ''Repayment'' and inserting the following:

''(c) REPAYMENT.—

''(1) CANCELLATION.—Repayment'';

(4) by striking ''(b) Any loans'' and inserting the following:

''(d) EFFECT ON OTHER ASSISTANCE.—Any loans'';

(5) in subsection (b) (as designated by paragraph (2))—

(A) by striking ''and shall'' and inserting ''shall''; and

(B) by inserting before the period at the end the following: '', and shall not exceed $5,000,000''; and

(6) in subsection (c) (as designated by paragraph (3)), by adding at the end the following:

''(2) CONDITION ON CONTINUING ELIGIBILITY.—A local government shall not be eligible for further assistance under this section during any period in which the local government is in arrears with respect to a required repayment of a loan under this section.''.

SEC. 208. REPORT ON STATE MANAGEMENT OF SMALL DISASTERS INITIATIVE.

Not later than 3 years after the date of enactment of this Act, the President shall submit to Congress a report describing the results of the State Management of Small Disasters Initiative, including—

(1) identification of any administrative or financial benefits of the initiative; and

(2) recommendations concerning the conditions, if any, under which States should be allowed the option to administer parts of the assistance program under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172).

SEC. 209. STUDY REGARDING COST REDUCTION.

Not later than 3 years after the date of enactment of this Act, the Director of the Congressional Budget Office shall complete a study estimating the reduction in Federal disaster assistance that has resulted and is likely to result from the enactment of this Act.

TITLE III—MISCELLANEOUS

SEC. 301. TECHNICAL CORRECTION OF SHORT TITLE.

The first section of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 note) is amended to read as follows:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Robert T. Stafford Disaster Relief and Emergency Assistance Act'.''.

SEC. 302. DEFINITIONS.

Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended—

(1) in each of paragraphs (3) and (4), by striking ''the Northern'' and all that follows through ''Pacific Islands'' and inserting ''and the Commonwealth of the Northern Mariana Islands'';

(2) by striking paragraph (6) and inserting the following:

''(6) LOCAL GOVERNMENT.—The term 'local government' means—

''(A) a county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government;

''(B) an Indian tribe or authorized tribal organization, or Alaska Native village or organization; and

''(C) a rural community, unincorporated town or village, or other public entity, for which an application for assistance is made by a State or political subdivision of a State.''; and

(3) in paragraph (9), by inserting ''irrigation,'' after ''utility,''.

SEC. 303. FIRE MANAGEMENT ASSISTANCE.

(a) IN GENERAL.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended to read as follows:

''SEC. 420. FIRE MANAGEMENT ASSISTANCE.

''(a) IN GENERAL.—The President is authorized to provide assistance, including grants, equipment, supplies, and personnel, to any State or local government for the mitigation, management, and control of any fire on public or private forest land or grassland that threatens such destruction as would constitute a major disaster.

''(b) COORDINATION WITH STATE AND TRIBAL DEPARTMENTS OF FORESTRY.—In providing assistance under this section, the President shall coordinate with State and tribal departments of forestry.

''(c) ESSENTIAL ASSISTANCE.—In providing assistance under this section, the President may use the authority provided under section 403.

''(d) RULES AND REGULATIONS.—The President shall prescribe such rules and regulations as are necessary to carry out this section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect 1 year after the date of enactment of this Act.

SEC. 304. DISASTER GRANT CLOSEOUT PROCEDURES.

Title VII of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5101 et seq.) is amended by adding at the end the following:

''SEC. 705. DISASTER GRANT CLOSEOUT PROCEDURES.

''(a) STATUTE OF LIMITATIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no administrative action to recover any payment made to a State or local government for disaster or emergency assistance under this Act shall be initiated in any forum after the date that is 3 years after the date of transmission of the final expenditure report for the disaster or emergency.

''(2) FRAUD EXCEPTION.—The limitation under paragraph (1) shall apply unless there is evidence of civil or criminal fraud.

''(b) REBUTTAL OF PRESUMPTION OF RECORD MAINTENANCE.—

''(1) IN GENERAL.—In any dispute arising under this section after the date that is 3 years after the date of transmission of the final expenditure report for the disaster or emergency, there shall be a presumption that accounting records were maintained that adequately identify the source and application of funds provided for financially assisted activities.

''(2) AFFIRMATIVE EVIDENCE.—The presumption described in paragraph (1) may be rebutted only on production of affirmative evidence that the State or local government did not maintain documentation described in that paragraph.

''(3) INABILITY TO PRODUCE DOCUMENTATION.—The inability of the Federal, State, or local government to produce source documentation supporting expenditure reports later than 3 years after the date of transmission of the final expenditure report shall not constitute evidence to rebut the presumption described in paragraph (1).

''(4) RIGHT OF ACCESS.—The period during which the Federal, State, or local government has the right to access source documentation shall not be limited to the required 3-year retention period referred to in paragraph (3), but shall last as long as the records are maintained.

''(c) BINDING NATURE OF GRANT REQUIREMENTS.—A State or local government shall not be liable for reimbursement or any other penalty for any payment made under this Act if—

''(1) the payment was authorized by an approved agreement specifying the costs;

''(2) the costs were reasonable; and

''(3) the purpose of the grant was accomplished.''.

SEC. 305. PUBLIC SAFETY OFFICER BENEFITS FOR CERTAIN FEDERAL AND STATE EMPLOYEES.

(a) IN GENERAL.—Section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b) is amended by striking paragraph (7) and inserting the following:

''(7) 'public safety officer' means—

''(A) an individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, as a firefighter, or as a member of a rescue squad or ambulance crew;

''(B) an employee of the Federal Emergency Management Agency who is performing official duties of the Agency in an area, if those official duties—

''(i) are related to a major disaster or emergency that has been, or is later, declared to exist with respect to the area under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

''(ii) are determined by the Director of the Federal Emergency Management Agency to be hazardous duties; or

''(C) an employee of a State, local, or tribal emergency management or civil defense agency who is performing official duties in cooperation with the Federal Emergency Management Agency in an area, if those official duties—

''(i) are related to a major disaster or emergency that has been, or is later, declared to exist with respect to the area under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

''(ii) are determined by the head of the agency to be hazardous duties.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies only to employees described in subparagraphs (B) and (C) of section 1204(7) of the Omnibus Crime Control and Safe Streets Act of 1968 (as amended by subsection (a)) who are injured or who die in the line of duty on or after the date of enactment of this Act.

SEC. 306. BUY AMERICAN.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds authorized to be appropriated under this Act or any amendment made by this Act may be expended by an entity unless the entity, in expending the funds, complies with the Buy American Act (41 U.S.C. 10a et seq.).

(b) DEBARMENT OF PERSONS CONVICTED OF FRAUDULENT USE OF ''MADE IN AMERICA'' LABELS.—

(1) IN GENERAL.—If the Director of the Federal Emergency Management Agency determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Director shall determine, not later than 90 days after determining that the person has been so convicted, whether the person should be debarred from contracting under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(2) DEFINITION OF DEBAR.—In this subsection, the term ''debar'' has the meaning given the term in section 2393(c) of title 10, United States Code.

SEC. 307. TREATMENT OF CERTAIN REAL PROPERTY.

(a) IN GENERAL.—Notwithstanding the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.), or any other provision of law, or any flood risk zone identified, delineated, or established under any such law (by flood insurance rate map or otherwise), the real property described in subsection (b) shall not be considered to be, or to have been, located in any area having special flood hazards (including any floodway or floodplain).

(b) REAL PROPERTY.—The real property described in this subsection is all land and improvements on the land located in the Maple Terrace Subdivisions in the city of Sycamore, DeKalb County, Illinois, including—

(1) Maple Terrace Phase I;
(2) Maple Terrace Phase II;
(3) Maple Terrace Phase III Unit 1;
(4) Maple Terrace Phase III Unit 2;
(5) Maple Terrace Phase III Unit 3;
(6) Maple Terrace Phase IV Unit 1;
(7) Maple Terrace Phase IV Unit 2; and
(8) Maple Terrace Phase IV Unit 3.

(c) REVISION OF FLOOD INSURANCE RATE LOT MAPS.—As soon as practicable after the date of enactment of this Act, the Director of the Federal Emergency Management Agency shall revise the appropriate flood insurance rate lot maps of the agency to reflect the treatment under subsection (a) of the real property described in subsection (b).

SEC. 308. STUDY OF PARTICIPATION BY INDIAN TRIBES IN EMERGENCY MANAGEMENT.

(a) DEFINITION OF INDIAN TRIBE.—In this section, the term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) STUDY.—

(1) IN GENERAL.—The Director of the Federal Emergency Management Agency shall conduct a study of participation by Indian tribes in emergency management.

(2) REQUIRED ELEMENTS.—The study shall—

(A) survey participation by Indian tribes in training, predisaster and postdisaster mitigation, disaster preparedness, and disaster recovery programs at the Federal and State levels; and

(B) review and assess the capacity of Indian tribes to participate in cost-shared emergency management programs and to participate in the management of the programs.

(3) CONSULTATION.—In conducting the study, the Director shall consult with Indian tribes.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Director shall submit a report on the study under subsection (b) to—

(1) the Committee on Environment and Public Works of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Appropriations of the Senate; and

(4) the Committee on Appropriations of the House of Representatives.

The SPEAKER pro tempore, Mr. DICKEY, recognized Mr. SHUSTER and Mr. OBERSTAR, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. DICKEY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate to the House amendment to the amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate to the amendment of the House amendment to the amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶106.27 MOTOR CARRIER FUEL COST EQUITY

Mr. SHUSTER moved to suspend the rules and pass the bill (H.R. 4441) to amend title 49, United States Code, to provide a mandatory fuel surcharge for transportation provided by certain motor carriers, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. DICKEY, recognized Mr. SHUSTER and Mr. RAHALL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GUTKNECHT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.28 S. 2438—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GUTKNECHT, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2438) to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GUTKENECHT, announced that two-thirds of those present had voted in the affirmative.

Mr. OBERSTAR demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 232 / Nays 158

¶106.29 [Roll No. 519]

YEAS—232

Aderholt
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bass
Bentsen
Biggert
Bilbray
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capuano
Castle
Chabot
Chambliss
Clement
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cox
Cramer
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
Delahunt
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kelly
King (NY)
Kingston
Kuykendall
LaHood
Lampson
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Maloney (CT)
Martinez
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Millender-McDonald
Miller, Gary
Minge
Moakley
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu

Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—158

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrett (WI)
Becerra
Bereuter
Berkley
Berman
Berry
Bishop
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (OH)
Capps
Cardin
Chenoweth-Hage
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dingell
Dixon
Doggett
Engel
Evans
Filner
Forbes
Frank (MA)
Frelinghuysen
Ganske
Gejdenson
Gephardt
Gordon
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hoyer
Inslee
Jackson (IL)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Moore
Morella
Nadler
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Peterson (MN)
Phelps
Porter
Rahall
Rangel
Rivers
Rodriguez
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shays
Sherman
Sherwood
Skelton
Smith (NJ)
Smith (WA)
Snyder
Stabenow
Strickland
Stupak
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Wamp
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey

NOT VOTING—42

Archer
Barr
Blagojevich
Bliley
Bono
Brown (FL)
Campbell
Carson
Cook
Crane
Danner
Eshoo
Etheridge
Farr
Fattah
Ford
Franks (NJ)
Gutierrez
Hoekstra
Jefferson
Kasich
Klink
Knollenberg
Kolbe
Largent
Lazio
McCollum
McIntosh
Meeks (NY)
Miller (FL)
Miller, George
Mink
Pelosi
Pombo
Reyes
Riley
Stark
Talent
Weygand
Wilson
Wise
Wu

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not passed.

¶106.30 AMENDMENTS OF THE SENATE TO H.R. 208—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GUTKNECHT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendments of the Senate to the bill (H.R. 208) to amend title 5, United States Code, to allow for the contribution of certain rollover distributions to accounts in the Thrift Savings Plan, to eliminate certain waiting-period requirements for participating in the Thrift Savings Plan, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said amendments?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 382 / Nays 0

¶106.31 [Roll No. 520]

YEAS—382

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Evans
Everett
Ewing
Filner
Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—50

Archer
Barr
Bartlett
Blagojevich
Bliley
Bono
Brown (FL)
Campbell
Carson
Cook
Crane
Danner
Davis (FL)
Eshoo
Etheridge
Farr
Fattah
Ford
Franks (NJ)
Gillmor
Gutierrez
Hoekstra
Jefferson
Kasich
Klink
Knollenberg
Kolbe
Largent
Lazio
Manzullo
McCollum
McIntosh
Meeks (NY)
Miller (FL)
Miller, George
Mink
Pelosi
Pombo
Rangel
Reyes
Riley
Salmon
Stark
Stearns
Talent
Weldon (FL)
Weygand
Wilson
Wise
Wu

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to were, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶106.32 H.R. 762—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GUTKNECHT, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 762) to amend the Public Health Service Act to provide for research and services with respect to lupus; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 385 / Nays 2

¶106.33 [Roll No. 521]

YEAS—385

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Everett
Ewing
Filner
Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—2

Paul
Sanford

NOT VOTING—45

Archer
Barr
Blagojevich
Bliley
Bono
Brown (FL)
Campbell
Carson
Coburn
Cook
Crane
Danner
Eshoo
Etheridge
Evans
Farr
Fattah
Ford
Franks (NJ)
Gutierrez
Hoekstra
Jefferson
Kasich
Klink
Knollenberg
Kolbe
Largent
Lazio
McCollum
McIntosh
Meeks (NY)
Miller (FL)
Miller, George
Mink
Pombo
Reyes
Riley
Schakowsky
Spratt
Stark
Talent
Weygand
Wilson
Wise
Wu

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.34 FURTHER MESSAGE FROM THE SENATE

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

H.R. 2389. An Act to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes.

¶106.35 PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 106–951) the resolution (H. Res. 615) providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶106.36 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4205

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 106–952) the resolution (H. Res. 616) waiving points of order against the conference report to accompany the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶106.37 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4461

Mr. REYNOLDS, by direction of the Committee on Rules, reported (Rept. No. 106–953) the resolution (H. Res. 617) waiving points of order against the conference report to accompany the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies for the fiscal year ending September 30, 2001,and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶106.38 MESSAGE FROM THE PRESIDENT—VETO OF H.R. 4733

The SPEAKER pro tempore, Mr. GUTKNECHT, laid before the House a message from the President, which was read as follows:

To the House of Representatives:

I am returning herewith without my approval, H.R. 4733, the ''Energy and Water Development Appropriations Act, 2001.'' The bill contains an unacceptable rider regarding the Army Corps of Engineers' master operating manual for the Missouri River. In addition, it fails to provide funding for the California-Bay Delta initiative and includes nearly $700 million for over 300 unrequested projects.

Section 103 would prevent the Army Corps of Engineers from revising the operating manual for the Missouri River that is 20 years old and needs to be updated based on the most recent scientific information. In its current form, the manual simply does not provide an appropriate balance among the competing interests, both commercial and recreational, of the many people who seek to use this great American river. The bill would also undermine implementation of the Endangered Species Act by preventing the Corps of Engineers from funding reasonable and much-needed changes to the operating manual for the Missouri River. The Corps and the U.S. Fish and Wildlife Service are entering a critical phase in

their Section 7 consultation on the effects of reservoir project operations. This provision could prevent the Corps from carrying out a necessary element of any reasonable and prudent alternative to avoid jeopardizing the continued existence of the endangered least tern and pallid sturgeon, and the threatened piping plover.

In addition to the objectionable restriction placed upon the Corps of Engineers, the bill fails to provide funding for the California-Bay Delta initiative. This decision could significantly hamper ongoing Federal and State efforts to restore this ecosystem, protect the drinking water of 22 million Californians, and enhance water supply and reliability for over 7 million acres of highly productive farmland and growing urban areas across California. The $60 million budget request, all of which would be used to support activities that can be carried out using existing authorities, is the minimum necessary to ensure adequate Federal participation in these initiatives, which are essential to reducing existing conflicts among water users in California. This funding should be provided without legislative restrictions undermining key environmental statutes or disrupting the balanced approach to meeting the needs of water users and the environment that has been carefully developed through almost 6 years of work with the State of California and interested stakeholders.

The bill also fails to provide sufficient funding necessary to restore endangered salmon in the Pacific Northwest, which would interfere with the Corps of Engineers' ability to comply with the Endangered Species Act, and provides no funds to start the new construction project requested for the Florida Everglades. The bill also fails to fund the Challenge 21 program for environmentally friendly flood damage reduction projects, the program to modernize Corps recreation facilities, and construction of an emergency outlet at Devil's Lake. In addition, it does not fully support efforts to research and develop nonpolluting, domestic sources of energy through solar and renewable technologies that are vital to America's energy security.

Finally, the bill provides nearly $700 million for over 300 unrequested projects, including: nearly 80 unrequested projects totaling more than $330 million for the Department of Energy; nearly 240 unrequested projects totaling over $300 million for the Corps of Engineers' and, more than 10 unrequested projects totaling in excess of $10 million for the Bureau of Reclamation. For example, more than 80 unrequested Corps of Engineers construction projects included in the bill would have a long-term cost of nearly $2.7 billion. These unrequested projects and earmarks come at the expense of other initiatives important to taxpaying Americans.

The American people deserve Government spending based upon a balanced approach that maintains fiscal discipline, eliminates the national debt, extends the solvency of Social Security and Medicare, provides for an appropriately sized tax cut, establishes a new voluntary Medicare prescription drug benefit in the context of broader reforms, expands health care coverage to more families, and funds critical investments for our future. I urge the Congress to work expeditiously to develop a bill that addresses the needs of the Nation.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 7, 2000*.

The SPEAKER pro tempore, Mr. GUTKNECHT, by unanimous consent, ordered that the veto message, together with the accompanying bill, be printed (H. Doc. 106–299) and spread upon the pages of the Journal of the House.

On motion of Mr. PACKARD, by unanimous consent, further consideration of the veto message was postponed until Wednesday, October 11, 2000.

¶106.39 THE LATE HONORABLE BRUCE F. VENTO

Mr. OBERSTAR submitted the following privileged resolution (H. Res. 618):

Resolved, That the House has heard with profound sorrow of the death of the Honorable Bruce F. Vento, a Representative from the State of Minnesota.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of applicable accounts of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

When said resolution was considered.

After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection and, under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶106.40 10TH ANNIVERSARY OF FREE AND FAIR ELECTIONS IN BURMA

Mr. BEREUTER moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 328); as amended:

Whereas in 1988 thousands of Burmese citizens called for a democratic change in Burma and participated in peaceful demonstrations to achieve this result;

Whereas these demonstrations were brutally repressed by the Burmese military, resulting in the loss of hundreds of lives;

Whereas despite continued repression, the Burmese people turned out in record numbers to vote in elections deemed free and fair by international observers;

Whereas on May 27, 1990, the National League for Democracy (NLD) led by Daw Aung San Suu Kyi won more than 60 percent of the popular vote and 80 percent of the parliamentary seats in the elections;

Whereas the Burmese military rejected the results of the elections, placed Daw Aung San Suu Kyi and hundreds of members of the NLD under arrest, pressured members of the NLD to resign, and severely restricted freedom of assembly, speech, and the press;

Whereas 48,000,000 people in Burma continue to suffer gross violations of human rights, including the right to democracy, and economic deprivation under a military regime known as the State Peace and Development Council (SPDC);

Whereas on September 16, 1998, the members of the NLD and other political parties who won the 1990 elections joined together to form the Committee Representing the People's Parliament (CRPP) as an interim mechanism to address human rights, economic and other conditions, and provide representation of the political views and voice of Members of Parliament elected to but denied office in 1990;

Whereas the United Nations General Assembly and Commission on Human Rights have condemned in nine consecutive resolutions the persecution of religious and ethnic minorities and the political opposition, and SPDC's record of forced labor, exploitation, and sexual violence against women;

Whereas the United States and the European Union Council of Foreign Ministers have similarly condemned conditions in Burma and officially imposed travel restrictions and other sanctions against the SPDC;

Whereas in May 1999, the International Labor Organization (ILO) condemned the SPDC for inflicting forced labor on the people and has banned the SPDC from participating in any ILO meetings;

Whereas the 1999 Department of State Country Reports on Human Rights Practices for Burma estimates more than 1,300 people continue to suffer inhumane detention conditions as political prisoners in Burma;

Whereas the Department of State International Narcotics Control Strategy Report for 2000 determines that Burma is the second largest world-wide source of illicit opium and heroin and that there are continuing, reliable reports that Burmese officials are "involved in the drug business or are paid to allow the drug business to be conducted by others", conditions which pose a direct threat to United States national security interests;

Whereas Daw Aung San Suu Kyi has been denied the basic rights to freedom of movement and assemble with members of the NLD by Burmese security authorities who, on August 24, 2000, forcibly blocked her and her party from traveling to NLD township offices near Rangoon;

Whereas after having been halted for nine days at a roadblock, Daw Aung San Suu Kyi and her party were forcibly returned to Rangoon by Burmese security authorities;

Whereas since their forcible return to Rangoon Daw Aung San Suu Kyi and other NLD leaders have been held incommunicado in their residences and diplomats and others have been denied access to them;

Whereas the refusal to allow Daw Aung San Suu Kyi to leave her compound or to allow others access to her has created grave concern for her safety and welfare;

Whereas the NLD party offices have been ransacked and documents seized by Burmese authorities and access to the party headquarters has been denied to NLD members;

Whereas the Burmese authorities have continued to refuse to engage in a substantive

dialogue with the NLD and other elements of the democratic opposition; and

Whereas despite these massive violations of human rights and civil liberties and chronic economic deprivation, Daw Aung San Suu Kyi and members of the NLD have continued to call for a peaceful political dialogue with the SPDC to achieve a democratic transition: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the Sense of the Congress that—

(1) United States policy should strongly support the restoration of democracy in Burma, including implementation of the results of the free and fair elections of 1990;

(2) United States policy should continue to call upon the military regime in Burma known as the State Peace and Development Council (SPDC)—

(A) to guarantee freedom of assembly, freedom of movement, freedom of speech, and freedom of the press for all Burmese citizens;

(B) to immediately accept a political dialogue with Daw Aung San Suu Kyi, the National League for Democracy (NLD), and ethnic leaders to advance peace and reconciliation in Burma;

(C) to immediately and unconditionally release all detained Members elected to the 1990 parliament and other political prisoners; and

(D) to promptly and fully uphold the terms and conditions of all human rights and related resolutions passed by the United Nations General Assembly, the Commission on Human Rights, the International Labor Organization, and the European Union; and

(3) United States policy should sustain current economic and political sanctions against Burma as the appropriate means—

(A) to secure the restoration of democracy, human rights, and civil liberties in Burma; and

(B) to support United States national security counternarcotics interests.

The SPEAKER pro tempore, Mrs. FOWLER, recognized Mr. BEREUTER and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶106.41 RELEASE OF MR. EDMOND POPE FROM RUSSIAN PRISON

Mr. GILMAN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 404):

Whereas Mr. Edmond Pope of State College, Pennsylvania, is a husband, father, grandfather, son, and United States businessman;

Whereas Edmond Pope has visited the Russian Federation 27 times in order to foster better business and university-based research relationships;

Whereas Edmond Pope traveled to the Russian Federation in late March 2000 in order to purchase commercially advertised underwater propulsion technology, as stated in his visa approved by the Government of the Russian Federation;

Whereas Edmond Pope was arrested on April 3, 2000, in Moscow, imprisoned in Lefortovo, and charged with espionage;

Whereas the Russian who allegedly committed an act of treason by aiding Edmond Pope was released and has been living with his family;

Whereas Edmond Pope has been treated for hemangiopericytoma, a rare form of cancer, that was in remission prior to his travel;

Whereas Edmond Pope's father is dying of multiple myeloma, a type of bone cancer that can be hereditary;

Whereas Edmond Pope should receive routine medical care by a qualified, trained professional in order to monitor the possibility of a recurrence of cancer due to his high-risk potential;

Whereas Edmond Pope has missed his annual monitoring visit resulting in a 14 month lapse since his last visit;

Whereas Edmond Pope's prison conditions have caused a dramatic loss in weight and his physical stature has deteriorated;

Whereas Edmond Pope has been denied the basic human right of proper medical attention deserving of an individual in his condition;

Whereas two Americans have died in the past few months within prisons in the Russian Federation and another individual has recently died in Lefortovo;

Whereas Edmond Pope has been unjustly arrested and detained for more than 5 months, preventing him from celebrating his 30th wedding anniversary and the marriage of his son, and during which time his mother-in-law passed away;

Whereas recent events have shown that trials in the Russian Federation involving alleged violations in the area of national security can take several years;

Whereas it is unlikely that Edmond Pope would survive a lengthy trial; and

Whereas United States business and academic interests with the Russian Federation are beginning to be detrimentally impacted by this event: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) the Congress calls on the Russian Federation, under the leadership of President Vladimir Putin, to immediately release Mr. Edmond Pope of State College, Pennsylvania, and to ensure that proper and qualified medical attention is provided to him in order to ensure that another loss of life does not occur in a prison in the Russian Federation;

(2) it is the sense of Congress that if Edmond Pope is not released immediately the President should continue all efforts afforded to the administration to secure his release, including the consideration of—

(A) terminating all assistance to the Government of the Russian Federation under the Foreign Assistance Act of 1961 and the annual Foreign Operations, Export Financing, and Related Programs Appropriations Act for purposes of preparing the Russian Federation's entrance or accession to the World Trade Organization (WTO); and

(B) opposing any further debt relief of obligations owed to the United States Government from the Government of the Russian Federation; and

(3) the President should increase efforts to secure appropriate medical attention for Edmond Pope.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GILMAN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶106.42 PEACE, JUSTICE, AND STABILITY IN KOSOVA

Mr. GILMAN moved to suspend the rules and agree to the following resolution (H. Res. 451); as amended:

Whereas on June 10, 1999, the North Atlantic Treaty Organization (NATO) military air operation in the former Yugoslavia victoriously concluded with the withdrawal of all Serbian police, paramilitary, and military forces from Kosova;

Whereas after the NATO victory, the international community mobilized assistance that helped feed and house more than 1,000,000 Kosova refugees before the first post-war winter;

Whereas nearly 1,000,000 refugees and hundreds of thousands of internally displaced persons attempted to return to their homes in Kosova in the belief that a peaceful, stable, and just society would be created through their diligent efforts, supported by the international community;

Whereas United Nations Security Council Resolution 1244 (June 10, 1999) established the United Nations Mission in Kosovo (UNMIK) as the sole administration of the province until such time as its political status is decided;

Whereas some 2,000 citizens were illegally detained and kidnapped to Serbia by Serbian forces as they withdrew from Kosova in violation of the Geneva Conventions and international humanitarian law;

Whereas an additional 5,000 Kosova citizens are believed to be detained in Serbian prisons;

Whereas the international mission in Kosova successfully negotiated an agreement with the Kosovo Liberation Army (KLA) to disband and publicly hand over its weapons;

Whereas hundreds of Kosova Albanian citizens have been prevented from returning to their homes in the divided city of Mitrovice by Serb Kosova citizens who are believed to be assisted by Serb paramilitaries who have illegally re-entered Kosova;

Whereas although the initiation of the recent operation between the NATO-led peacekeeping force in Kosova (KFOR) and UNMIK to confirm international authority throughout northern Kosova is welcomed, KFOR and UNMIK must fully implement their plan and take appropriate action to ensure that all residents are able to return to their homes;

Whereas the United Nations and the Organization for Security and Cooperation in Europe (OSCE) have set the date for local mu-

nicipal elections in Kosova for October 28, 2000;

Whereas the assertion of authority over the Trepca mining complex by UNMIK is welcomed and an assessment of its environmental hazards and financial viability should proceed as quickly as possible in order to maximize employment for Kosovar citizens;

Whereas although daily life in Kosova in the summer of 2000 is significantly improved in comparison to the violence, devastation, and chaos that plagued the region during armed conflict in 1999, more must be done to develop a self-sustaining economy that discourages the rise of criminal elements;

Whereas, in view of the disproportionate share of the military costs borne by the United States during the NATO operation, the European Union has agreed that it will undertake the major share of the costs for economic reconstruction in Kosova;

Whereas the European Commission and the World Bank have estimated the costs for the reconstruction of Kosova over the next 4 to 5 years at $2,300,000,000, with nearly half that amount available to be spent by the end of 2001; and

Whereas the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (as enacted by section 1000(a)(2) of Public Law 106–113) capped United States pledges of assistance for Kosova at the subsequent Kosova donors conference at 15 percent of the total resources pledged by all donors: Now, therefore, be it

Resolved, That—

(1) the European Union should continue to bear the primary responsibility and costs for the economic reconstruction of Kosova, and take all necessary steps to ensure that its future budgets provide the required resources in a timely fashion;

(2) the administration of all baseline services such as police, sanitation, water, telecommunications, and electrical supply should be put into the hands of the people of Kosova at the earliest possible date;

(3) the strategy for economic reconstruction in Kosova should be focused on utilizing private investment and empowerment of the people of Kosova to take charge of their livelihoods;

(4) the United States Government should make it a priority to promote noncorrupt government and business practices in Kosova by providing judicial training and technical advice and assistance to police, border police, and customs officers;

(5) the United Nations Security Council should demand the immediate and unconditional return of all Kosova prisoners from Serbia;

(6) the international peacekeeping force in Mitrovice should take immediate measures to ensure that all the residents are able to return in security to their homes;

(7) all the citizens of Kosova should avail themselves of the opportunity to democratically express their political preferences by participating in the elections on October 28, 2000;

(8) the resolve of the international community to work towards lasting peace, stability, and justice in Kosova will not be deterred by Slobodan Milosevic's provocations within the region; and

(9) all citizens of Kosova should adhere to the principles enunciated by community leaders at the Airlie House declaration of July 23, 2000, where all parties agreed to a rigorous Campaign Against Violence, representation of all citizens in municipal councils, surrendering of illegal weapons, a commitment to counter Slobodan Milosevic's influence in Kosova, and to dissolve any other illegitimate governing and security structures.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GILMAN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶106.43 UNHCR'S 50TH ANNIVERSARY

Mr. GILMAN moved to suspend the rules and agree to the following resolution (H. Res. 577); as amended:

Whereas since the founding of the United Nations High Commissioner for Refugees (UNHCR) in December 1950, it has become one of the world's principal humanitarian agencies with 244 offices in 118 countries and helps nearly 22,000,000 people in more than 140 countries;

Whereas on December 14, 2000, UNHCR marks a half-century of helping millions of the world's most vulnerable and courageous people;

Whereas UNHCR continues to fulfill its mandate, as adopted by the United Nations General Assembly on December 14, 1950, to provide international protection to refugees and persons seeking asylum and to seek durable solutions to their problems;

Whereas UNHCR has worked to ensure respect of refugees' basic human rights and adherence to the principle of nonrefoulement, which prohibits the expulsion and return of refugees to countries or territories where their lives or freedom would be threatened;

Whereas the United States and its citizens have long welcomed refugees to our shores;

Whereas, although UNHCR's responsibilities under its original mandate do not include internally displaced persons, it plays a critical role in assisting and protecting internally displaced populations in many situations, particularly where refugee and internally displaced populations are mixed;

Whereas the heart of UNHCR's mandate is protection, and UNHCR must continue to emphasize protection in choosing durable solutions for refugees, including voluntary return, local integration in countries of first asylum, and resettlement;

Whereas vulnerable refugees, particularly women, children, and the elderly, face special protection and assistance needs and UNHCR must continue to emphasize their needs in its policy and program efforts;

Whereas, in collaboration with other international agencies and nongovernmental organizations, UNHCR has shaped policies on which the international community can agree to move forward on peacefully resolving refugee situations;

Whereas under the leadership of High Commissioner Sadako Ogata and her predecessors, UNHCR has made invaluable contributions for humanity by helping to promote peace and respect for human rights for all uprooted peoples; and

Whereas UNHCR has twice been awarded the Nobel Peace Prize for its service to humanity: Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) recognizes and honors the United Nations High Commissioner for Refugees (UNHCR) on the occasion of its 50th anniversary for its contributions on behalf of the world's refugees;

(2) expresses its support for the continued efforts of UNHCR;

(3) affirms its support for international protection for the victims of persecution and human rights violations and for the achievement of durable solutions for refugees; and

(4) calls on the international community to work together with UNHCR in efforts to ensure that host countries uphold humanitarian principles and the human rights of refugees, to lessen the impact of refugees on host countries, and to promote the safe voluntary repatriation, local integration, or resettlement of refugees.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GILMAN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶106.44 USE OF MILITARY INSTALLATIONS FOR POLLING PLACES IN FEDERAL, STATE AND LOCAL ELECTIONS

Mr. BARTLETT moved to suspend the rules and pass the bill (H.R. 5174) to amend titles 10 and 18, United States Code, and the Revised Statutes to remove the uncertainty regarding the authority of the Department of Defense to permit buildings located on military installations and reserve component facilities to be used as polling places in Federal, State, and local elections for public office.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. BARTLETT and Mr. ABERCROMBIE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had not voted in the affirmative.

Mr. BARTLETT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 11, 2000, pursuant to the prior announcement of the Chair.

¶106.45 BRITISH TRANSPORT HMT ROHNA

Mr. BARTLETT moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 408):

Whereas on November 26, 1943, a German bomber off the coast of North Africa sunk the British transport HMT ROHNA with a radio-controlled, rocket-boosted bomb;

Whereas 1,015 United States service members and more than 100 British and Allied officers and crewmen perished as a result of the attack;

Whereas hundreds died immediately when the bomb struck and hundreds more died when darkness and rough seas limited rescue efforts;

Whereas many families still do not know the circumstances of the deaths of loved ones who died as a result of the attack;

Whereas more than 900 United States service members survived the attack under extremely adverse circumstances;

Whereas United States, British, and French rescuers worked valiantly to save the passengers and crew who made it off the HMT ROHNA into the sea;

Whereas one United States ship, the USS PIONEER, picked up many of those who were saved;

Whereas because of inadequate record keeping, some survivors of the attack struggled for years to verify the details of the sinking of the HMT ROHNA;

Whereas the men who died as a result of the attack on the HMT ROHNA have been largely forgotten by the Nation; and

Whereas the Congress and the people of the United States have never recognized the bravery and sacrifice of the United States service members who died as a result of the sinking of the HMT ROHNA or the United States service members who survived the sinking and continued to serve the Nation valiantly abroad during the war: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress expresses appreciation for—

(1) the United States service members who died in the sinking of the HMT ROHNA, for the heroic sacrifice they made for freedom and the defense of the Nation;

(2) the United States service members who survived the sinking of the HMT ROHNA, for their bravery in the face of disaster and their subsequent service during the war on behalf of the Nation;

(3) the families of all of these service members; and

(4) the United States, British, and French rescuers, especially the crew of the USS PIONEER, who endangered their lives to save the passengers and crew of the HMT ROHNA.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. BARTLETT and Mr. ABERCROMBIE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶106.46 ADOPTION OF RETIRED MILITARY WORKING DOGS

Mr. BARTLETT moved to suspend the rules and pass the bill (H.R. 5314) to require the immediate termination of the Department of Defense practice of euthanizing military working dogs at the end of their useful working life and to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. BARTLETT and Mr. ABERCROMBIE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend title 10, United States Code, to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs.''.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.47 POSTHUMOUS PROMOTION OF WILLIAM CLARK

Mr. BARTLETT moved to suspend the rules and pass the bill (H.R. 3621) to provide for the posthumous promotion of William Clark of the Commonwealth of Virginia and the Commonwealth of Kentucky, co-leader of the Lewis and Clark Expedition, to the grade of captain in the Regular Army.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. BARTLETT and Mr. ABERCROMBIE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.48 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. BARRETT of Nebraska, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report on the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶106.49 GRAIN STANDARDS REAUTHORIZATION

Mr. BARRETT of Nebraska moved to suspend the rules and pass the bill (H.R. 4788) to amend the United States Grain Standards Act to extend the authority of the Secretary of Agriculture to collect fees to cover the cost of services performed under the Act, to extend the authorization of appropriations for the Act, and to improve the administration of the Act; as amended.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. BARRETT of Nebraska and Mr. STENHOLM, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the United States Grain Standards Act to extend the authority of the Secretary of Agriculture to collect fees to cover the cost of services performed under that Act, extend the authorization of appropriations for that Act, and improve the administration of that Act, to reenact the United States Warehouse Act to require the licensing and inspection of warehouses used to store agricultural products and provide for the issuance of receipts, including electronic receipts, for agricultural products stored or handled in licensed warehouses, and for other purposes.''.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.50 COUNTY SCHOOLS FUNDING REVITALIZATION

Mr. GOODLATTE moved to suspend the rules and agree to the following amendment of the Senate to the bill

(H.R. 2389) to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other for purposes:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Secure Rural Schools and Community Self-Determination Act of 2000''.

(b) Table of Contents.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.
Sec. 4. Conforming amendment.

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

Sec. 101. Determination of full payment amount for eligible States and counties.
Sec. 102. Payments to States from National Forest Service lands for use by counties to benefit public education and transportation.
Sec. 103. Payments to counties from Bureau of Land Management lands for use to benefit public safety, law enforcement, education, and other public purposes.

TITLE II—SPECIAL PROJECTS ON FEDERAL LANDS

Sec. 201. Definitions.
Sec. 202. General limitation on use of project funds.
Sec. 203. Submission of project proposals.
Sec. 204. Evaluation and approval of projects by Secretary concerned.
Sec. 205. Resource advisory committees.
Sec. 206. Use of project funds.
Sec. 207. Availability of project funds.
Sec. 208. Termination of authority.

TITLE III—COUNTY PROJECTS

Sec. 301. Definitions.
Sec. 302. Use of county funds.
Sec. 303. Termination of authority.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Authorization of appropriations.
Sec. 402. Treatment of funds and revenues.
Sec. 403. Regulations.
Sec. 404. Conforming amendments.

TITLE V—MINERAL REVENUE PAYMENTS CLARIFICATION

Sec. 501. Short title.
Sec. 502. Findings.
Sec. 503. Amendment of the Mineral Leasing Act.

TITLE VI—COMMUNITY FOREST RESTORATION

Sec. 601. Short title.
Sec. 602. Findings.
Sec. 603. Purposes.
Sec. 604. Definitions.
Sec. 605. Establishment of program.
Sec. 606. Selection process.
Sec. 607. Monitoring and evaluation.
Sec. 608. Report.
Sec. 609. Authorization of appropriations.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) The National Forest System, which is managed by the United States Forest Service, was established in 1907 and has grown to include approximately 192,000,000 acres of Federal lands.

(2) The public domain lands known as revested Oregon and California Railroad grant lands and the reconveyed Coos Bay Wagon Road grant lands, which are managed predominantly by the Bureau of Land Management were returned to Federal ownership in 1916 and 1919 and now comprise approximately 2,600,000 acres of Federal lands.

(3) Congress recognized that, by its decision to secure these lands in Federal ownership, the counties in which these lands are situated would be deprived of revenues they would otherwise receive if the lands were held in private ownership.

(4) These same counties have expended public funds year after year to provide services, such as education, road construction and maintenance, search and rescue, law enforcement, waste removal, and fire protection, that directly benefit these Federal lands and people who use these lands.

(5) To accord a measure of compensation to the affected counties for the critical services they provide to both county residents and visitors to these Federal lands, Congress determined that the Federal Government should share with these counties a portion of the revenues the United States receives from these Federal lands.

(6) Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest System lands be paid to States for use by the counties in which the lands are situated for the benefit of public schools and roads.

(7) Congress enacted in 1937 and subsequently amended a law that requires that 75 percent of the revenues derived from the revested and reconveyed grant lands be paid to the counties in which those lands are situated to be used as are other county funds, of which 50 percent is to be used as other county funds.

(8) For several decades primarily due to the growth of the Federal timber sale program, counties dependent on and supportive of these Federal lands received and relied on increasing shares of these revenues to provide funding for schools and road maintenance.

(9) In recent years, the principal source of these revenues, Federal timber sales, has been sharply curtailed and, as the volume of timber sold annually from most of the Federal lands has decreased precipitously, so too have the revenues shared with the affected counties.

(10) This decline in shared revenues has affected educational funding and road maintenance for many counties.

(11) In the Omnibus Budget Reconciliation Act of 1993, Congress recognized this trend and ameliorated its adverse consequences by providing an alternative annual safety net payment to 72 counties in Oregon, Washington, and northern California in which Federal timber sales had been restricted or prohibited by administrative and judicial decisions to protect the northern spotted owl.

(12) The authority for these particular safety net payments is expiring and no comparable authority has been granted for alternative payments to counties elsewhere in the United States that have suffered similar losses in shared revenues from the Federal lands and in the funding for schools and roads those revenues provide.

(13) There is a need to stabilize education and road maintenance funding through predictable payments to the affected counties, job creation in those counties, and other opportunities associated with restoration, maintenance, and stewardship of Federal lands.

(14) Both the Forest Service and the Bureau of Land Management face significant backlogs in infrastructure maintenance and ecosystem restoration that are difficult to address through annual appropriations.

(15) There is a need to build new, and strengthen existing, relationships and to improve management of public lands and waters.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To stabilize payments to counties to provide funding for schools and roads that supplements other available funds.

(2) To make additional investments in, and create additional employment opportunities through, projects that improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality. Such projects shall enjoy broad-based support with objectives that may include, but are not limited to—

(A) road, trail, and infrastructure maintenance or obliteration;

(B) soil productivity improvement;

(C) improvements in forest ecosystem health;

(D) watershed restoration and maintenance;

(E) restoration, maintenance and improvement of wildlife and fish habitat;

(F) control of noxious and exotic weeds; and

(G) reestablishment of native species.

(3) To improve cooperative relationships among the people that use and care for Federal lands and the agencies that manage these lands.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERAL LANDS.—The term ''Federal lands'' means—

(A) lands within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)) exclusive of the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012); and

(B) such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, that shall be managed, except as provided in the former section 3 of the Act of August 28, 1937 (50 Stat. 875; 43 U.S.C. 1181c), for permanent forest production.

(2) ELIGIBILITY PERIOD.—The term ''eligibility period'' means fiscal year 1986 through fiscal year 1999.

(3) ELIGIBLE COUNTY.—The term ''eligible county'' means a county that received 50-percent payments for one or more fiscal years of the eligibility period or a county that received a portion of an eligible State's 25-percent payments for one or more fiscal years of the eligibility period. The term includes a county established after the date of the enactment of this Act so long as the county includes all or a portion of a county described in the preceding sentence.

(4) ELIGIBLE STATE.—The term ''eligible State'' means a State that received 25-percent payments for one or more fiscal years of the eligibility period.

(5) FULL PAYMENT AMOUNT.—The term ''full payment amount'' means the amount calculated for each eligible State and eligible county under section 101.

(6) 25-PERCENT PAYMENT.—The term ''25-percent payment'' means the payment to States required by the sixth paragraph under the heading of ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

(7) 50-PERCENT PAYMENT.—The term ''50-percent payment'' means the payment that is the sum of the 50-percent share otherwise paid to a county pursuant to title II of the Act of August 28, 1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), and the payment made to a county pursuant to the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f–1 et seq.).

(8) SAFETY NET PAYMENTS.—The term ''safety net payments'' means the special payment amounts paid to States and counties required by section 13982 or 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note).

SEC. 4. CONFORMING AMENDMENT.

Section 6903(a)(1)(C) of title 31, United States Code, is amended by inserting after ''(16 U.S.C. 500)'' the following: ''or the Secure Rural

Schools and Community Self-Determination Act of 2000''.

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

SEC. 101. DETERMINATION OF FULL PAYMENT AMOUNT FOR ELIGIBLE STATES AND COUNTIES.

(a) CALCULATION REQUIRED.—

(1) ELIGIBLE STATES.—For fiscal years 2001 through 2006, the Secretary of the Treasury shall calculate for each eligible State that received a 25-percent payment during the eligibility period an amount equal to the average of the three highest 25-percent payments and safety net payments made to that eligible State for the fiscal years of the eligibility period.

(2) BUREAU OF LAND MANAGEMENT COUNTIES.—For fiscal years 2001 through 2006, the Secretary of the Treasury shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the average of the three highest 50-percent payments and safety net payments made to that eligible county for the fiscal years of the eligibility period.

(b) ANNUAL ADJUSTMENT.—For each fiscal year in which payments are required to be made to eligible States and eligible counties under this title, the Secretary of the Treasury shall adjust the full payment amount for the previous fiscal year for each eligible State and eligible county to reflect 50 percent of the changes in the consumer price index for rural areas (as published in the Bureau of Labor Statistics) that occur after publication of that index for fiscal year 2000.

SEC. 102. PAYMENTS TO STATES FROM NATIONAL FOREST SYSTEM LANDS FOR USE BY COUNTIES TO BENEFIT PUBLIC EDUCATION AND TRANSPORTATION.

(a) PAYMENT AMOUNTS.—The Secretary of the Treasury shall pay an eligible State the sum of the amounts elected under subsection (b) by each eligible county for either—

(1) the 25-percent payment under the Act of May 23, 1908 (16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (16 U.S.C. 500); or

(2) the full payment amount in place of the 25-percent payment.

(b) ELECTION TO RECEIVE PAYMENT AMOUNT.—

(1) ELECTION; SUBMISSION OF RESULTS.—The election to receive either the full payment amount or the 25-percent payment shall be made at the discretion of each affected county and transmitted to the Secretary by the Governor of a State.

(2) DURATION OF ELECTION.—A county election to receive the 25-percent payment shall be effective for two fiscal years. When a county elects to receive the full payment amount, such election shall be effective for all the subsequent fiscal years through fiscal year 2006.

(3) SOURCE OF PAYMENT AMOUNTS.—The payment to an eligible State under this section for a fiscal year shall be derived from any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, or special accounts, received by the Federal Government from activities by the Forest Service on the Federal lands described in section 3(1)(A) and to the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated.

(c) DISTRIBUTION AND EXPENDITURE OF PAYMENTS.—

(1) DISTRIBUTION METHOD.—A State that receives a payment under subsection (a) shall distribute the payment among all eligible counties in the State in accordance with the Act of May 23, 1908 (16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

(2) EXPENDITURE PURPOSES.—Subject to subsection (d), payments received by a State under subsection (a) and distributed to eligible counties shall be expended as required by the laws referred to in paragraph (1).

(d) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

(1) ALLOCATIONS.—

(A) USE OF PORTION IN SAME MANNER AS 25-PERCENT PAYMENTS.—If an eligible county elects to receive its share of the full payment amount, not less than 80 percent, but not more than 85 percent, of the funds shall be expended in the same manner in which the 25-percent payments are required to be expended.

(B) ELECTION AS TO USE OF BALANCE.—An eligible county shall elect to do one or more of the following with the balance of the funds not expended pursuant to subparagraph (A):

(i) Reserve the balance for projects in accordance with title II.

(ii) Reserve the balance for projects in accordance with title III.

(iii) Return the balance to the General Treasury in accordance with section 402(b).

(2) DISTRIBUTION OF FUNDS.—

(A) TREATMENT OF TITLE II FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(i) shall be deposited in a special account in the Treasury of the United States and shall be available for expenditure by the Secretary of Agriculture, without further appropriation, and shall remain available until expended in accordance with title II.

(B) TREATMENT OF TITLE III FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(ii) shall be available for expenditure by the county and shall remain available, until expended, in accordance with title III.

(3) ELECTION.—

(A) IN GENERAL.—An eligible county shall notify the Secretary of Agriculture of its election under this subsection not later than September 30 of each fiscal year. If the eligible county fails to make an election by that date, the county is deemed to have elected to expend 85 percent of the funds to be received under this section in the same manner in which the 25-percent payments are required to be expended, and shall remit the balance to the Treasury of the United States in accordance with section 402(b).

(B) COUNTIES WITH MINOR DISTRIBUTIONS.—Notwithstanding any adjustment made pursuant to section 101(b) in the case of each eligible county to which less than $100,000 is distributed for any fiscal year pursuant to subsection (c)(1), the eligible county may elect to expend all such funds in accordance with subsection (c)(2).

(e) TIME FOR PAYMENT.—The payment to an eligible State under this section for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

SEC. 103. PAYMENTS TO COUNTIES FROM BUREAU OF LAND MANAGEMENT LANDS FOR USE TO BENEFIT PUBLIC SAFETY, LAW ENFORCEMENT, EDUCATION, AND OTHER PUBLIC PURPOSES.

(a) PAYMENT.—The Secretary of the Treasury shall pay an eligible county either—

(1) the 50-percent payment under the Act of August 28, 1937 (43 U.S.C. 1181f), or the Act of May 24, 1939 (43 U.S.C. 1181f–1) as appropriate; or

(2) the full payment amount in place of the 50-percent payment.

(b) ELECTION TO RECEIVE FULL PAYMENT AMOUNT.—

(1) ELECTION; DURATION.—The election to receive the full payment amount shall be made at the discretion of the county. Once the election is made, it shall be effective for the fiscal year in which the election is made and all subsequent fiscal years through fiscal year 2006.

(2) SOURCE OF PAYMENT AMOUNTS.—The payment to an eligible county under this section for a fiscal year shall be derived from any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, or permanent operating funds, received by the Federal Government from activities by the Bureau of Land Management on the Federal lands described in section 3(1)(B) and to the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated.

(c) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

(1) ALLOCATIONS.—

(A) USE OF PORTION IN SAME MANNER AS 50-PERCENT PAYMENTS.—Of the funds to be paid to an eligible county pursuant to subsection (a)(2), not less than 80 percent, but not more than 85 percent, of the funds distributed to the eligible county shall be expended in the same manner in which the 50-percent payments are required to be expended.

(B) ELECTION AS TO USE OF BALANCE.—An eligible county shall elect to do one or more of the following with the balance of the funds not expended pursuant to subparagraph (A):

(i) Reserve the balance for projects in accordance with title II.

(ii) Reserve the balance for projects in accordance with title III.

(iii) Return the balance to the General Treasury in accordance with section 402(b).

(2) DISTRIBUTION OF FUNDS.—

(A) TREATMENT OF TITLE II FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(i) shall be deposited in a special account in the Treasury of the United States and shall be available for expenditure by the Secretary of the Interior, without further appropriation, and shall remain available until expended in accordance with title II.

(B) TREATMENT OF TITLE III FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(ii) shall be available for expenditure by the county and shall remain available, until expended, in accordance with title III.

(3) ELECTION.—An eligible county shall notify the Secretary of the Interior of its election under this subsection not later than September 30 of each fiscal year. If the eligible county fails to make an election by that date, the county is deemed to have elected to expend 85 percent of the funds received under subsection (a)(2) in the same manner in which the 50-percent payments are required to be expended and shall remit the balance to the Treasury of the United States in accordance with section 402(b).

(d) TIME FOR PAYMENT.—The payment to an eligible county under this section for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

TITLE II—SPECIAL PROJECTS ON FEDERAL LANDS

SEC. 201. DEFINITIONS.

In this title:

(1) PARTICIPATING COUNTY.—The term ''participating county'' means an eligible county that elects under section 102(d)(1)(B)(i) or 103(c)(1)(B)(i) to expend a portion of the Federal funds received under section 102 or 103 in accordance with this title.

(2) PROJECT FUNDS.—The term ''project funds'' means all funds an eligible county elects under sections 102(d)(1)(B)(i) and 103(c)(1)(B)(i) to reserve for expenditure in accordance with this title.

(3) RESOURCE ADVISORY COMMITTEE.—The term ''resource advisory committee'' means an advisory committee established by the Secretary concerned under section 205, or determined by the Secretary concerned to meet the requirements of section 205.

(4) RESOURCE MANAGEMENT PLAN.—The term ''resource management plan'' means a land use plan prepared by the Bureau of Land Management for units of the Federal lands described in section 3(1)(B) pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) or a land and resource management plan prepared by the Forest Service for units of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(5) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture or the designee of the Secretary of Agriculture with respect to the Federal lands described in section 3(1)(A); and

(B) the Secretary of the Interior or the designee of the Secretary of the Interior with respect to the Federal lands described in section 3(1)(B).

SEC. 202. GENERAL LIMITATION ON USE OF PROJECT FUNDS.

Project funds shall be expended solely on projects that meet the requirements of this title. Project funds may be used by the Secretary concerned for the purpose of entering into and implementing cooperative agreements with willing Federal agencies, State and local governments, private and nonprofit entities, and landowners for protection, restoration and enhancement of fish and wildlife habitat, and other resource objectives consistent with the purposes of this title on Federal land and on non-Federal land where projects would benefit these resources on Federal land.

SEC. 203. SUBMISSION OF PROJECT PROPOSALS.

(a) SUBMISSION OF PROJECT PROPOSALS TO SECRETARY CONCERNED.—

(1) PROJECTS FUNDED USING PROJECT FUNDS.—Not later than September 30 for fiscal year 2001, and each September 30 thereafter for each succeeding fiscal year through fiscal year 2006, each resource advisory committee shall submit to the Secretary concerned a description of any projects that the resource advisory committee proposes the Secretary undertake using any project funds reserved by eligible counties in the area in which the resource advisory committee has geographic jurisdiction.

(2) PROJECTS FUNDED USING OTHER FUNDS.—A resource advisory committee may submit to the Secretary concerned a description of any projects that the committee proposes the Secretary undertake using funds from State or local governments, or from the private sector, other than project funds and funds appropriated and otherwise available to do similar work.

(3) JOINT PROJECTS.—Participating counties or other persons may propose to pool project funds or other funds, described in paragraph (2), and jointly propose a project or group of projects to a resource advisory committee established under section 205.

(b) REQUIRED DESCRIPTION OF PROJECTS.—In submitting proposed projects to the Secretary concerned under subsection (a), a resource advisory committee shall include in the description of each proposed project the following information:

(1) The purpose of the project and a description of how the project will meet the purposes of this Act.

(2) The anticipated duration of the project.

(3) The anticipated cost of the project.

(4) The proposed source of funding for the project, whether project funds or other funds.

(5) Expected outcomes, including how the project will meet or exceed desired ecological conditions, maintenance objectives, or stewardship objectives, as well as an estimation of the amount of any timber, forage, and other commodities and other economic activity, including jobs generated, if any, anticipated as part of the project.

(6) A detailed monitoring plan, including funding needs and sources, that tracks and identifies the positive or negative impacts of the project, implementation, and provides for validation monitoring. The monitoring plan shall include an assessment of the following: Whether or not the project met or exceeded desired ecological conditions; created local employment or training opportunities, including summer youth jobs programs such as the Youth Conservation Corps where appropriate; and whether the project improved the use of, or added value to, any products removed from lands consistent with the purposes of this Act.

(7) An assessment that the project is to be in the public interest.

(c) AUTHORIZED PROJECTS.—Projects proposed under subsection (a) shall be consistent with section 2(b).

SEC. 204. EVALUATION AND APPROVAL OF PROJECTS BY SECRETARY CONCERNED.

(a) CONDITIONS FOR APPROVAL OF PROPOSED PROJECT.—The Secretary concerned may make a decision to approve a project submitted by a resource advisory committee under section 203 only if the proposed project satisfies each of the following conditions:

(1) The project complies with all applicable Federal laws and regulations.

(2) The project is consistent with the applicable resource management plan and with any watershed or subsequent plan developed pursuant to the resource management plan and approved by the Secretary concerned.

(3) The project has been approved by the resource advisory committee in accordance with section 205, including the procedures issued under subsection (e) of such section.

(4) A project description has been submitted by the resource advisory committee to the Secretary concerned in accordance with section 203.

(5) The project will improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality.

(b) ENVIRONMENTAL REVIEWS.—

(1) PAYMENT OF REVIEW COSTS.—

(A) REQUEST FOR PAYMENT BY COUNTY.—The Secretary concerned may request the resource advisory committee submitting a proposed project to agree to the use of project funds to pay for any environmental review, consultation, or compliance with applicable environmental laws required in connection with the project. When such a payment is requested and the resource advisory committee agrees to the expenditure of funds for this purpose, the Secretary concerned shall conduct environmental review, consultation, or other compliance responsibilities in accordance with Federal law and regulations.

(B) EFFECT OF REFUSAL TO PAY.—If a resource advisory committee does not agree to the expenditure of funds under subparagraph (A), the project shall be deemed withdrawn from further consideration by the Secretary concerned pursuant to this title. Such a withdrawal shall be deemed to be a rejection of the project for purposes of section 207(c).

(c) DECISIONS OF SECRETARY CONCERNED.—

(1) REJECTION OF PROJECTS.—A decision by the Secretary concerned to reject a proposed project shall be at the Secretary's sole discretion. Notwithstanding any other provision of law, a decision by the Secretary concerned to reject a proposed project shall not be subject to administrative appeal or judicial review. Within 30 days after making the rejection decision, the Secretary concerned shall notify in writing the resource advisory committee that submitted the proposed project of the rejection and the reasons for rejection.

(2) NOTICE OF PROJECT APPROVAL.—The Secretary concerned shall publish in the Federal Register notice of each project approved under subsection (a) if such notice would be required had the project originated with the Secretary.

(d) SOURCE AND CONDUCT OF PROJECT.—Once the Secretary concerned accepts a project for review under section 203, it shall be deemed a Federal action for all purposes.

(e) IMPLEMENTATION OF APPROVED PROJECTS.—

(1) COOPERATION.—Notwithstanding chapter 63 of title 31, United States Code, using project funds the Secretary concerned may enter into contracts, grants, and cooperative agreements with States and local governments, private and nonprofit entities, and landowners and other persons to assist the Secretary in carrying out an approved project.

(2) BEST VALUE CONTRACTING.—For any project involving a contract authorized by paragraph (1) the Secretary concerned may elect a source for performance of the contract on a best value basis. The Secretary concerned shall determine best value based on such factors as:

(A) The technical demands and complexity of the work to be done.

(B) The ecological objectives of the project and the sensitivity of the resources being treated.

(C) The past experience by the contractor with the type of work being done, using the type of equipment proposed for the project, and meeting or exceeding desired ecological conditions.

(D) The commitment of the contractor to hiring highly qualified workers and local residents.

(3) MERCHANTABLE MATERIAL CONTRACTING PILOT PROGRAM.—

(A) ESTABLISHMENT.—The Secretary concerned shall establish a pilot program to implement a certain percentage of approved projects involving the sale of merchantable material using separate contracts for—

(i) the harvesting or collection of merchantable material; and

(ii) the sale of such material.

(B) ANNUAL PERCENTAGES.—Under the pilot program, the Secretary concerned shall ensure that, on a nationwide basis, not less than the following percentage of all approved projects involving the sale of merchantable material are implemented using separate contracts:

(i) For fiscal year 2001, 15 percent.

(ii) For fiscal year 2002, 25 percent.

(iii) For fiscal year 2003, 25 percent.

(iv) For fiscal year 2004, 50 percent.

(v) For fiscal year 2005, 50 percent.

(vi) For fiscal year 2006, 50 percent.

(C) INCLUSION IN PILOT PROGRAM.—The decision whether to use separate contracts to implement a project involving the sale of merchantable material shall be made by the Secretary concerned after the approval of the project under this title.

(D) ASSISTANCE.—The Secretary concerned may use funds from any appropriated account available to the Secretary for the Federal lands to assist in the administration of projects conducted under the pilot program. The total amount obligated under this subparagraph may not exceed $1,000,000 for any fiscal year during which the pilot program is in effect.

(E) REVIEW AND REPORT.—Not later than September 30, 2003, the Comptroller General shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Agriculture of the House of Representatives, and the Committee on Resources of the House of Representatives a report assessing the pilot program. The Secretary concerned shall submit to such committees an annual report describing the results of the pilot program.

(f) REQUIREMENTS FOR PROJECT FUNDS.—The Secretary shall ensure that at least 50 percent of all project funds be used for projects that are primarily dedicated—

(1) to road maintenance, decommissioning, or obliteration; or

(2) to restoration of streams and watersheds.

SEC. 205. RESOURCE ADVISORY COMMITTEES.

(a) ESTABLISHMENT AND PURPOSE OF RESOURCE ADVISORY COMMITTEES.—

(1) ESTABLISHMENT.—The Secretary concerned shall establish and maintain resource advisory committees to perform the duties in subsection (b), except as provided in paragraph (4).

(2) PURPOSE.—The purpose of a resource advisory committee shall be to improve collaborative relationships and to provide advice and recommendations to the land management agencies consistent with the purposes of this Act.

(3) ACCESS TO RESOURCE ADVISORY COMMITTEES.—To ensure that each unit of Federal land has access to a resource advisory committee, and that there is sufficient interest in participation on a committee to ensure that membership can be balanced in terms of the points of view represented and the functions to be performed, the Secretary concerned may, establish resource advisory committees for part of, or one or more, units of Federal lands.

(4) EXISTING ADVISORY COMMITTEES.—Existing advisory committees meeting the requirements of this section may be deemed by the Secretary concerned, as a resource advisory committee for the purposes of this title. The Secretary of the Interior may deem a resource advisory committee meeting the requirements of subpart 1784 of part 1780 of title 43, Code of Federal Regulations, as a resource advisory committee for the purposes of this title.

(b) DUTIES.—A resource advisory committee shall—

(1) review projects proposed under this title by participating counties and other persons;

(2) propose projects and funding to the Secretary concerned under section 203;

(3) provide early and continuous coordination with appropriate land management agency officials in recommending projects consistent with purposes of this Act under this title; and

(4) provide frequent opportunities for citizens, organizations, tribes, land management agencies, and other interested parties to participate openly and meaningfully, beginning at the early stages of the project development process under this title.

(c) APPOINTMENT BY THE SECRETARY.—

(1) APPOINTMENT AND TERM.—The Secretary concerned, shall appoint the members of resource advisory committees for a term of 3 years beginning on the date of appointment. The Secretary concerned may reappoint members to subsequent 3-year terms.

(2) BASIC REQUIREMENTS.—The Secretary concerned shall ensure that each resource advisory committee established meets the requirements of subsection (d).

(3) INITIAL APPOINTMENT.—The Secretary concerned shall make initial appointments to the resource advisory committees not later than 180 days after the date of the enactment of this Act.

(4) VACANCIES.—The Secretary concerned shall make appointments to fill vacancies on any resource advisory committee as soon as practicable after the vacancy has occurred.

(5) COMPENSATION.—Members of the resource advisory committees shall not receive any compensation.

(d) COMPOSITION OF ADVISORY COMMITTEE.—

(1) NUMBER.—Each resource advisory committee shall be comprised of 15 members.

(2) COMMUNITY INTERESTS REPRESENTED.—Committee members shall be representative of the interests of the following three categories:

(A) 5 persons who—

(i) represent organized labor;

(ii) represent developed outdoor recreation, off highway vehicle users, or commercial recreation activities;

(iii) represent energy and mineral development interests;

(iv) represent the commercial timber industry; or

(v) hold Federal grazing permits, or other land use permits within the area for which the committee is organized.

(B) 5 persons representing—

(i) nationally recognized environmental organizations;

(ii) regionally or locally recognized environmental organizations;

(iii) dispersed recreational activities;

(iv) archaeological and historical interests; or

(v) nationally or regionally recognized wild horse and burro interest groups.

(C) 5 persons who—

(i) hold State elected office or their designee;

(ii) hold county or local elected office;

(iii) represent American Indian tribes within or adjacent to the area for which the committee is organized;

(iv) are school officials or teachers; or

(v) represent the affected public at large.

(3) BALANCED REPRESENTATION.—In appointing committee members from the three categories in paragraph (2), the Secretary concerned shall provide for balanced and broad representation from within each category.

(4) GEOGRAPHIC DISTRIBUTION.—The members of a resource advisory committee shall reside within the State in which the committee has jurisdiction and, to extent practicable, the Secretary concerned shall ensure local representation in each category in paragraph (2).

(5) CHAIRPERSON.—A majority on each resource advisory committee shall select the chairperson of the committee.

(e) APPROVAL PROCEDURES.—(1) Subject to paragraph (2), each resource advisory committee shall establish procedures for proposing projects to the Secretary concerned under this title. A quorum must be present to constitute an official meeting of the committee.

(2) A project may be proposed by a resource advisory committee to the Secretary concerned under section 203(a), if it has been approved by a majority of members of the committee from each of the three categories in subsection (d)(2).

(f) OTHER COMMITTEE AUTHORITIES AND REQUIREMENTS.—

(1) STAFF ASSISTANCE.—A resource advisory committee may submit to the Secretary concerned a request for periodic staff assistance from Federal employees under the jurisdiction of the Secretary.

(2) MEETINGS.—All meetings of a resource advisory committee shall be announced at least one week in advance in a local newspaper of record and shall be open to the public.

(3) RECORDS.—A resource advisory committee shall maintain records of the meetings of the committee and make the records available for public inspection.

SEC. 206. USE OF PROJECT FUNDS.

(a) AGREEMENT REGARDING SCHEDULE AND COST OF PROJECT.—

(1) AGREEMENT BETWEEN PARTIES.—The Secretary concerned may carry out a project submitted by a resource advisory committee under section 203(a) using project funds or other funds described in section 203(a)(2), if, as soon as practicable after the issuance of a decision document for the project and the exhaustion of all administrative appeals and judicial review of the project decision, the Secretary concerned and the resource advisory committee enter into an agreement addressing, at a minimum, the following:

(A) The schedule for completing the project.

(B) The total cost of the project, including the level of agency overhead to be assessed against the project.

(C) For a multiyear project, the estimated cost of the project for each of the fiscal years in which it will be carried out.

(D) The remedies for failure of the Secretary concerned to comply with the terms of the agreement consistent with current Federal law.

(2) LIMITED USE OF FEDERAL FUNDS.—The Secretary concerned may decide, at the Secretary's sole discretion, to cover the costs of a portion of an approved project using Federal funds appropriated or otherwise available to the Secretary for the same purposes as the project.

(b) TRANSFER OF PROJECT FUNDS.—

(1) INITIAL TRANSFER REQUIRED.—As soon as practicable after the agreement is reached under subsection (a) with regard to a project to be funded in whole or in part using project funds, or other funds described in section 203(a)(2), the Secretary concerned shall transfer to the applicable unit of National Forest System lands or BLM District an amount of project funds equal to—

(A) in the case of a project to be completed in a single fiscal year, the total amount specified in the agreement to be paid using project funds, or other funds described in section 203(a)(2); or

(B) in the case of a multiyear project, the amount specified in the agreement to be paid using project funds, or other funds described in section 203(a)(2) for the first fiscal year.

(2) CONDITION ON PROJECT COMMENCEMENT.—The unit of National Forest System lands or BLM District concerned, shall not commence a project until the project funds, or other funds described in section 203(a)(2) required to be transferred under paragraph (1) for the project, have been made available by the Secretary concerned.

(3) SUBSEQUENT TRANSFERS FOR MULTIYEAR PROJECTS.—For the second and subsequent fiscal years of a multiyear project to be funded in whole or in part using project funds, the unit of National Forest System lands or BLM District concerned shall use the amount of project funds required to continue the project in that fiscal year according to the agreement entered into under subsection (a). The Secretary concerned shall suspend work on the project if the project funds required by the agreement in the second and subsequent fiscal years are not available.

SEC. 207. AVAILABILITY OF PROJECT FUNDS.

(a) SUBMISSION OF PROPOSED PROJECTS TO OBLIGATE FUNDS.—By September 30 of each fiscal year through fiscal year 2006, a resource advisory committee shall submit to the Secretary concerned pursuant to section 203(a)(1) a sufficient number of project proposals that, if approved, would result in the obligation of at least the full amount of the project funds reserved by the participating county in the preceding fiscal year.

(b) USE OR TRANSFER OF UNOBLIGATED FUNDS.—Subject to section 208, if a resource advisory committee fails to comply with subsection (a) for a fiscal year, any project funds reserved by the participating county in the preceding fiscal year and remaining unobligated shall be available for use as part of the project submissions in the next fiscal year.

(c) EFFECT OF REJECTION OF PROJECTS.—Subject to section 208, any project funds reserved by a participating county in the preceding fiscal year that are unobligated at the end of a fiscal year because the Secretary concerned has rejected one or more proposed projects shall be available for use as part of the project submissions in the next fiscal year.

(d) EFFECT OF COURT ORDERS.—If an approved project under this Act is enjoined or prohibited by a Federal court, the Secretary concerned shall return the unobligated project funds related to that project to the participating county or counties that reserved the funds. The returned funds shall be available for the county to expend in the same manner as the funds reserved by the county under section 102(d)(1)(B)(i) or 103(c)(1)(B)(i), whichever applies to the funds involved.

SEC. 208. TERMINATION OF AUTHORITY.

The authority to initiate projects under this title shall terminate on September 30, 2006. Any project funds not obligated by September 30, 2007, shall be deposited in the Treasury of the United States.

TITLE III—COUNTY PROJECTS

SEC. 301. DEFINITIONS.

In this title:

(1) PARTICIPATING COUNTY.—The term ''participating county'' means an eligible county that elects under section 102(d)(1)(B)(ii) or 103(c)(1)(B)(ii) to expend a portion of the Federal funds received under section 102 or 103 in accordance with this title.

(2) COUNTY FUNDS.—The term ''county funds'' means all funds an eligible county elects under sections 102(d)(1)(B)(ii) and 103(c)(1)(B)(ii) to reserve for expenditure in accordance with this title.

SEC. 302. USE OF COUNTY FUNDS.

(a) LIMITATION ON COUNTY FUND USE.—County funds shall be expended solely on projects that meet the requirements of this title. A project under this title shall be approved by the participating county only following a 45-day public comment period, at the beginning of which the county shall—

(1) publish a description of the proposed project in the publications of local record; and

(2) send the proposed project to the appropriate resource advisory committee established under section 205, if one exists for the county.

(b) AUTHORIZED USES.—

(1) SEARCH, RESCUE, AND EMERGENCY SERVICES.—An eligible county or applicable sheriff's

department may use these funds as reimbursement for search and rescue and other emergency services, including fire fighting, performed on Federal lands and paid for by the county.

(2) COMMUNITY SERVICE WORK CAMPS.—An eligible county may use these funds as reimbursement for all or part of the costs incurred by the county to pay the salaries and benefits of county employees who supervise adults or juveniles performing mandatory community service on Federal lands.

(3) EASEMENT PURCHASES.—An eligible county may use these funds to acquire—

(A) easements, on a willing seller basis, to provide for nonmotorized access to public lands for hunting, fishing, and other recreational purposes;

(B) conservation easements; or

(C) both.

(4) FOREST RELATED EDUCATIONAL OPPORTUNITIES.—A county may use these funds to establish and conduct forest-related after school programs.

(5) FIRE PREVENTION AND COUNTY PLANNING.—A county may use these funds for—

(A) efforts to educate homeowners in fire-sensitive ecosystems about the consequences of wildfires and techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires; and

(B) planning efforts to reduce or mitigate the impact of development on adjacent Federal lands and to increase the protection of people and property from wildfires.

(6) COMMUNITY FORESTRY.—A county may use these funds towards non-Federal cost-share requirements of section 9 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105).

SEC. 303. TERMINATION OF AUTHORITY.

The authority to initiate projects under this title shall terminate on September 30, 2006. Any county funds not obligated by September 30, 2007 shall be available to be expended by the county for the uses identified in section 302(b).

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act for fiscal years 2001 through 2006.

SEC. 402. TREATMENT OF FUNDS AND REVENUES.

(a) RELATION TO OTHER APPROPRIATIONS.—Funds appropriated pursuant to the authorization of appropriations in section 401 and funds made available to a Secretary concerned under section 206 shall be in addition to any other annual appropriations for the Forest Service and the Bureau of Land Management.

(b) DEPOSIT OF REVENUES AND OTHER FUNDS.—All revenues generated from projects pursuant to title II, any funds remitted by counties pursuant to section 102(d)(1)(B)(iii) or section 103(c)(1)(B)(iii), and any interest accrued from such funds shall be deposited in the Treasury of the United States.

SEC. 403. REGULATIONS.

The Secretaries concerned may jointly issue regulations to carry out the purposes of this Act.

SEC. 404. CONFORMING AMENDMENTS.

Sections 13982 and 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note) are repealed.

TITLE V—MINERAL REVENUE PAYMENTS CLARIFICATION

SEC. 501. SHORT TITLE.

This title may be cited as the ''Mineral Revenue Payments Clarification Act of 2000''.

SEC. 502. FINDINGS.

The Congress finds the following:

(1) Section 10201 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 107 Stat. 407) amended section 35 of the Mineral Leasing Act (30 U.S.C. 191) to change the sharing of onshore mineral revenues and revenues from geothermal steam from a 50:50 split between the Federal Government and the States to a complicated formula that entailed deducting from the State share of leasing revenues ''50 percent of the portion of the enacted appropriations of the Department of the Interior and any other agency during the preceding fiscal year allocable to the administration of all laws providing for the leasing of any onshore lands or interest in land owned by the United States for the production of the same types of minerals leasable under this Act or of geothermal steam, and to enforcement of such laws . . .''.

(2) There is no legislative record to suggest a sound public policy rationale for deducting prior-year administrative expenses from the sharing of current-year receipts, indicating that this change was made primarily for budget scoring reasons.

(3) The system put in place by this change in law has proved difficult to administer and has given rise to disputes between the Federal Government and the States as to the nature of allocable expenses. Federal accounting systems have proven to be poorly suited to breaking down administrative costs in the manner required by the law. Different Federal agencies implementing this law have used varying methodologies to identify allocable costs, resulting in an inequitable distribution of costs during fiscal years 1994 through 1996. In November 1997, the Inspector General of the Department of the Interior found that ''the congressionally approved method for cost sharing deductions effective in fiscal year 1997 may not accurately compute the deductions''.

(4) Given the lack of a substantive rationale for the 1993 change in law and the complexity and administrative burden involved, a return to the sharing formula prior to the enactment of the Omnibus Budget Reconciliation Act of 1993 is justified.

SEC. 503. AMENDMENT OF THE MINERAL LEASING ACT.

Section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)) is amended to read as follows:

''(b) In determining the amount of payments to the States under this section, the amount of such payments shall not be reduced by any administrative or other costs incurred by the United States.''.

TITLE VI—COMMUNITY FOREST RESTORATION

SEC. 601. SHORT TITLE.

This title may be cited as the ''Community Forest Restoration Act''.

SEC. 602. FINDINGS.

The Congress finds the following:

(1) A century of fire suppression, logging, and livestock grazing has altered the ecological balance of New Mexico's forests.

(2) Some forest lands in New Mexico contain an unnaturally high number of small diameter trees that are subject to large, high intensity wildfires that can endanger human lives, livelihoods, and ecological stability.

(3) Forest lands that contain an unnaturally high number of small diameter trees have reduced biodiversity and provide fewer benefits to human communities, wildlife, and watersheds.

(4) Healthy and productive watersheds minimize the threat of large, high intensity wildfires, provide abundant and diverse wildlife habitat, and produce a variety of timber and non-timber products including better quality water and increased water flows.

(5) Restoration efforts are more successful when there is involvement from neighboring communities and better stewardship will evolve from more diverse involvement.

(6) Designing demonstration restoration projects through a collaborative approach may—

(A) lead to the development of cost effective restoration activities;

(B) empower diverse organizations to implement activities which value local and traditional knowledge;

(C) build ownership and civic pride; and

(D) ensure healthy, diverse, and productive forests and watersheds.

SEC. 603. PURPOSES.

The purposes of this title are—

(1) to promote healthy watersheds and reduce the threat of large, high intensity wildfires, insect infestation, and disease in the forests in New Mexico;

(2) to improve the functioning of forest ecosystems and enhance plant and wildlife biodiversity by reducing the unnaturally high number and density of small diameter trees on Federal, Tribal, State, County, and Municipal forest lands;

(3) to improve communication and joint problem solving among individuals and groups who are interested in restoring the diversity and productivity of forested watersheds in New Mexico;

(4) to improve the use of, or add value to, small diameter trees;

(5) to encourage sustainable communities and sustainable forests through collaborative partnerships, whose objectives are forest restoration; and

(6) to develop, demonstrate, and evaluate ecologically sound forest restoration techniques.

SEC. 604. DEFINITIONS.

As used in this title—

(1) the term ''Secretary'' means the Secretary of Agriculture acting through the Chief of the Forest Service; and

(2) the term ''stakeholder'' includes: tribal governments, educational institutions, landowners, and other interested public and private entities.

SEC. 605. ESTABLISHMENT OF PROGRAM.

(a) FOREST RESTORATION PROGRAM.—The Secretary shall establish a cooperative forest restoration program in New Mexico in order to provide cost-share grants to stakeholders for experimental forest restoration projects that are designed through a collaborative process (hereinafter referred to as the ''Collaborative Forest Restoration Program''). The projects may be entirely on, or on any combination of, Federal, Tribal, State, County, or Municipal forest lands. The Federal share of an individual project cost shall not exceed 80 percent of the total cost. The 20-percent matching may be in the form of cash or in-kind contribution.

(b) ELIGIBILITY REQUIREMENTS.—To be eligible to receive funding under this title, a project shall—

(1) address the following objectives—

(A) reduce the threat of large, high intensity wildfires and the negative effects of excessive competition between trees by restoring ecosystem functions, structures, and species composition, including the reduction of non-native species populations;

(B) re-establish fire regimes approximating those that shaped forest ecosystems prior to fire suppression;

(C) preserve old and large trees;

(D) replant trees in deforested areas if they exist in the proposed project area; and

(E) improve the use of, or add value to, small diameter trees;

(2) comply with all Federal and State environmental laws;

(3) include a diverse and balanced group of stakeholders as well as appropriate Federal, Tribal, State, County, and Municipal government representatives in the design, implementation, and monitoring of the project;

(4) incorporate current scientific forest restoration information; and

(5) include a multiparty assessment to—

(A) identify both the existing ecological condition of the proposed project area and the desired future condition; and

(B) report, upon project completion, on the positive or negative impact and effectiveness of the project including improvements in local management skills and on the ground results;

(6) create local employment or training opportunities within the context of accomplishing res-

toration objectives, that are consistent with the purposes of this title, including summer youth jobs programs such as the Youth Conservation Corps where appropriate;

(7) not exceed 4 years in length;

(8) not exceed a total annual cost of $150,000, with the Federal portion not exceeding $120,000 annually, nor exceed a total cost of $450,000 for the project, with the Federal portion of the total cost not exceeding $360,000;

(9) leverage Federal funding through in-kind or matching contributions; and

(10) include an agreement by each stakeholder to attend an annual workshop with other stakeholders for the purpose of discussing the cooperative forest restoration program and projects implemented under this title. The Secretary shall coordinate and fund the annual workshop. Stakeholders may use funding for projects authorized under this title to pay for their travel and per diem expenses to attend the workshop.

SEC. 606. SELECTION PROCESS.

(a) After consulting with the technical advisory panel established in subsection (b), the Secretary shall select the proposals that will receive funding through the Collaborative Forest Restoration Program.

(b) The Secretary shall convene a technical advisory panel to evaluate the proposals for forest restoration grants and provide recommendations regarding which proposals would best meet the objectives of the Collaborative Forest Restoration Program. The technical advisory panel shall consider eligibility criteria established in section 605, the effect on long-term management, and seek to use a consensus-based decision-making process to develop such recommendations. The panel shall be composed of 12 to 15 members, to be appointed by the Secretary as follows:

(1) A State Natural Resource official from the State of New Mexico.

(2) At least two representatives from Federal land management agencies.

(3) At least one tribal or pueblo representative.

(4) At least two independent scientists with experience in forest ecosystem restoration.

(5) Equal representation from—

(A) conservation interests;

(B) local communities; and

(C) commodity interests.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. GOODLATTE and Mr. STENHOLM, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶106.51 ALASKA NATIVE CLAIMS TECHNICAL AMENDMENTS

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 4345) to amend the Alaska Native Claims Settlement Act to clarify the process of allotments to Alaskan Natives who are veterans, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

Mr. FALEOMAVAEGA objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 11, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶106.52 WASHOE COUNTY SCHOOL DISTRICT

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 4656) to authorize the Forest Service to covey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

Mr. FALEOMAVAEGA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 11, 2000, pursuant to the prior announcement of the Chair.

¶106.53 AGREEING TO THE AMENDMENT OF THE SENATE WITH AN AMENDMENT TO H.R. 150

Mr. HANSEN moved to suspend the rules and agree to the following resolution (H. Res. 621):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill H.R. 150, with the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION. 1. SHORT TITLE.

This Act may be cited as the ''Education Land Grant Act''.

SEC. 2. CONVEYANCE OF NATIONAL FOREST SYSTEM LANDS FOR EDUCATIONAL PURPOSES.

(a) AUTHORITY TO CONVEY.—Upon application, the Secretary of Agriculture may convey National Forest System lands for use for educational purposes if the Secretary determines that—

(1) the entity seeking the conveyance will use the conveyed land for a public or publicly funded elementary or secondary school, to provide grounds or facilities related to such a school, or for both purposes;

(2) the conveyance will serve the public interest;

(3) the land to be conveyed is not otherwise needed for the purposes of the National Forest System; and

(4) the total acreage to be conveyed does not exceed the amount reasonably necessary for the proposed use.

(b) ACREAGE LIMITATION.—A conveyance under this section may not exceed 80 acres. However, this limitation shall not be construed to preclude an entity from submitting a subsequent application under this section for an additional land conveyance if the entity can demonstrate to the Secretary a need for additional land.

(c) COSTS AND MINERAL RIGHTS.—A conveyance under this section shall be for a nominal cost. The conveyance may not include the transfer of mineral rights.

(d) REVIEW OF APPLICATIONS.—When the Secretary receives an application under this section, the Secretary shall—

(1) before the end of the 14-day period beginning on the date of the receipt of the application, provide notice of that receipt to the applicant; and

(2) before the end of the 120-day period beginning on that date—

(A) make a final determination whether or not to convey land pursuant to the application, and notify the applicant of that determination; or

(B) submit written notice to the applicant containing the reasons why a final determination has not been made.

(e) REVERSIONARY INTEREST.—If at any time after lands are conveyed pursuant to this section, the entity to whom the lands were conveyed attempts to transfer title to or control over the lands to another or the lands are devoted to a use other than the use for which the lands were conveyed, without the consent of the Secretary, title to the lands shall revert to the United States.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶106.54 LINCOLN MEMORIAL PLAQUE COMMEMORATING ''I HAVE A DREAM''

Mr. HANSEN moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2879) to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech:

Strike out all after the enacting clause and insert:

SECTION 1. PLACEMENT OF PLAQUE AT LINCOLN MEMORIAL.

(a) PLACEMENT OF PLAQUE.—

(1) IN GENERAL.—The Secretary of the Interior shall install in the area of the Lincoln Memorial in the District of Columbia a suitable plaque to commemorate the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech.

(2) RELATION TO COMMEMORATIVE WORKS ACT.—The Commemorative Works Act (40 U.S.C. 1001 et seq.) shall apply to the design and placement of the plaque within the area of the Lincoln Memorial.

(b) ACCEPTANCE OF CONTRIBUTIONS.—

(1) IN GENERAL.—The Secretary of the Interior is authorized to accept and expand contributions toward the cost of preparing and installing the plaque, without further appropriation. Federal funds may be used to design, procure, or install the plaque.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶106.55 COASTAL BARRIER RESOURCES SYSTEM

Mr. HANSEN moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 34) to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Resources System:

Page 2, line 9, strike out all after ''System'','' down to and including ''tives.'' in line 11 and insert *''dated June 5, 2000''*.

Page 2, after line 18, insert:

''(c) AVAILABILITY.—The Secretary of the Interior shall keep the map descried in subsection (b) on file and available for public inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).''

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

Mr. FALEOMAVAEGA objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 11, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶106.56 CAT ISLAND NATIONAL WILDLIFE REFUGE ESTABLISHMENT

Mr. HANSEN moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 3292) to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana:

Page 4, line 7, after ''animals;'' insert: *''and''*.

Page 4, strike out lines 8 through 11.

Page 4, line 12, strike out ''(6)'' and insert: *''(5)''*.

Page 5, line 19, before ''The'' insert: *''(a)* IN GENERAL.—''.

Page 6, after line 2, insert:

(b) PRIORITY USES.—In providing opportunities for compatible fish- and wildlife-oriented recreation, the Secretary, in accordance with paragraphs (3) and (4) of section 4(a) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)), shall ensure that hunting, fishing, wildlife observation and photography, and environmental education and interpretation are the priority public uses of the Refuge.

Page 6, after line 11, insert:

SEC. 8. DESIGNATION OF HERBERT H. BATEMAN EDUCATION AND ADMINISTRATIVE CENTER.

(a) IN GENERAL.—A building proposed to be located within the boundaries of the Chincoteague National Wildlife Refuge, on Assateague Island, Virginia, shall be known and designated as the ''Herbert H. Bateman Education and Administrative Center''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the Herbert H. Bateman Education and Administrative Center.

SEC. 9. TECHNICAL CORRECTIONS.

(a) Effective on the day after the date of enactment of the Act entitled, ''An Act to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994'' (106th Congress), section 6 of the Junior Duck Stamp Conservation and Design Program Act of 1994 (16 U.S.C. 668dd note; Public Law 103–340), relating to an environmental education center and refuge, is redesignated as section 7.

(b) Effective on the day after the date of enactment of the Cahaba River National Wildlife Refuge Establishment Act (106th Congress), section 6 of that Act is amended—

(1) in paragraph (2), by striking ''the Endangered Species Act of 1973 (16 U.S.C. 1331 et seq.)'' and inserting ''the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)''; and

(2) in paragraph (3), by striking ''section 4(a)(3) and (4) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668ee(a)(3), (4))'' and inserting ''paragraphs (3) and (4) of section 4(a) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a))''.

(c) Effective on the day after the date of enactment of the Red River National Wildlife Refuge Act (106th Congress), section 4(b)(2)(D) of that Act is amended by striking ''section 4(a)(3) and (4) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668ee(a)(3), (4))'' and inserting ''paragraphs (3) and (4) of section 4(a) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a))''.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

Mr. FALEOMAVAEGA objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 11, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶106.57 SAINT HELENA ISLAND NATIONAL SCENIC AREA

Mr. HANSEN moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 468) to establish the Saint Helena Island National Scenic Area:

Page 4, line 1, strike out all after ''REQUIREMENTS.—'' down to and including ''Forest.'' in line 5 and insert *''Within 3 years of the acquisition of 50 percent of the land authorized for acquisition under section 7, the Secretary shall develop an amendment to the land and resources management plan for the Hiawatha National Forest which will direct management of the scenic area.''*

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HANSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 11, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶106.58 LOS ANGELES UNIFIED SCHOOL DISTRICT

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 5083) to extend the authority of the Los Angeles Unified School District to use certain park lands in the city of South Gate, California, which were acquired with amounts provided from the land and water conservation fund, for elementary school purposes.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr.

HANSEN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HANSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 11, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶106.59 DEFECTS IN MOTOR VEHICLES OR TIRES

Mr. TAUZIN moved to suspend the rules and pass the bill (H.R. 5164) to amend title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, recognized Mr. TAUZIN and Mr. DINGELL, each for 20 minutes.

After debate,

WEDNESDAY, OCTOBER 11 (LEGISLATIVE DAY OF OCTOBER 10), 2000

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RYAN of Wisconsin, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶106.60 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1756. An Act to enhance the ability of the National Laboratories to meet Department of Energy missions, and for other purposes; to the Committee on Science; in addition to the Committee on Armed Services for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2686. An Act to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes; to the Committee on Government Reform.

S. 3062. An Act to modify the date on which the Mayor of the District of Columbia submits a performance accountability plan to Congress, and for other purposes; to the Committee on Government Reform.

¶106.61 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that the committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker.

H.R. 1509. An Act to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

H.R. 2302. An Act to designate the building of the United States Postal Service located at 307 Main Street in Johnson City, New York, as the ''James W. McCabe, Sr. Post Office Building.''

H.R. 2496. An Act to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

H.R. 2641. An Act to make technical corrections to title X of the Energy Policy Act of 1992.

H.R. 2778. An Act to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 2938. An Act to designate the facility of the United States Postal Service located at 424 South Michigan Street in South Bend, Indiana, as the ''John Brademas Post Office.''

H.R. 3030. An Act to designate the facility of the United States Postal Service located at 757 Warren Road in Ithaca, New York, as the ''Matthew F. McHugh Post Office.''

H.R. 3201. An Act to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Carter G. Woodson Home in the District of Columbia as a National Historic Site, and for other purposes.

H.R. 3454. An Act to designate the United States post office located at 451 College Street in Macon, Georgia, as the ''Henry McNeal Turner Post Office.''

H.R. 3632. An Act to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes.

H.R. 3745. An Act to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa.

H.R. 3817. An Act to dedicate the Big South Trail in the Commanche Peak Wilderness Area of Roosevelt National Forest in Colorado to the legacy of Jaryd Atadero.

H.R. 3909. An Act to designate the facility of the United States Postal Service located at 4601 South Cottage Grove Avenue in Chicago, Illinois, as the ''Henry W. McGee Post Office Building.''

H.R. 3985. An Act to redesignate the facility of the United States Postal Service located at 14900 Southwest 30th Street in Miramar, Florida, as the ''Vicki Coceano Post Office Building.''

H.R. 4157. An Act to designate the facility of the United States Postal Service located at 600 Lincoln Avenue in Pasadena, California, as the ''Matthew 'Mack' Robinson Post Office Building.''

H.R. 4169. An Act to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building.''

H.R. 4286. An Act to provide for the establishment of the Cahaba River National Wildlife Refuge in Bibb County, Alabama.

H.R. 4435. An Act to clarify certain boundaries on the map relating to Unite NC–01 of the Central Barrier Resources System.

H.R. 4447. An Act to designate the facility of the United States Postal Service located at 919 West 34th Street in Baltimore, Maryland, as the ''Samuel H. Lacy, Sr. Post Office Building.''

H.R. 4448. An Act to designate the facility of the United States Postal Service located at 3500 Dolfield Avenue in Baltimore, Maryland, as the ''Judge Robert Bernard Watts, Sr. Post Office Building.''

H.R. 4449. An Act to designate the facility of the United States Postal Service located at 1908 North Ellamont Street in Baltimore, Maryland, as the ''Dr. Flossie McClain Dedmond Post Office Building.''

H.R. 4475. An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4484. An Act to designate the facility of the United States Postal Service located at 500 North Washington Street in Rockville, Maryland, as the ''Everett Alvarez, Jr. Post Office Building.''

H.R. 4517. An Act to designate the facility of the United States Postal Service located at 24 Tsienneto Road in Derry, New Hampshire, as the ''Alan B. Shepard, Jr. Post Office Building.''

H.R. 4534. An Act to redesignate the facility of the United States Postal Service located at 114 Ridge Street, N.W. in Lenoir, North Carolina, as the ''James T. Broyhill Post Office Building.''

H.R. 4554. An Act to redesignate the facility of the United States Postal Service located at 1602 Frankford Avenue in Philadelphia, Pennsylvania, as the ''Joseph F. Smith Post Office Building.''

H.R. 4615. An Act to redesignate the facility of the United States Postal Service located at 3030 Meredith Avenue in Omaha, Nebraska, as the ''Reverend J.C. Wade Post Office.''

H.R. 4658. An Act to designate the facility of the United States Postal Service located at 301 Green Street in Fayetteville, North Carolina, as the ''J.L. Dawkins Post Office Building.''

H.R. 4884. An Act to redesignate the facility of the United States Postal Service located at 200 West 2nd Street in Royal Oak, Michigan, as the ''William S. Broomfield Post Office Building.''

H.R. 4975. An Act to designate the post office and courthouse located at 2 Federal Square, Newark, New Jersey, as the ''Frank R. Lautenberg Post Office and Courthouse.''

H.R. 5036. An Act to amend the Dayton Aviation Heritage Preservation Act of 1992 to clarify the areas included in the Dayton Aviation Heritage National Historical Park and to authorize appropriations for that park.

¶106.62 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2311. An Act to amend the Public Health Service Act to revise and extend programs established under the Ryan White Comprehensive AIDS Resources Emergency Act of 1990, and for other purposes.

¶106.63 BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

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

On October 5, 2000:

H.J. Res. 110. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.R. 1800. To amend the Violent Crime Control and Law Enforcement Act of 1994 to ensure that certain information regarding prisoners is reported to the Attorney General.

H.R. 2752. To direct the Secretary of the Interior to sell certain public land in Lincoln County through a competitive process.

H.R. 2773. To amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.

H.R. 4579. To provide for the exchange of certain lands within the State of Utah.

H.R. 4583. To extend the authorization for the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

On October 6, 2000:

H.R. 1143. To establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes.

H.R. 1162. To designate the bridge on the United States Route 231 that crosses the Ohio River between Maceo, Kentucky, and Rockport, Indiana, as the ''William H. Natcher Bridge.''

H.R. 4318. To establish the Red River National Wildlife Refuge.

H.R. 1605. To designate the Federal building and United States courthouse located at 402 North Walnut Street in Harrison, Arkansas, as the ''J. Smith Henley Federal Building and United States Courthouse.''

H.R. 4642. To make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes.

H.R. 4806. To designate the Federal building located at 1710 Alabama Avenue in Jasper, Alabama, as the ''Carl Elliott Federal Building.''

H.R. 5284. To designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Customhouse.''

On October 7, 2000:

H.R. 4733. Making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4578. Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

On October 10, 2000:

H.R. 4444. To authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.

¶106.64 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. CARSON, for today;

To Mr. POMBO, for today; and

To Mr. STARK, for today.

And then,

¶106.65 ADJOURNMENT

On motion of Mr. TAUZIN, pursuant to the provisions of House Resolution 618, at 12 o'clock and 25 minutes a.m., the House adjourned out of respect for the late Honorable Bruce F. Vento until 10 o'clock a.m., Wednesday, October 11, 2000.

¶106.66 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BLILEY: Committee on Commerce. House Resolution 575. Resolution supporting Internet safety awareness; with an amendment (Rept. No. 106–949). Referred to the House Calendar.

Mr. BLILEY: Committee on Commerce. H.R. 762. A bill to amend the Public Health Service Act to provide for research and services with respect to lupus; with an amendment (Rept. No. 106–950). Referred to the Committee of the Whole House on the State of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 615. Resolution providing for consideration of motions to suspend the rules (Rept. No. 106–951). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 616. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes (Rept. No. 106–952). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 617. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–953). Referred to the House Calendar.

Mr. BLILEY: Committee on Commerce. H.R. 5164. A bill to amend title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes; with an amendment (Rept. No. 106–954). Referred to the Committee of the Whole House on the State of the Union.

¶106.67 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PORTMAN (for himself and Mr. LEVIN):

H.R. 5427. A bill to reauthorize the Drug-Free Communities Act, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBBONS:

H.R. 5428. A bill to direct the Secretary of the Interior to exercise authority under the Southern Nevada Public Land Management Act of 1998 to acquire by exchange certain environmentally sensitive lands for inclusion in the Red Rock Canyon National Conservation Area; to the Committee on Resources.

By Mr. CUNNINGHAM:

H.R. 5429. A bill to amend title 18, United States Code, to protect and promote the public safety and interstate commerce by establishing Federal criminal penalties and civil remedies for certain violent, threatening, obstructive and destructive conduct that is intended to injure, intimidate, or interfere with persons seeking to operate animal enterprises, and for other purposes; to the Committee on the Judiciary.

By Mr. GREEN of Texas:

H.R. 5430. A bill to require the Federal Trade Commission to prescribe regulations to protect the privacy of personal information collected from and about individuals on the Internet, to provide greater individual control over the collection and use of that information, and for other purposes; to the Committee on Commerce.

By Mr. GUTIERREZ:

H.R. 5431. A bill to redesignate the facility of the United States Postal Service located at 3319 North Cicero Avenue in Chicago, Illinois, as the ''Roman Pucinski Post Office''; to the Committee on Government Reform.

By Mrs. MALONEY of New York (for herself and Mr. LANTOS):

H.R. 5432. A bill to amend the Nazi War Crimes Disclosure Act to extend and modify the functions of the Nazi War Criminal Records Interagency Working Group to cover records of the Japanese Imperial Government, for other purposes; to the Committee on Government Reform.

By Mr. RANGEL:

H.R. 5433. A bill to permit expungement of records of certain nonviolent criminal offenses; to the Committee on the Judiciary.

By Mrs. ROUKEMA:

H.R. 5434. A bill to amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself and Mr. SAXTON):

H.R. 5435. A bill to amend title 38, United States Code, to authorize the payment of dependency and indemnity compensation to the surviving spouses and children of certain veterans with a service-connected disability that was continuously rated totally disabling for a period of one or more years immediately preceding death; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey:

H.R. 5436. A bill to amend the Internal Revenue Code of 1986 to allow a credit against gross income for organ donation; to the Committee on Ways and Means.

By Mr. TIERNEY (for himself, Mr. MEEHAN, Mr. NEAL of Massachusetts, Ms. WOOLSEY, Mr. GEORGE MILLER of California, Mr. CAPUANO, Mr. OLVER, Mr. WEINER, Ms. MILLENDER-MCDONALD, Mr. STARK, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Mr. MARKEY, Mr. MOAKLEY, Mr. NADLER, Mr. ANDREWS, Mr. PALLONE, Mr. MENENDEZ, Mr. DELAHUNT, Ms. LOFGREN, and Ms. PELOSI):

H.R. 5437. A bill to require a study by the Bureau of Labor Statistics to develop a methodology for measuring the cost of living in each State, and to require a study by the General Accounting Office to determine how Federal benefits would be increased in each State if the determination of such benefits were based on such methodology; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR (for herself and Mr. OBEY):

H. Con. Res. 420. Concurrent resolution providing for corrections in the enrollment of the bill H.R. 4461; to the Committee on

Commerce, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRYANT:

H. Con. Res. 421. Concurrent resolution expressing the sense of the Congress with respect to the accomplishments of the U.S.S. Tennessee (BB–43) during World War II; to the Committee on Armed Services.

By Mr. DAVIS of Illinois:

H. Con. Res. 422. Concurrent resolution authorizing the use of the Capitol Grounds for the Million Family March; to the Committee on Transportation and Infrastructure.

By Mr. OBERSTAR:

H. Res. 618. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Bruce F. Vento, a Representative from the State of Minnesota; considered and agreed to.

By Mr. GREEN of Wisconsin:

H. Res. 619. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a postage stamp commemorating the Pulitzer Prize winning author Edna Ferber; to the Committee on Government Reform.

By Mr. SMITH of New Jersey (for himself, Mr. HOYER, Mr. WOLF, Mr. GEJDENSON, Mr. GREENWOOD, Mr. CARDIN, Mr. PITTS, Ms. SLAUGHTER, and Mr. FORBES):

H. Res. 620. A resolution expressing the sense of the House of Representatives regarding recent elections in the Federal Republic of Yugoslavia, and for other purposes; to the Committee on International Relations.

By Mr. YOUNG of Alaska:

H. Res. 621. A resolution providing for the concurrence by the House with an amendment in the Senate amendment to H.R. 150; considered and agreed to.

¶106.68 ADDITIONAL SPONSORS

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

H.R. 842: Mr. BLAGOJEVICH.
H.R. 960: Mr. LANTOS.
H.R. 1046: Mr. ROGAN.
H.R. 1275: Mr. BROWN of Ohio, Mr. GREEN of Wisconsin, Mrs. CAPPS, and Ms. BROWN of Florida.
H.R. 1422: Mr. CONDIT.
H.R. 1621: Mr. JONES of North Carolina and Mr. SISISKY.
H.R. 1732: Mr. CARDIN.
H.R. 1824: Mr. MCKEON and Mr. HOBSON.
H.R. 2351: Mr. KANJORSKI.
H.R. 2562: Mrs. LOWEY.
H.R. 2741: Mr. DELAHUNT.
H.R. 2870: Mr. THOMPSON of California.
H.R. 2900: Mr. REYES and Mr. THOMPSON of California.
H.R. 3302: Mr. SPENCE.
H.R. 3377: Mr. BALDACCI.
H.R. 3514: Mr. PAYNE and Mrs. ROUKEMA.
H.R. 3580: Mr. JOHN and Mr. SCHAFFER.
H.R. 3842: Ms. LEE, Mr. ROEMER, Mr. BERRY, Mr. THUNE, Mr. BLAGOJEVICH, Mr. LAZIO, Ms. VELAZQUEZ, Ms. ROS-LEHTINEN, Mr. LEVIN, Mr. MANZULLO, and Mr. KUCINICH.
H.R. 3875: Mr. BISHOP.
H.R. 4046: Mr. BLUMENAUER and Mr. WAXMAN.
H.R. 4219: Mrs. ROUKEMA, Mr. BECERRA, and Mr. WAMP.
H.R. 4239: Mr. GUTIERREZ.
H.R. 4277: Mr. WYNN.
H.R. 4334: Mr. FOLEY.
H.R. 4412: Ms. MILLENDER-MCDONALD and Mr. HILLIARD.
H.R. 4493: Mr. WEINER.
H.R. 4649: Ms. BALDWIN.
H.R. 4669: Mr. CALVERT.
H.R. 4672: Mr. WATTS of Oklahoma.
H.R. 4707: Mr. MCDERMOTT, Mr. FRANKS of New Jersey, and Mr. LAZIO.
H.R. 4728: Mr. SMITH of Washington and Mr. ROGAN.
H.R. 4740: Mrs. THURMAN and Mr. BAIRD.
H.R. 4959: Mr. CARDIN.
H.R. 4964: Mr. STRICKLAND and Ms. WOOLSEY.
H.R. 4966: Ms. VELAZQUEZ.
H.R. 4976: Mr. FLETCHER.
H.R. 5026: Mr. WICKER, Mr. MCINTOSH, Mr. VITTER, and Mr. COX.
H.R. 5027: Mr. LEWIS of Kentucky.
H.R. 5095: Ms. BALDWIN.
H.R. 5096: Mrs. MORELLA, Mr. FRANK of Massachusetts, Ms. ESHOO, Mrs. MINK of Hawaii, Mr. CAPUANO, Mr. MARKEY, Mr. FARR of California, Mr. SANDLIN, Mr. LANTOS, Mr. BAIRD, and Mr. KUCINICH.
H.R. 5137: Mr. FILNER, Mr. HOEFFEL, and Mr. MCHUGH.
H.R. 5247: Mr. BAIRD.
H.R. 5259: Mr. SHAW, Mr. HILLEARY, Mr. JOHN, Mr. FOLEY, Mr. MCCRERY, Mr. ISAKSON, and Mr. BISHOP.
H.R. 5261: Mr. BORSKI, Mr. HILLIARD, and Mr. LANTOS.
H.R. 5271: Mr. RODRIGUEZ.
H.R. 5287: Mr. DEUTSCH.
H.R. 5324: Mr. LAFALCE and Mr. PRICE of North Carolina.
H.R. 5337: Mr. FILNER.
H.R. 5345: Mr. EVANS.
H.R. 5365: Mr. ROHRABACHER.
H.R. 5366: Mr. YOUNG of Alaska, Mr. KNOLLENBERG, Mr. JOHN, and Mr. SCHAFFER.
H.R. 5373: Mr. TOOMEY and Mr. ADERHOLT.
H.R. 5385: Mr. MICA, Mr. FORBES, Mr. GARY MILLER of California, and Mr. THUNE.
H.R. 5397: Mr. LEACH and Mrs. THURMAN.
H.R. 5410: Mr. DAVIS of Florida.
H.R. 5417: Mr. MCCOLLUM, Mr. BEREUTER, Mr. BACHUS, Mr. KING, Mr. ROYCE, Mr. METCALF, Mr. BARR of Georgia, Mr. RYUN of Kansas, Mr. COOK, Mr. RILEY, Mr. MANZULLO, Mr. RYAN of Wisconsin, Mr. OSE, Mr. SWEENEY, Mr. TERRY, Mr. CARDIN, Mr. GEJDENSON, Mr. GEORGE MILLER of California, Mr. CUMMINGS, Mr. SCOTT, and Mr. FALEOMAVAEGA.
H. Con. Res. 174: Ms. STABENOW and Mr. KUCINICH.
H. Con. Res. 363: Mr. LANTOS.
H. Con. Res. 370: Ms. MILLENDER-MCDONALD.
H. Con. Res. 377: Ms. SLAUGHTER and Mr. GREEN of Texas.

¶106.69 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 745: Mr. BRADY of Texas.
H.R. 1640: Mr. BRADY of Texas.
H.R. 3634: Mr. BRADY of Texas.
H. Res. 184: Mr. BRADY of Texas.

WEDNESDAY, OCTOBER 11, 2000 (107)

¶107.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. COOKSEY, who laid before the House the following communication:

WASHINGTON, DC,
October 11, 2000.

I hereby appoint the Honorable JOHN COOKSEY to act as Speaker pro tempore on this day.

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

¶107.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. COOKSEY, announced he had examined and approved the Journal of the proceedings of Tuesday, October 10, 2000.

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

¶107.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10535. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of lieutenant general on the retired list of Lieutenant General Randall L. Rigby, United States Army; to the Committee on Armed Services.

10536. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Disposition of HUD-Acquired Single Family Property; Officer Next Door Sales Program [Docket No. FR–4277–F–03] (RIN: 2502–AH37) received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10537. A letter from the Assistant General Counsel for Regulations, Office of the Assistant Secretary, Department of Housing and Urban Development, transmitting the Department's final rule—Single Family Mortgage Insurance; Electronic Underwriting [Docket No. FR–4311–F–02] (RIN: 2502–AH15) received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10538. A letter from the Secretary of Health and Human Services, transmitting The Community Services Block Grant Statistical Report FY 1997 Executive Summary; to the Committee on Education and the Workforce.

10539. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Listing of Color Additives Exempt From Certification; Phaffia Yeast; Confirmation of Effective Date [Docket No. 97C–0466] received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10540. A letter from the Director, Regulations and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Listing of Color Additives Exempt From Certification; Haematococcus Algae Meal; Confirmation of Effective Date [Docket No. 98C–0212] received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10541. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Listing of Color Additives Exempt From Certification; Luminescent Zinc Sulfide; Confirmation of Effective Date [Docket No. 97C–0415] received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10542. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—South Carolina: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6879–3] received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10543. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Cooperative Agreement: Seven Principals of Environmental Stewardship for

U.S./Mexico Business and Trade Community—received September 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10544. A letter from the Assistant Secretary for Export Administration, Department of Congress, transmitting the Department's final rule—Revisions to License Exception CTP [Docket No. 000204027–0266–02] (RIN: 0694–AC14) received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

10545. A letter from the Executive Director, Committee for Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List: Additions—received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10546. A letter from the Attorney-Advisor, Federal Register Certifying Officer, Department of the Treasury, transmitting the Department's final rule—Fiscal Service (RIN: 1510–AA38) received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10547. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker and Rougheye Rockfish in the Eastern Regulatory Area of the Gulf of Alaska [Docket No. 000211–39–0039–01; I.D. 092900A] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10548. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—International Fisheries; Pacific Tuna Fishery on the Eastern Pacific Ocean [Docket No. 000908255–0255–01; I.D. 0800C] (RIN: 0648–AN73) received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10549. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Rules of Practice for Hearings [Docket No. R–1083] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10550. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Prohibition of Ex Parte Communications Between Appeals Officers and Other Internal Revenue Service Employees [Rev. Proc. 2000–43] received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10551. A letter from the Chairperson, Commission on Civil Rights, transmitting a report entitled, ''Overcoming the Past, Focusing on the Future: An Assessment of the U.S. Equal Employment Opportunity Commission's Enforcement Efforts''; jointly to the Committees on the Judiciary and Education and the Workforce.

10552. A letter from the Chairperson, Commission On Civil Rights, transmitting a report entitled, ''Equal Educational Opportunity and Nondiscrimination for Girls in Advanced Mathematics, Science, and Technology Education: Federal Enforcement of Title IX July 2000''; jointly to the Committees on the Judiciary and Education and the Workforce.

¶107.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 369

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Bruce F. Vento, late a Representative from the State of Minnesota.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns or recesses today, it stand adjourned or recessed as a further mark of respect to the memory of the deceased Representative.

The message also announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 5362. An Act to increase the amount of fees charged to employers who are petitioners for the employment of H–1B non-immigrant workers, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1687. An Act to amend the Federal Trade Commission Act to authorize appropriations for the Federal Trade Commission.

S. 2413. An Act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify the procedures and conditions for the award of matching grants for the purchase of armor vests.

S. 2417. An Act to amend the Federal Water Pollution Control Act to increase funding for State nonpoint source pollution control programs, and for other purposes.

S. 2528. An Act to provide funds for the purchase of automatic external defibrillators and the training of individuals in advanced cardiac life support.

S. 2688. An Act to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

¶107.5 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4205

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 616):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered. After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶107.6 DOD AUTHORIZATION FY 2001

Mr. SPENCE, pursuant to House Resolution 616, called up the following conference report (Rept. No. 106–945):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4205), to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. ENACTMENT OF FISCAL YEAR 2001 NATIONAL DEFENSE AUTHORIZATION ACT.

The provisions of H.R. 5408 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

SEC. 2. PUBLICATION OF ACT.

In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval an appendix setting forth the text of the bill referred to in section 1.

And the Senate agree to the same.

JOEL HEFLEY,
JIM SAXTON,
STEVE BUYER,
TILLIE K. FOWLER,
JOHN M. MCHUGH,
JAMES M. TALENT,
TERRY EVERETT,
ROSCOE G. BARTLETT,

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

FLOYD SPENCE,
BOB STUMP,
DUNCAN HUNTER,
JOHN R. KASICH,
JAMES V. HANSEN,
CURT WELDON,
HOWARD ''BUCK'' MCKEON,
J.C. WATTS, JR.,
MACK THORNBERRY,
JOHN N. HASTETTLER,
SAXBY CHAMBLISS,
IKE SKELTON,
NORMAN SISISKY
JOHN SPRATT,
SOLOMON P. ORTIZ,
OWEN B. PICKETT,
LANE EVANS,
GENE TAYLOR,
NEIL ABERCROMBIE,
MARTIN T. MEEHAN,
THOMAS ALLEN,
VIC SNYDER,
JAMES H. MALONEY,
MIKE MCINTYRE,
ELLEN O. TAUSCHER,
MIKE THOMPSON,

Provided that Mr. Kuykendall is appointed in lieu of Mr. Kasich for consideration of section 2863 of the House bill, and section 2862 of the Senate amendment, and modifications committed to conference:

STEVEN T. KUYKENDALL,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

PORTER J. GOSS,
JERRY LEWIS,
JULIAN C. DIXON,

From the Committee on Commerce, for consideration of sections 601, 725, and 1501 of the House bill, and sections 342, 601, 618, 701, 1073, 1402, 2812, 3131, 3133, 3134, 3138, 3152, 3154, 3155, 3167–3169, 3171, 3201, and 3301–3303 of the Sen-

ate amendment, and modifications committed to conference:

TOM BLILEY,
JOE BARTON,
JOHN D. DINGELL,

Provided that Mr. Bilirakis is appointed in lieu of Mr. Barton of Texas for consideration of sections 601 and 725 of the House bill, and sections 601, 618, 701, and 1073 of the Senate amendment, and modifications committed to conference:

MIKE BILIRAKIS,

Provided that Mr. Oxley is appointed in lieu of Mr. Barton of Texas for consideration of section 1501 of the House bill, and sections 342 and 2812 of the Senate amendment, and modifications committed to conference:

MICHAEL G. OXLEY,

From the Committee on Education and the Workforce, for consideration of sections 341, 342, 504, and 1106 of the House bill, and sections 311, 379, 553, 669, 1053, and title XXXV of the Senate amendment, and modifications committed to conference:

BILL GOODLING,
VAN HILLEARY,
PASTY T. MINK,

From the Committee on Government Reform, for consideration of sections 518, 651, 723, 801, 906, 1101–1104, 1106, 1107, and 3137 of the House bill, and sections 643, 651, 801, 806, 810, 814–816, 1010A 1044, 1057, 1063, 1069, 1073, 1101, 1102, 1004, and 1106–1118, title XIV, and sections 2871, 2881, 3155, and 3171 of the Senate amendment, and modifications committed to conference:

DAN BURTON,
JOE SCARBOROUGH,
HENRY A. WAXMAN,

Provided that Mr. Horn is appointed in lieu of Mr. Scarborough for consideration of section 801 of the House bill, and sections 801, 806, 810, 814–816, 1010A, 1044, 1045, 1057, 1063, and 1101, title XIV, and sections 2871 and 2881 of the Senate amendment, and modifications committee to conference:

STEPHEN HORN,

Provided that Mr. McHugh is appointed in lieu of Mr. Scarborough for consideration of section 1073 of the Senate amendment, and modifications committed to conference:

JOHN M. MCHUGH,

From the Committee on House Administration, for consideration of sections 561–563 of the Senate amendment, and modifications committed to conference:

WILLIAM M. THOMAS,
JOHN BOEHNER,
STENY H. HOYER,

From the Committee on International Relations, for consideration of sections 1201, 1205, 1209, and 1210, title XIII, and section 3136 of the House bill, and sections 1011, 1201–1203, 1206 1208, 1209, 1212, 1214, 3178, and 3193 of the Senate amendment, and modifications committed to conference:

BILL GOODLING,

From the Committee on the Judiciary, for consideration of sections 543 and 906 of the House bill, and sections 506, 645, 663, 668, 909, 1068, and 1106, title XV, and title XXXV of the Senate amendment, and modifications committed to conference:

HENRY HYDE,
CHARLES T. CANADY,

From the Committee on Resources, for consideration of sections 312, 601, 1501, 2853, 2883, and 3402 of the House bill, and sections 601 and 1059, title XIII, and sections 2871, 2893, and 3303 of the Senate amendment, and modifications committed to conference:

DON YOUNG of Alaska,
BILLY TAUZIN,

From the Committee on Transportation and Infrastructure, for consideration of sections 601, 2839, and 2881 of the House bill, and sections 502, 601, and 1072 of the Senate amendment, and modifications committed to conference:

BUD SHUSTER,
WAYNE T. GILCHREST
BRIAN BAIRD,

Provided that Mr. Pascrell is appointed in lieu of Mr. Baird for consideration of section 1072 of the Senate amendment, and modifications committed to conference:

BILL PASCRELL, Jr.,

From the Committee on Veterans' Affairs, for consideration of sections 535, 738, and 2831 of the House bill, and sections 561–563, 648, 664–666, 671, 672, 682–684, 721, 722, and 1067 of the Senate amendment, and modifications committed to conference:

MICHAEL BILIRAKIS,
JACK QUINN,
CORRINE BROWN of Florida,

From the Committee on Ways and Means, for consideration of section 725 of the House bill, and section 701 of the Senate amendment, and modifications committed to conference:

WILLIAM M. THOMAS,
Managers on the Part of the House.

JOHN W. WARNER,
STROM THURMOND,
JOHN MCCAIN,
BOB SMITH of New Hampshire,
JAMES INHOFE,
RICK SANTORUM,
OLYMPIA J. SNOWE,
PAT ROBERTS,
WAYNE ALLARD,
TIM HUTCHINSON,
JEFF SESSIONS,
CARL LEVIN,
EDWARD KENNEDY,
JEFF BINGAMAN,
ROBERT C. BYRD,
CHUCK ROBB,
JOE LIEBERMAN,
MAX CLELAND,
MS. MARY L. LANDRIEU,
JACK REED,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. COOKSEY, announced that the yeas had it.

Mr. SPENCE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 382 / Nays ..... 31 }

¶107.7 [Roll No. 522]

YEAS—382

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman

Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—31

Baldwin
Blumenauer
Conyers
Coyne
Davis (IL)
DeFazio
DeGette
Ehlers
Frank (MA)
Gutierrez
Jackson (IL)
Kucinich
Lee
Lewis (GA)
Lofgren
Markey
McDermott
McKinney
Miller, George
Nadler
Owens
Paul
Payne
Sanders
Schakowsky
Sensenbrenner
Shays
Stark
Velazquez
Waters
Woolsey

NOT VOTING—19

Campbell
Cannon
Danner
Eshoo
Franks (NJ)
Hutchinson
Klink
Largent
Lazio
McCollum
McIntosh
Meehan
Miller (FL)
Neal
Shuster
Talent
Waxman
Weygand
Wise

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.8 VETO OF H.R. 4733—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COOKSEY, announced the unfinished business to be the further consideration of the veto message from the President on the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes.

The question being on the passage of the bill, the objections of the President to the contrary notwithstanding.

After debate,

By unanimous consent, the previous question was ordered on the bill.

The question being put,

Will the House, upon reconsideration, agree to pass the bill, the objections of the President to the contrary notwithstanding?

It was decided in the affirmative ..... { Yeas ..... 315 / Nays 98

¶107.9 [Roll No. 523]

YEAS—315

Abercrombie
Aderholt
Armey
Baca
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
Delahunt
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Ford
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Morella
Murtha
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Oxley
Packard
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Strickland
Stump
Stupak
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—98

Ackerman
Allen
Andrews
Baldacci
Baldwin
Barrett (WI)
Becerra
Berman
Blagojevich
Blumenauer
Brown (OH)
Castle
Chabot
Coburn
Conyers
Cook
Cubin
Davis (IL)
DeFazio
DeLauro
DeMint
Deutsch
Dingell
Doggett
Engel
Fattah
Filner
Forbes
Frank (MA)
Gejdenson
Gibbons
Green (WI)
Gutierrez
Gutknecht
Hilliard
Hinchey
Holden
Holt
Hostettler
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Kind (WI)
Kleczka
Kucinich
Largent
Lewis (GA)
Lowey
Luther
Maloney (CT)
Markey
McCarthy (MO)
McDermott
McKinney
McNulty
Meeks (NY)
Minge
Moran (KS)
Myrick
Nadler
Napolitano
Oberstar
Obey
Owens
Pallone
Paul
Payne
Petri
Pomeroy
Portman
Ramstad
Rangel
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sanford
Sensenbrenner
Shays
Sherman
Slaughter
Stearns
Stenholm
Sununu
Tancredo
Toomey
Towns
Velazquez
Waters
Watt (NC)
Wexler
Weygand
Wynn

NOT VOTING—19

Archer
Barton
Campbell
Coble
Danner
Eshoo
Franks (NJ)
Klink
Lazio
McCollum
McIntosh
Meehan
Miller (FL)
Moran (VA)
Neal
Schaffer
Shuster
Waxman
Wise

The SPEAKER pro tempore, Mr. LATOURETTE, announced that 315 Members had voted in the affirmative and 98 Members had voted in the negative.

So, two-thirds of the Members present having voted in favor thereof, the bill was passed, the objections of the President to the contrary notwithstanding.

Ordered, That the Clerk notify the Senate thereof.

¶107.10 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4461

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 617):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

Mr. DIAZ-BALART moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. NUSSLE, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 214 / Nays 201

¶107.11 [Roll No. 524]

YEAS—214

Aderholt
Archer
Armey
Bachus
Baker
Ballenger

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

NAYS—201

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

NOT VOTING—17

Burr
Campbell
Coble
Danner
Eshoo
Frank (MA)
Franks (NJ)
Klink
McCollum
McIntosh
Meehan
Miller (FL)
Myrick
Neal
Shuster
Spratt
Wise

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. NUSSLE, announced that the yeas had it.

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶107.12 AGRICULTURE APPROPRIATIONS FY 2001

Mr. SKEEN, pursuant to House Resolution 617, called up the following conference report (Rept. No. 106–948):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4461) ''making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter stricken and inserted by said amendment, insert:

SECTION 1. (a) The provisions of H.R. 5426 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

And the Senate agree to the same.

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT, Jr.,
HENRY BONILLA,
TOM LATHAM,
JO ANN EMERSON,
C.W. BILL YOUNG,
Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
CHRISTOPHER S. BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
TED STEVENS,
HERB KOHL,
TOM HARKIN (Except for Cuba and drug reimportation),
BYRON L. DORGAN,
DIANNE FEINSTEIN,
ROBERT C. BYRD,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. NUSSLE, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas ..... 340 / Nays ..... 75 }

¶107.13 [Roll No. 525]

YEAS—340

Abercrombie
Aderholt
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chambliss
Clay
Clayton
Clement
Collins
Combest
Condit
Cook
Cooksey
Costello
Coyne
Cramer
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte

Goodling
Gordon
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Murtha
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scott
Serrano
Sessions
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—75

Ackerman
Andrews
Berkley
Berman
Blumenauer
Boehner
Carson
Chabot
Chenoweth-Hage
Clyburn
Coburn
Conyers
Cox
Crane
Crowley
Davis (IL)
Davis (VA)
DeMint
Dingell
Doggett
Filner
Frelinghuysen
Gejdenson
Goss
Hefley
Hoekstra
Hostettler
Istook
Jackson (IL)
Johnson, Sam
Kasich
Kleczka
Kolbe
Lantos
Largent
Lee
Lofgren
Markey
McCrery
McDermott
McKinney
Metcalf
Miller, George
Moran (VA)
Nadler
Napolitano
Olver
Owens
Paul
Payne
Pelosi
Rangel
Rohrabacher
Roukema
Royce
Salmon
Sanford
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Shadegg
Shays
Sherman
Stark
Sununu
Tancredo
Tierney
Toomey
Towns
Upton
Waters
Waxman
Weiner
Weldon (FL)

NOT VOTING—18

Archer
Burr
Campbell
Coble
Eshoo
Frank (MA)
Franks (NJ)
Hunter
Klink
McCollum
McIntosh
Meehan
Miller (FL)
Myrick
Neal
Pastor
Spratt
Wise

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.14 DEVELOPMENTAL DISABILITIES SERVICE SYSTEMS

On motion of Mr. LAZIO, by unanimous consent, the Committee on Commerce and the Committee on Education and the Workforce were discharged from further consideration of the bill of the Senate (S. 1809) to improve service systems for individuals with developmental disabilities, and for other purposes.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.15 CORRECT ENROLLMENT OF S. 1809

On motion of Mr. LAZIO, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 133):

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate, in the enrollment of the bill (S. 1809) to improve service systems for individuals with developmental disabilities, and for other purposes, shall make the following corrections:

(1) Strike ''1999'' each place it appears (other than in section 101(a)(2)) and insert ''2000''.

(2) In section 101(a)(2), strike ''are'' and insert ''were''.

(3) In section 104(a)—

(A) in paragraphs (1), (3)(C), and (4), strike ''2000'' each place it appears and insert ''2001''; and

(B) in paragraph (4), strike ''fiscal year 2001'' and insert ''fiscal year 2002''.

(4) In section 124(c)(4)(B)(i), strike ''2001'' and insert ''2002''.

(5) In section 125(c)—

(A) in paragraph (5)(H), strike ''assess'' and insert ''access''; and

(B) in paragraph (7), strike ''2001'' and insert ''2002''.

(6) In section 129(a)—

(A) strike ''fiscal year 2000'' and insert ''fiscal year 2001''; and

(B) strike ''fiscal years 2001 through 2006'' and insert ''fiscal years 2002 through 2007''.

(7) Is section 144(e), strike ''2001'' and insert ''2002''.

(8) In section 145—

(A) strike ''fiscal year 2000'' and insert ''fiscal year 2001''; and

(B) strike ''fiscal years 2001 through 2006'' and insert ''fiscal years 2002 through 2007''.

(9) In section 156—

(A) in subsection (a)(1)—

(i) strike ''fiscal year 2000'' and insert ''fiscal year 2001''; and

(ii) strike ''fiscal years 2001 through 2006'' and insert ''fiscal years 2002 through 2007''; and

(B) in subsection (b), strike ''2000'' each place it appears and insert ''2001''.

(10) In section 163—

(A) strike ''fiscal year 2000'' and insert ''fiscal year 2001''; and

(B) strike ''fiscal years 2001 through 2006'' and insert ''fiscal years 2002 through 2007''.

(11) In section 212, strike ''2000 through 2006'' and insert ''2001 through 2007''.

(12) In section 305—

(A) in subsection (a)—

(i) strike ''fiscal year 2000'' and insert ''fiscal year 2001''; and

(ii) strike ''fiscal years 2001 through 2006'' and insert ''fiscal years 2002 through 2007''; and

(B) in subsection (b)—

(i) strike ''fiscal year 2000'' and insert ''fiscal year 2001''; and

(ii) strike ''fiscal years 2001 and 2002'' and insert ''fiscal years 2002 and 2003''.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.16 EMBASSY SECURITY AND STATE DEPARTMENT AUTHORIZATION

On motion of Mr. CHABOT, by direction of the Committee on International Relations and pursuant to clause 1 of rule XXII, the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. CHABOT, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶107.17 MOTION TO INSTRUCT CONFEREES—H.R. 2415

Mr. NADLER moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, be instructed to insist that:—(1) A meeting of the committee of conference be held and that all such meetings, (A) be open to the public and to the print and electronic media, and (B) be held in venues selected to maximize the capacity for attendance by the public and the media; and (2) the committee of conference allow sufficient opportunity for members of the committee on conference to offer and to debate amendments to the matters in conference at all meetings of the committee of conference.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. OSE, announced that the yeas had it.

Mr. CONYERS objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 398 / Nays ..... 1 }

¶107.18 [Roll No. 526]

YEAS—398

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—1

Souder

NOT VOTING—33

Burr
Campbell
Clay
Clayton
Clyburn
Coble
Danner
DeLauro
Eshoo
Ford
Fossella
Frank (MA)
Franks (NJ)
Goodlatte
Hayes
Holden
Holt
Hooley
Klink
McCollum
McIntosh
McIntyre
Meehan
Miller (FL)
Myrick
Neal
Pastor
Spratt
Stark
Talent
Watt (NC)
Wise
Young (FL)

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶107.19 APPOINTMENT OF CONFEREES—H.R. 2415

Thereupon, the SPEAKER pro tempore, Mr. OSE, by unanimous consent, appointed Messrs. HYDE, GEKAS, ARMEY, CONYERS and NADLER, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶107.20 SMALL BUSINESS INVESTMENT IMPROVEMENTS

On motion of Mrs. KELLY, by unanimous consent, the bill (H.R. 2614) to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes; together with the amendment of the House to the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mrs. KELLY, it was,

Resolved, That the House insist upon its amendment to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

Thereupon, the SPEAKER pro tempore, Mr. OSE, by unanimous consent, appointed Messrs. TALENT, ARMEY and Ms. VELAZQUEZ, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶107.21 MCKINNEY-VENTO HOMELESS ASSISTANCE

On motion of Mr. LEACH, by unanimous consent, the Committee on Banking and Financial Services was discharged from further consideration of the bill (H.R. 5417) to rename the Stewart B. McKinney Homeless Assistance Act and the ''McKinney-Vento Homeless Assistance Act''.

When said bill was considered, read twice.

After debate,

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

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶107.22 REDUCED RATE MAIL

On motion of Mr. MCHUGH, by unanimous consent, the bill of the Senate (S. 2686) to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.23 ORDER OF BUSINESS—POSTPONEMENT OF VOTES ON SUSPENSIONS

The SPEAKER pro tempore, Mr. TANCREDO, by unanimous consent and pursuant the provisions of clause 8 of rule XX, redesignated Thursday, October 12, as the time for further proceedings on the seven motions to suspend the rules which were debated on

Tuesday, October 10, on which further proceedings were postponed.

¶107.24 SUBMISSION OF CONFERENCE REPORT—H.R. 4392

Mr. GOSS submitted a conference report (Rept. No. 106–969) on the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶107.25 SUBMISSION OF CONFERENCE REPORT—H.R. 2415

Mr. GEKAS submitted a conference report (Rept. No. 106–970) on the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶107.26 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2415

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–971) the resolution (H. Res. 624) waiving points of order against the conference report to accompany the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶107.27 PROVIDING FOR THE CONSIDERATION OF H.RES. 596

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–972) the resolution (H. Res. 625) providing for consideration of the resolution (H. Res. 596) calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶107.28 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4392

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–973) the resolution (H. Res. 626) waiving points of order against the conference report to accompany the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶107.29 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 111

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–974) the resolution (H. Res. 627) providing for consideration of the joint resolution (H.J. Res. 111) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶107.30 PROVIDING FOR THE CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 4386

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–975) the resolution (H. Res. 628) providing for consideration of the Senate amendment to the bill (H.R. 4386) to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶107.31 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2417. An Act to amend the Federal Water Pollution Control Act to increase funding for State nonpoint source pollution control programs, and for other purposes; to the Committee on Transportation and Infrastructure.

S. 2528. An Act to provide funds for the purchase of automatic external defibrillators and the training of individuals in advanced cardiac life support; to the Committee on Commerce.

¶107.32 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PASTOR, for today after 4 p.m.

And then,

¶107.33 ADJOURNMENT

On motion of Mr. DREIER, at 9 o'clock and 11 minutes p.m., the House adjourned.

¶107.34 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. GOODLING: Committee on Education and the Workforce. H.R. 1441. A bill to amend section 8(a) of the National Labor Relations Act (Rept. No. 106–967). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOODLING: Committee on Education and the Workforce. H.R. 2434. A bill to require labor organizations to secure prior, voluntary, written authorization as a condition of using any portion of dues or fees for activities not necessary to performing duties relating to the representation of employees in dealing with the employer of labor-management issues, and for other purposes (Rept. No. 106–968). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Committee of Conference. Conference report on H.R. 4392. A bill to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 106–969). Ordered to be printed.

Mr. HYDE: Committee of Conference. Conference report on H.R. 2415. A bill to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes (Rept. No. 106–970). Ordered to be printed.

Mr. SESSIONS: Committee on Rules. House Resolution 624. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes (Rept. No. 106–971). Referred to the House Calendar.

Mr. REYNOLDS: Committee on Rules. House Resolution 625. Resolution providing for consideration of the resolution (H. Res. 596) calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes (Rept. No. 106–972). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 626. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 106–973). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 627. Providing for consideration of the joint resolution (H.J. Res. 111) making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. No. 106–974). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 628. Resolution providing for consideration of the Senate amendment to the bill (H.R. 4386) to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes (Rept. No. 106–975). Referred to the House Calendar.

¶107.35 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. EVANS (for himself, Mr. MASCARA, and Mr. GUTIERREZ):

H.R. 5438. A bill to amend title 38, United States Code, to add Diabetes Mellitus (Type 2) to the list of diseases presumed to be service-connected for veterans exposed to certain herbicide agents; to the Committee on Veterans' Affairs.

By Mr. DEFAZIO:

H.R. 5439. A bill to end taxpayer support of Federal Government contractors against whom repeated civil judgements or criminal convictions for certain offenses have been entered; to the Committee on Government Reform.

By Mr. ARMEY:

H.R. 5440. A bill to require large employers to notify their employees of the amount paid by the employer for employee health coverage; to the Committee on Education and the Workforce.

By Mr. CHAMBLISS:

H.R. 5441. A bill to transfer management of the Banks Lake Unit of the Okefenokee National Wildlife Refuge; to the Committee on Resources.

By Mr. HEFLEY (for himself and Mr. MCINNIS):

H.R. 5442. A bill to provide for a pilot program to enhance military recruiting through the use of recently retired enlisted personnel as recruiters; to the Committee on Armed Services.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. EDWARDS, and Ms. STABENOW):

H.R. 5443. A bill to waive the time limitation specified by law for the award of certain military decorations in order to allow the posthumous award of the congressional medal of honor to Doris Miller for actions while a member of the Navy during World War II; to the Committee on Armed Services.

By Mr. SAM JOHNSON of Texas:

H.R. 5444. A bill to amend the Internal Revenue Code of 1986 to provide for capital gains treatment for certain termination payments received by former insurance salesmen; to the Committee on Ways and Means.

By Mr. LIPINSKI (for himself, Mr. DEFAZIO, and Mr. COSTELLO):

H.R. 5445. A bill to amend title 49, United States Code, to increase the amount of civil penalties and criminal fines for violations of requirements prohibiting the transportation of chemical oxygen generators on passenger-carrying aircraft in air commerce; to the Committee on Transportation and Infrastructure.

By Mr. OLVER (for himself, Mr. MEEHAN, Mr. TIERNEY, Mr. MCGOVERN, Mr. BASS, and Mr. MARKEY):

H.R. 5446. A bill to establish the Freedom's Way National Heritage Area in the Commonwealth of Massachusetts and in the State of New Hampshire, and for other purposes; to the Committee on Resources.

By Mr. SHAW (for himself and Mr. CARDIN):

H.R. 5447. A bill to amend the Social Security Act to prepare the Social Security Administration for the needs of the 21st century, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas:

H.R. 5448. A bill to amend the Immigration and Nationality Act to give priority for certain family-sponsored immigrants based upon educational attainment and to require diversity immigrants to have a bachelor's degree; to the Committee on the Judiciary.

By Mr. STARK:

H.R. 5449. A bill to amend title XVIII of the Social Security Act to combat fraud and abuse under the Medicare Program with respect to partial hospitalization services; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANNER:

H.R. 5450. A bill to amend section 13031 of the Consolidated Ominubus Budget Reconciliation Act of 1985 to provide for a user fee to cover the cost of customs inspections at express courier facilities; to the Committee on Ways and Means.

By Mr. YOUNG of Florida:

H.J. Res. 111. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. CASTLE (for himself, Mr. WELDON of Pennsylvania, and Mr. WISE):

H.J. Res. 112. A joint resolution memorializing fallen firefighters by lowering the American flag to half-staff in honor of the National Fallen Firefighters Memorial Service in Emittsburg, Maryland; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois:

H. Con. Res. 423. Concurrent resolution authorizing the use of the Capitol Grounds for the Million Family March; to the Committee on Transportation and Infrastructure.

By Mr. LAZIO:

H. Con. Res. 424. Concurrent resolution providing for corrections in the enrollment of the bill H.R. 4461; to the Committee on International Relations, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS:

H. Res. 622. A resolution expressing the sense of the House of Representatives that the Government of Argentina should provide an immediate and final resolution to the Buenos Aires Yoga School case; to the Committee on International Relations.

By Mr. FRANKS of New Jersey (for himself, Mr. OSE, Mr. WEINER, Mr. SAXTON, Mr. BRADY of Texas, Mr. SWEENEY, Mr. SALMON, Mr. FRELINGHUYSEN, Mr. SMITH of New Jersey, Mrs. ROUKEMA, and Mr. LOBIONDO):

H. Res. 623. A resolution regarding the adoption of Resolution 1322 by the Security Council of the United Nations on October 7, 2000; to the Committee on International Relations.

¶107.36 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LANTOS:

H.R. 5451. A bill for the relief of Marleen R. Delay; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 5452. A bill for the relief of Andrea Patricia Burton; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 5453. A bill for the relief of Laurence Wallace; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 5454. A bill for the relief of Louise Ingrid Wallace; to the Committee on the Judiciary.

¶107.37 REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

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

Mr. SMITH of Texas: Committee on the Judiciary. S. 11. An act for the relief of Wei Jingsheng (Rept. No. 106–955). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 150. An act for the relief of Marina Khalina and her son, Albert Mifakhov (Rept. No. 106–956). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 199. an act for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko (Rept. No. 106–957). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 276. An act for the relief of Sergio Lozano, Faurico Lozano and Ana Lozano (Rept. No. 106–958). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 785. An act for the relief of Frances Schochenmaier (Rept. No. 106–959). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 869. An act for the relief of Mina Vahedi Notash (Rept. No. 106–960). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 1078. An act for the relief of Mrs. Elizabeth Eka Bassey and her children, Emmanuel O. Paul Bassey, Jacob Paul Bassey, and Mary Idongesit Paul Bassey (Rept. No. 106–961). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 1513. An act for the relief of Jacqueline Salinas and her children Gabriela Salinas, Alejandro Salinas, and Omar Salinas (Rept. No. 106–962). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 2000. An act for the relief of Guy Taylor (Rept. No. 106–963). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 2002. An act for the relief of Tony Lara (Rept. No. 106–964). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 2019. An act for the relief of Malia Miller (Rept. No. 106–965). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 2289. An act for the relief of Jose Guadalupe Tellez Pinales (Rept. No. 106–966). Referred to the Private Calendar.

¶107.38 ADDITIONAL SPONSORS

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

H.R. 488: Mr. COYNE.
H.R. 792: Mrs. BIGGERT.
H.R. 797: Mr. ROHRABACHER.
H.R. 827: Mr. ORTIZ.
H.R. 908: Mr. BLUMENAUER and Ms. NORTON.
H.R. 1144: Mr. STRICKLAND.
H.R. 1337: Mr. SHERWOOD.
H.R. 1494: Ms. PRYCE of Ohio.
H.R. 1515: Mr. INSLEE.
H.R. 2166: Ms. BROWN of Florida, Mr. PAYNE, Mr. LUTHER, and Mr. INSLEE.
H.R. 2335: Mr. COBLE, Mr. SPRATT, and Mr. INSLEE.
H.R. 2382: Ms. HOOLEY of Oregon.
H.R. 2594: Mr. MCGOVERN.
H.R. 2790: Ms. DANNER.
H.R. 3263: Mr. BARR of Georgia.
H.R. 3453: Mr. SHAYS.
H.R. 3514: Mr. COYNE.
H.R. 3901: Mr. EWING.

H.R. 3996: Mr. MINGE.
H.R. 4274: Mr. LIPINSKI, Mr. HALL of Ohio, Mr. SANDLIN, and Mrs. JONES of Ohio.
H.R. 4289: Mr. KENNEDY of Rhode Island and Mr. DAVIS of Florida.
H.R. 4497: Mr. MINGE.
H.R. 4594: Mr. DEAL of Georgia.
H.R. 4669: Mr. NORWOOD.
H.R. 4715: Mr. BECERRA.
H.R. 4728: Mr. LAFALCE, Mr. BALDACCI, Mrs. MALONEY of New York, Mr. MOORE, Mr. HUTCHINSON, Mr. HINCHEY, and Ms. GRANGER.
H.R. 4740: Mr. CRAMER, Mrs. TAUSCHER, and Mr. FORD.
H.R. 4751: Mr. GOODLATTE, Mr. KENNEDY of Rhode Island, Mr. NEY, Mr. WEYGAND, and Mr. NADLER.
H.R. 4825: Mr. MINGE, Mr. MOAKLEY, Mr. ROTHMAN, Mr. COYNE, and Mr. NORWOOD.
H.R. 4857: Ms. DEGETTE.
H.R. 4894: Mr. CASTLE.
H.R. 4926: Mr. MCGOVERN and Ms. MCKINNEY.
H.R. 5037: Mr. PAUL.
H.R. 5038: Mr. PAUL.
H.R. 5091: Mr. PAYNE and Mr. BAIRD.
H.R. 5101: Mr. EVANS and Mr. KUCINICH.
H.R. 5147: Mr. FRANK of Massachusetts, Mr. LANTOS, Mr. GEORGE MILLER of California, Mr. DELAHUNT, and Mr. COOK.
H.R. 5179: Ms. WOOLSEY.
H.R. 5208: Mr. EVANS, Ms. CARSON, Mr. PAYNE, and Mr. NADLER.
H.R. 5220: Mr. DEAL of Georgia and Mr. WICKER.
H.R. 5265: Mr. HALL of Texas.
H.R. 5277: Mr. UDALL of Colorado, Mr. HINCHEY, Mr. LAMPSON, and Mr. REYES.
H.R. 5306: Mr. SMITH of Texas, Mr. BRADY of Texas, and Mr. MANZULLO.
H.R. 5311: Mr. RANGEL, Mr. GORDON, and Mr. CONYERS.
H.R. 5324: Mr. UNDERWOOD and Mr. NADLER.
H.R. 5361: Mr. HOLT, Mr. DEFAZIO, and MCDERMOTT.
H.R. 5397: Mr. BACA and Mr. BALDACCI.
H.R. 5401: Mr. TANNER.
H.R. 5417: Mr. WELDON of Florida, Mr. HILL of Montana, Mr. JONES of North Carolina, Mr. GREEN of Wisconsin, Ms. Eddie Bernice JOHNSON of Texas.
H. Con. Res. 337: Mr. DOYLE.
H. Con. Res. 363: Mr. CUMMINGS and Mrs. MORELLA.
H. Con. Res. 416: Mr. GEKAS, Mr. STARK, Ms. DANNER, Ms. ROS-LEHTINEN, Mr. MENENDEZ, and Mr. KING.
H. Con. Res. 419: Mr. YOUNG of Alaska, Mr. CALLAHAN, Mr. EVERETT, Mr. HALL of Texas, and Ms. KAPTUR.
H. Res. 537: Mr. COYNE.

¶107.39 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bill as follows:

H.R. 1824: Mr. THOMPSON of California.
H.R. 4035: Mr. EVANS.

THURSDAY, OCTOBER 12, 2000 (108)

The House was called to order by the SPEAKER.

¶108.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, October 11, 2000.

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

¶108.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10553. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a report entitled, ''Report on the Performance of Department of Defense Commercial Activities,'' pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

10554. A letter from the Secretary of Health and Human Services, transmitting the Native Hawaiian Revolving Loan Fund For Fiscal Years 1998–1999; to the Committee on Education and the Workforce.

10555. A letter from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting the Department's final rule—Nuclear Safety Management (RIN: 1901–AA34) received October 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10556. A letter from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule—Energy Code for New Federal Commercial and Multi-Family High Rise Residential Buildings [Docket No. EE-RM–79–112–C] (RIN: 1904–AA69) received October 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10557. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 20–00 which constitutes a Request for Final Approval for the Amendment to the Project Arrangement (PA) on Space Based Surveillance System Concept Studies, Experiments and Trials, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

10558. A letter from the Administrator, General Services Administration, transmitting the Strategic Plan in accordance with the Government Performance and Results Act of 1993; to the Committee on Government Reform.

10559. A letter from the Acting Chairman, U.S. Merit Systems Protection Board, transmitting the Commercial Activities Inventory Report Year 2000; to the Committee on Government Reform.

10560. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Black-Footed Ferrets in North-Central South Dakota (RIN: 1018–AG26) received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10561. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; End of the Primary Season and Resumption of Trip Limits for the Shore-based Fishery for Pacific Whiting [Docket No. 99122347–9347–01; I.D. 090700A] received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10562. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic MACKerel, Squid, and Butterfish Fisheries; 2000 Specifications Adjustment [Docket No. 991228354–0078–02; I.D. 100300A] (RIN: 0648–AM49) received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10563. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeasten United States; Summer Flounder Fishery; Commercial Quota Harvested for New Jersey [Docket No. 000119014–0137–02; I.D. 100200C] received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10564. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Checklist for Section 1503(d) Closing Agreement Request [Rev. Proc. 2000–42] received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶108.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 4259. An Act to require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

H.R. 5164. An Act to amend title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 3069. An Act to authorize the Administrator of General Services to provide for redevelopment of the Southeast Federal Center in the District of Columbia.

H.R. 5239, An Act to provide for increased penalties for violations of the Export Administration Act of 1979, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3244) ''An Act to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking.''

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

S. 2917. An Act to settle the land claims of the Pueblo of Santo Domingo.

S. Con. Res. 131. Concurrent resolution commemorating the 20th anniversary of the workers' strikes in Poland that led to the creation of the independent trade union Solidarnośić, and for other purposes.

S. Con. Res. 148. Concurrent resolution to provide for the disposition and archiving of the records, files, documents, and other materials of joint congressional committees on inaugural ceremonies.

S. Con. Res. 149. Concurrent resolution to correct the enrollment of H.R. 3244.

The message also announced that in accordance with sections 1928a–1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly

during the Second Session of the One Hundred Sixth Congress, to be held in Berlin, Germany, November 17–22, 2000—

the Senator from Iowa (Mr. GRASSLEY);

the Senator from Arkansas (Mr. HUTCHINSON);

the Senator from Maryland (Mr. SARBANES); and

the Senator from Maryland (Ms. MIKULSKI).

¶108.4 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 111

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 627):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 111) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶108.5 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 627, called up the joint resolution (H.J. Res. 111) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 407 / Nays ..... 2 }

¶108.6 [Roll No. 527]

YEAS—407

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Baird
DeFazio

NOT VOTING—23

Baca
Boucher
Campbell
Eshoo
Forbes
Franks (NJ)
Green (TX)
Horn
Kaptur
Klink
Lazio
Maloney (CT)
Martinez
McCollum
McIntosh
Meehan
Mica
Nadler
Oxley
Reynolds
Stark
Talent
Wise

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶108.7 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2415

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 624):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. SESSIONS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to

was, by unanimous consent, laid on the table.

¶108.8 EMBASSY SECURITY AND STATE DEPARTMENT AUTHORIZATION

Mr. GEKAS, pursuant to House Resolution 624, called up the following conference report (Rept. No. 106–970):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2415), an Act to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. ENACTMENT OF BANKRUPTCY REFORM ACT OF 2000.

The provisions of S. 3186 of the 106th Congress, as introduced on October 11, 2000, are hereby enacted into law.

SEC. 2. PUBLICATION OF ACT.

In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval an appendix setting forth the provisions referred to in section 1.

And the Senate agree to the same.

HENRY HYDE,
GEORGE W. GEKAS,
DICK ARMEY,
Managers on the Part of the House.

JESSE HELMS,
RICHARD G. LUGAR,
ROD GRAMS,
JOE BIDEN,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

Mr. CONYERS moved to recommit the conference report on H.R. 2415 to the committee of conference with instructions the managers on the part of the House to insist on conducting at least one meeting of conferees as required by House Rule XXII, clause 12, and in accordance with the motion to instruct conferees approved by the House of Representatives yesterday by a vote of 398 to 1 before making any report on the bill.

By unanimous consent, the previous question was ordered on the motion to recommit.

The question being put, viva voce,

Will the House recommit said conference report?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the nays had it.

So the motion to recommit the conference report to the committee of conference was not agreed to.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶108.9 CORRECT ENROLLMENT OF H.R. 2415

Mr. SESSIONS, by unanimous consent, submitted the following concurrent resolution (H. Con. Res. 427):

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 3186), A bill to amend title 11, United States Code, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) Amend section 1(a) of the bill to read as follows:

''(a) SHORT TITLE.—This Act may be cited as the 'The Gekas-Grassley Bankruptcy Reform Act of 2000.' ''.

(2) Strike ''Bankruptcy Reform Act of 2000'' each place it appears throughout the bill and insert ''Gekas-Grassley Bankruptcy Reform Act of 2000''.

When said concurrent resolution was considered.

Mr. SESSIONS submitted the following amendment which was agreed to:

Page 1, line 2, strike out ''S. 3186'', and insert ''H.R. 2415''; and

Page 1, line 4, strike out ''Secretary of the Senate'' and insert ''Clerk of the House''.

The concurrent resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: ''A concurrent resolution directing the Clerk of the House to correct the enrollment of the bill H.R. 2415.''.

A motion to reconsider the votes whereby said concurrent resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶108.10 H.R. 5174—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5174) to amend titles 10 and 18, United States Code, and the Revised Statutes to remove the uncertainty regarding the authority of the Department of Defense to permit buildings located on military installations and reserve component facilities to be used as polling places in Federal, State, and local elections for public office.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 297 / Nays 113

¶108.11 [Roll No. 528]

YEAS—297

Aderholt
Allen
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLauro
DeLay
DeMint
Diaz-Balart
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fattah
Fletcher
Foley
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kildee
Kind (WI)
King (NY)
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Nussle
Oberstar
Ortiz
Ose
Packard
Pascrell
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stabenow
Stearns
Strickland
Stump
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp

Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—113

Abercrombie
Ackerman
Andrews
Baldwin
Barrett (WI)
Bentsen
Berman
Berry
Bonior
Boucher
Boyd
Brown (FL)
Capuano
Clay
Clayton
Clyburn
Conyers
Coyne
Crowley
Cummings
Davis (IL)
DeGette
Delahunt
Deutsch
Dicks
Dingell
Dixon
Engel
Evans
Farr
Filner
Ford
Frank (MA)
Gephardt
Gordon
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Holt
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kilpatrick
Kleczka
LaFalce
Lantos
Larson
Lee
Levin
Lewis (GA)
Lowey
Lucas (KY)
Markey
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Mink
Moakley
Mollohan
Murtha
Napolitano
Neal
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Pickett
Price (NC)
Rangel
Rothman
Rush
Sabo
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Sisisky
Skelton
Slaughter
Snyder
Stenholm
Stupak
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Weiner
Wexler
Weygand
Woolsey

NOT VOTING—22

Baca
Campbell
Cook
Danner
Dickey
Eshoo
Forbes
Fossella
Franks (NJ)
Green (TX)
Klink
Lazio
McCollum
McIntosh
Meehan
Nadler
Norwood
Oxley
Reynolds
Stark
Talent
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶108.12 H.R. 4345—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4345) to amend the Alaska Native Claims Settlement Act to clarify the process of allotments to Alaskan Natives who are veterans, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶108.13 H.R. 4656—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4656) to authorize the Forest Service to covey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the negative { Yeas ..... 248 / Nays ..... 160 }

¶108.14 [Roll No. 529]

YEAS—248

Aderholt
Archer
Armey
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Martinez
McCrery
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Moore
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Nussle
Oberstar
Ose
Packard
Pascrell
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Riley
Rivers
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—160

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Becerra
Bentsen
Berman
Berry
Blagojevich
Bonior
Borski
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kilpatrick
Kucinich
LaFalce
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Napolitano
Neal
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne
Pelosi
Phelps
Price (NC)
Rangel
Reyes
Rodriguez
Roemer
Rothman
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Schakowsky
Scott
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Spratt
Stabenow
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey

NOT VOTING—24

Baca
Bachus
Bonilla
Campbell
Cook
Danner
Dickey
Eshoo
Forbes
Fossella
Franks (NJ)
Green (TX)
Klink
Lazio
McCollum
McIntosh
Meehan
Nadler
Norwood
Oxley
Reynolds
Stark
Talent
Wise

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not agreed to.

¶108.15 AMENDMENTS OF THE SENATE TO H.R. 34—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 34) to direct the Secretary of the

Interior to make technical corrections to a map relating to the Coastal Resources System:

Page 2, line 9, strike out all after ''System'','' down to and including ''tives.'' in line 11 and insert ''dated June 5, 2000''.

Page 2, after line 18, insert:

''(c) AVAILABILITY.—The Secretary of the Interior shall keep the map descried in subsection (b) on file and available for public inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).''

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. SIMPSON, announced that less than two-thirds of those present had voted in the affirmative.

Mr. HANSEN demanded that the vote be taken by the yeas and nays.

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, vacated the vote on the motion to suspend the rules and agree to the amendments of the Senate to the bill, H.R. 34.

Accordingly,

The question again being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. SIMPSON, announced that less than two-thirds of those present had voted in the affirmative.

Mr. HANSEN demanded a recorded vote on agreeing to said amendments, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 407 / Nays 1

¶108.16 [Roll No. 530]

AYES—407

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—1

Blumenauer

NOT VOTING—24

Baca
Bonilla
Campbell
Cook
Danner
Dickey
Dunn
Eshoo
Forbes
Franks (NJ)
Green (TX)
Klink
Lazio
McCollum
McInnis
McIntosh
Meehan
Nadler
Norwood
Oxley
Reynolds
Stark
Talent
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to were, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶108.17 H.R. 3292—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to amendments of the Senate to the bill (H.R. 3292) to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana.

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶108.18 H.R. 468—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 468) to establish the Saint Helena Island National Scenic Area.

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of those present had not voted in the affirmative.

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said amendment was not agreed to.

¶108.19 H.R. 5083—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5083) to extend the authority of the Los Ange-

les Unified School District to use certain park lands in the city of South Gate, California, which were acquired with amounts provided from the land and water conservation fund, for elementary school purposes.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶108.20 MILLION FAMILY MARCH

On motion of Mr. LATOURETTE, by unanimous consent, the following concurrent resolution (H. Con. Res. 423) was taken from the Speaker's table:

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF MILLION FAMILY MARCH ON CAPITOL GROUNDS.

Million Family March, Incorporated (in this resolution referred to as the ''sponsor'') shall be permitted to sponsor a public event, the Million Family March, on the Capitol Grounds on October 16, 2000, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—The event authorized by section 1 shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, beginning on the day preceding the event authorized by section 1, the sponsor may erect or place and keep on the Capitol Grounds, until not later than 8:00 p.m. of the day succeeding the event, such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements as may be required to carry out the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertising, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event authorized by section 1.

SEC. 5. LIMITATIONS ON REPRESENTATIONS.

(a) IN GENERAL.—No person may represent, either directly or indirectly, that this resolution or any activity carried out under this resolution in any way constitutes approval or endorsement by the Federal Government of any person or any product or service.

(b) ENFORCEMENT.—The Architect of the Capitol and the Capitol Police Board shall enter into an agreement with the sponsor, and such other persons participating in the event authorized by section 1 as the Architect of the Capitol and the Capitol Police Board considers appropriate, under which such persons shall agree to comply with the requirements of subsection (a). The agreement shall specifically prohibit the use of any photograph taken at the event for a commercial purpose and shall provide for the imposition of financial penalties if any violations of the agreement occur.

When said concurrent resolution was considered.

By unanimous consent, the previous question was ordered on the concurrent resolution to its adoption or rejection and, under the operation thereof, the concurrent resolution was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk requests the concurrence of the Senate in said concurrent resolution.

¶108.21 PROVIDING FOR THE CONSIDERATION OF THE AMENDMENT OF THE SENATE WITH AN AMENDMENT TO H.R. 4386

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 628):

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 4386) to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chairman of the Committee on Commerce or his designee that the House concur in the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

When said resolution was considered.

After debate,

Mrs. MYRICK submitted the following amendment in the nature of a substitute which was agreed to:

Strike all after the resolved clause and insert:

That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 4386) to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chairman of the Committee on Commerce or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the amendment and the resolution, as amended, to their adoption or rejection and under the operation thereof, the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶108.22 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4392) ''An Act to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.''.

¶108.23 BREAST AND CERVICAL CANCER SURVEILLANCE

On motion of Mr. BILIRAKIS, pursuant to House Resolution 628, the bill (H.R. 4386) to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Breast and Cervical Cancer Prevention and Treatment Act of 2000''.

SEC. 2. OPTIONAL MEDICAID COVERAGE OF CERTAIN BREAST OR CERVICAL CANCER PATIENTS.

(a) COVERAGE AS OPTIONAL CATEGORICALLY NEEDY GROUP.—

(1) IN GENERAL.—Section 1902(a)(10)(A)(ii) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)) is amended—

(A) in subclause (XVI), by striking ''or'' at the end;

(B) in subclause (XVII), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(XVIII) who are described in subsection (aa) (relating to certain breast or cervical cancer patients);''.

(2) GROUP DESCRIBED.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by adding at the end the following:

''(aa) Individuals described in this subsection are individuals who—

''(1) are not described in subsection (a)(10)(A)(i);

''(2) have not attained age 65;

''(3) have been screened for breast and cervical cancer under the Centers for Disease Control and Prevention breast and cervical cancer early detection program established under title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) in accordance with the requirements of section 1504 of that Act (42 U.S.C. 300n) and need treatment for breast or cervical cancer; and

''(4) are not otherwise covered under creditable coverage, as defined in section 2701(c) of the Public Health Service Act (42 U.S.C. 300gg(c)).''.

(3) LIMITATION ON BENEFITS.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)) is amended in the matter following subparagraph (G)—

(A) by striking ''and (XIII)'' and inserting ''(XIII)''; and

(B) by inserting '', and (XIV) the medical assistance made available to an individual described in subsection (aa) who is eligible for medical assistance only because of subparagraph (A)(10)(ii)(XVIII) shall be limited to medical assistance provided during the period in which such an individual requires treatment for breast or cervical cancer'' before the semicolon.

(4) CONFORMING AMENDMENTS.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended in the matter preceding paragraph (1)—

(A) in clause (xi), by striking ''or'' at the end;

(B) in clause (xii), by adding ''or'' at the end; and

(C) by inserting after clause (xii) the following:

''(xiii) individuals described in section 1902(aa),''.

(b) PRESUMPTIVE ELIGIBILITY.—

(1) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by inserting after section 1920A the following:

''PRESUMPTIVE ELIGIBILITY FOR CERTAIN BREAST OR CERVICAL CANCER PATIENTS

''SEC. 1920B. (a) STATE OPTION.—A State plan approved under section 1902 may provide for making medical assistance available to an individual described in section 1902(aa) (relating to certain breast or cervical cancer patients) during a presumptive eligibility period.

''(b) DEFINITIONS.—For purposes of this section:

''(1) PRESUMPTIVE ELIGIBILITY PERIOD.—The term 'presumptive eligibility period' means, with respect to an individual described in subsection (a), the period that—

''(A) begins with the date on which a qualified entity determines, on the basis of preliminary information, that the individual is described in section 1902(aa); and

''(B) ends with (and includes) the earlier of—

''(i) the day on which a determination is made with respect to the eligibility of such individual for services under the State plan; or

''(ii) in the case of such an individual who does not file an application by the last day of the month following the month during which the entity makes the determination referred to in subparagraph (A), such last day.

''(2) QUALIFIED ENTITY.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'qualified entity' means any entity that—

''(i) is eligible for payments under a State plan approved under this title; and

''(ii) is determined by the State agency to be capable of making determinations of the type described in paragraph (1)(A).

''(B) REGULATIONS.—The Secretary may issue regulations further limiting those entities that may become qualified entities in order to prevent fraud and abuse and for other reasons.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as preventing a State from limiting the classes of entities that may become qualified entities, consistent with any limitations imposed under subparagraph (B).

''(c) ADMINISTRATION.—

''(1) IN GENERAL.—The State agency shall provide qualified entities with—

''(A) such forms as are necessary for an application to be made by an individual described in subsection (a) for medical assistance under the State plan; and

''(B) information on how to assist such individuals in completing and filing such forms.

''(2) NOTIFICATION REQUIREMENTS.—A qualified entity that determines under subsection (b)(1)(A) that an individual described in subsection (a) is presumptively eligible for medical assistance under a State plan shall—

''(A) notify the State agency of the determination within 5 working days after the date on which determination is made; and

''(B) inform such individual at the time the determination is made that an application for medical assistance under the State plan is required to be made by not later than the last day of the month following the month during which the determination is made.

''(3) APPLICATION FOR MEDICAL ASSISTANCE.—In the case of an individual described in subsection (a) who is determined by a qualified entity to be presumptively eligible for medical assistance under a State plan, the individual shall apply for medical assistance under such plan by not later than the last day of the month following the month during which the determination is made.

''(d) PAYMENT.—Notwithstanding any other provision of this title, medical assistance that—

''(1) is furnished to an individual described in subsection (a)—

''(A) during a presumptive eligibility period;

''(B) by a entity that is eligible for payments under the State plan; and

''(2) is included in the care and services covered by the State plan,

shall be treated as medical assistance provided by such plan for purposes of clause (4) of the first sentence of section 1905(b).''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1902(a)(47) of the Social Security Act (42 U.S.C. 1396a(a)(47)) is amended by inserting before the semicolon at the end the following: ''and provide for making medical assistance available to individuals described in subsection (a) of section 1920B during a presumptive eligibility period in accordance with such section''.

(B) Section 1903(u)(1)(D)(v) of such Act (42 U.S.C. 1396b(u)(1)(D)(v)) is amended—

(i) by striking ''or for'' and inserting '', for''; and

(ii) by inserting before the period the following: '', or for medical assistance provided to an individual described in subsection (a) of section 1920B during a presumptive eligibility period under such section''.

(c) ENHANCED MATCH.—The first sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended—

(1) by striking ''and'' before ''(3)''; and

(2) by inserting before the period at the end the following: '', and (4) the Federal medical assistance percentage shall be equal to the enhanced FMAP described in section 2105(b) with respect to medical assistance provided to individuals who are eligible for such assistance only on the basis of section 1902(a)(10)(A)(ii)(XVIII)''.

(d) EFFECTIVE DATE.—The amendments made by this section apply to medical assistance for items and services furnished on or after October 1, 2000, without regard to whether final regulations to carry out such amendments have been promulgated by such date.

On motion of Mr. BILIRAKIS, said Senate amendment was agreed to.

After debate,

Pursuant to House Resolution 628, the previous question was ordered.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶108.24 CORRECT ENROLLMENT OF H.R. 5164

Mr. UPTON, by unanimous consent, submitted the following concurrent resolution (H. Con. Res. 428):

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill, H.R. 5164, entitled ''An Act to amend title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes'', the Clerk of the House of Representatives shall make the following corrections in section 6:

(1) insert before ''Section 30120(c)'' the following: ''(a) REMEDY PROGRAM.—''; and

(2) insert at the end of section 6 the following:

''(b) REIMBURSEMENT PRIOR TO RECALL.—Section 30120(d) of title 49, United States Code, is amended by inserting at the end thereof the following: ''A manufacturer's remedy program shall include a plan for reimbursing an owner or purchaser who incurred the cost of the remedy within a reasonable time in advance of the manufacturer's notification under subsection (b) or (c) of section 30118. The Secretary may prescribe regulations establishing what constitutes a reasonable time for purposes of the preceding sentence and other reasonable conditions for the reimbursement plan.''.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶108.25 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4392

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 626):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to

was, by unanimous consent, laid on the table.

¶108.26 INTELLIGENCE AUTHORIZATION FY 2001

Mr. GOSS, pursuant to House Resolution 626, called up the following conference report (Rept. No. 106–969):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4392), to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the community Management Account and the Central Intelligence Agency Retirement and disability System, and for other purposes having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2001''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Community management account.
Sec. 105. Transfer authority of the Director of Central Intelligence.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Subtitle A—Intelligence Community

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Sense of the Congress on intelligence community contracting.
Sec. 304. Prohibition on unauthorized disclosure of classified information.
Sec. 305. Authorization for travel on any common carrier for certain intelligence collection personnel.
Sec. 306. Update of report on effects of foreign espionage on United States trade secrets.
Sec. 307. POW/MIA analytic capability within the intelligence community.
Sec. 308. Applicability to lawful United States intelligence activities of Federal laws implementing international treaties and agreements.
Sec. 309. Limitation on handling, retention, and storage of certain classified materials by the Department of State.
Sec. 310. Designation of Daniel Patrick Moynihan Place.
Sec. 311. National Security Agency voluntary separation.

Subtitle B—Diplomatic Telecommunications Service Program Office (DTS-PO)

Sec. 321. Reorganization of Diplomatic Telecommunications Service Program Office.
Sec. 322. Personnel.
Sec. 323. Diplomatic Telecommunications Service Oversight Board.
Sec. 324. General provisions.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Modifications to Central Intelligence Agency's central services program.
Sec. 402. Technical corrections.
Sec. 403. Expansion of Inspector General actions requiring a report to Congress.
Sec. 404. Detail of employees to the National Reconnaissance Office.
Sec. 405. Transfers of funds to other agencies for acquisition of land.
Sec. 406. Eligibility of additional employees for reimbursement for professional liability insurance.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

Sec. 501. Contracting authority for the National Reconnaissance Office.
Sec. 502. Role of Director of Central Intelligence in experimental personnel program for certain scientific and technical personnel.
Sec. 503. Measurement and signature intelligence.

TITLE VI—COUNTERINTELLIGENCE MATTERS

Sec. 601. Short title.
Sec. 602. Orders for electronic surveillance under the Foreign Intelligence Surveillance Act of 1978.
Sec. 603. Orders for physical searches under the Foreign Intelligence Surveillance Act of 1978.
Sec. 604. Disclosure of information acquired under the Foreign Intelligence Surveillance Act of 1978 for law enforcement purposes.
Sec. 605. Coordination of counterintelligence with the Federal Bureau of Investigation.
Sec. 606. Enhancing protection of national security at the Department of Justice.
Sec. 607. Coordination requirements relating to the prosecution of cases involving classified information.
Sec. 608. Severability.

TITLE VII—DECLASSIFICATION OF INFORMATION

Sec. 701. Short title.
Sec. 702. Findings.
Sec. 703. Public Interest Declassification Board.
Sec. 704. Identification, collection, and review for declassification of information of archival value or extraordinary public interest.
Sec. 705. Protection of national security information and other information.
Sec. 706. Standards and procedures.
Sec. 707. Judicial review.
Sec. 708. Funding.
Sec. 709. Definitions.
Sec. 710. Sunset.

TITLE VIII—DISCLOSURE OF INFORMATION ON JAPANESE IMPERIAL GOVERNMENT

Sec. 801. Short title.
Sec. 802. Designation.
Sec. 803. Requirement of disclosure of records.
Sec. 804. Expedited processing of requests for Japanese Imperial Government records.
Sec. 805. Effective date.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2001 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Central Intelligence Agency.
(2) The Department of Defense.
(3) The Defense Intelligence Agency.
(4) The National Security Agency.
(5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(6) The Department of State.
(7) The Department of the Treasury.
(8) The Department of Energy.
(9) The Federal Bureau of Investigation.
(10) The National Reconnaissance Office.
(11) The National Imagery and Mapping Agency.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2001, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill H.R. 4392 of the One Hundred Sixth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2001 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 2 percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever the Director exercises the authority granted by this section.

SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Community Management Account of the Director of Central Intelligence for fiscal year 2001 the sum of $163,231,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee shall remain available until September 30, 2002.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Community Management Account of the Director of Central Intelligence are authorized 313 full-time personnel as of September 30, 2001. Personnel serving in such elements may be permanent employees of the Community Management Account or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Community Management Account by subsection (a), there are also authorized to be appropriated for the Community Management Account for fiscal year 2001 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts shall remain available until September 30, 2002.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Community Management Account as of September 30, 2001, there are here-

by authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2001, any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than 1 year for the performance of temporary functions as required by the Director of Central Intelligence.

(e) NATIONAL DRUG INTELLIGENCE CENTER.—

(1) IN GENERAL.—Of the amount authorized to be appropriated in subsection (a), $34,100,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, test, and evaluation purposes shall remain available until September 30, 2002, and funds provided for procurement purposes shall remain available until September 30, 2003.

(2) TRANSFER OF FUNDS.—The Director of Central Intelligence shall transfer to the Attorney General funds available for the National Drug Intelligence Center under paragraph (1). The Attorney General shall utilize funds so transferred for the activities of the National Drug Intelligence Center.

(3) LIMITATION.—Amounts available for the National Drug Intelligence Center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 (50 U.S.C. 403–3(d)(1)).

(4) AUTHORITY.—Notwithstanding any other provision of law, the Attorney General shall retain full authority over the operations of the National Drug Intelligence Center.

SEC. 105. TRANSFER AUTHORITY OF THE DIRECTOR OF CENTRAL INTELLIGENCE.

(a) LIMITATION ON DELEGATION OF AUTHORITY OF DEPARTMENTS TO OBJECT TO TRANSFERS.—Section 104(d)(2) of the National Security Act of 1947 (50 U.S.C. 403–4(d)(2)) is amended—

(1) by inserting ''(A)'' after ''(2)'';

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

(3) in clause (v), as so redesignated, by striking ''the Secretary or head'' and inserting ''subject to subparagraph (B), the Secretary or head''; and

(4) by adding at the end the following new subparagraph:

''(B)(i) Except as provided in clause (ii), the authority to object to a transfer under subparagraph (A)(v) may not be delegated by the Secretary or head of the department involved.

''(ii) With respect to the Department of Defense, the authority to object to such a transfer may be delegated by the Secretary of Defense, but only to the Deputy Secretary of Defense.

''(iii) An objection to a transfer under subparagraph (A)(v) shall have no effect unless submitted to the Director of Central Intelligence in writing.''.

(b) LIMITATION ON DELEGATION OF DUTIES OF DIRECTOR OF CENTRAL INTELLIGENCE.—Section 104(d)(1) of such Act (50 U.S.C. 403–4(d)(1)) is amended—

(1) by inserting ''(A)'' after ''(1)''; and

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

''(B) The Director may only delegate any duty or authority given the Director under this subsection to the Deputy Director of Central Intelligence for Community Management.''.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2001 the sum of $216,000,000.

TITLE III—GENERAL PROVISIONS

Subtitle A—Intelligence Community

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. SENSE OF THE CONGRESS ON INTELLIGENCE COMMUNITY CONTRACTING.

It is the sense of the Congress that the Director of Central Intelligence should continue to direct that elements of the intelligence community, whenever compatible with the national security interests of the United States and consistent with operational and security concerns related to the conduct of intelligence activities, and where fiscally sound, should competitively award contracts in a manner that maximizes the procurement of products properly designated as having been made in the United States.

SEC. 304. PROHIBITION ON UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—Chapter 37 of title 18, United States Code, is amended—

(1) by redesignating section 798A as section 798B; and

(2) by inserting after section 798 the following new section 798A:

''§ 798A. Unauthorized disclosure of classified information

''(a) PROHIBITION.—Whoever, being an officer or employee of the United States, a former or retired officer or employee of the United States, any other person with authorized access to classified information, or any other person formerly with authorized access to classified information, knowingly and willfully discloses, or attempts to disclose, any classified information acquired as a result of such person's authorized access to classified information to a person (other than an officer or employee of the United States) who is not authorized access to such classified information, knowing that the person is not authorized access to such classified information, shall be fined under this title, imprisoned not more than 3 years, or both.

''(b) CONSTRUCTION OF PROHIBITION.—Nothing in this section shall be construed to establish criminal liability for disclosure of classified information in accordance with applicable law to the following:

''(1) Any justice or judge of a court of the United States established pursuant to article III of the Constitution of the United States.

''(2) The Senate or House of Representatives, or any committee or subcommittee thereof, or joint committee thereof, or any Member of Congress.

''(3) A person or persons acting on behalf of a foreign power (including an international organization) if the disclosure—

''(A) is made by an officer or employee of the United States who has been authorized to make the disclosure; and

''(B) is within the scope of such officer's or employee's duties.

''(4) Any other person authorized to receive the classified information.

''(c) DEFINITIONS.—In this section:

''(1) The term 'authorized', in the case of access to classified information, means having authority or permission to have access to the classified information pursuant to the provisions of a statute, Executive order, regulation, or directive of the head of any department or agency who is empowered to classify information, an order of any United States court, or a provision of any Resolution of the Senate or Rule of the House of Representatives which governs release of classified information by such House of Congress.

''(2) The term 'classified information' means information or material properly classified and clearly marked or represented, or that the person knows or has reason to believe has been properly classified by appropriate authorities, pursuant to the provisions of a statute or Executive order, as requiring protection against unauthorized disclosure for reasons of national security.

''(3) The term 'officer or employee of the United States' means the following:

''(A) An officer or employee (as those terms are defined in sections 2104 and 2105 of title 5).

''(B) An officer or enlisted member of the Armed Forces (as those terms are defined in section 101(b) of title 10).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of that chapter is amended by striking the item relating to section 798A and inserting the following new items:

''798A. Unauthorized disclosure of classified information.

''798B. Temporary extension of section 794.''.

SEC. 305. AUTHORIZATION FOR TRAVEL ON ANY COMMON CARRIER FOR CERTAIN INTELLIGENCE COLLECTION PERSONNEL.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended by adding at the end the following new section:

''TRAVEL ON ANY COMMON CARRIER FOR CERTAIN INTELLIGENCE COLLECTION PERSONNEL

''SEC. 116. (a) IN GENERAL.—Notwithstanding any other provision of law, the Director of Central Intelligence may authorize travel on any common carrier when such travel, in the discretion of the Director—

''(1) is consistent with intelligence community mission requirements, or

''(2) is required for cover purposes, operational needs, or other exceptional circumstances necessary for the successful performance of an intelligence community mission.

''(b) AUTHORIZED DELEGATION OF DUTY.—The Director may only delegate the authority granted by this section to the Deputy Director of Central Intelligence, or with respect to employees of the Central Intelligence Agency the Director may delegate such authority to the Deputy Director for Operations.''.

(b) CLERICAL AMENDMENT.—The table of contents for the National Security Act of 1947 is amended by inserting after the item relating to section 115 the following new item:

''Sec. 116. Travel on any common carrier for certain intelligence collection personnel.''.

SEC. 306. UPDATE OF REPORT ON EFFECTS OF FOREIGN ESPIONAGE ON UNITED STATES TRADE SECRETS.

Not later than 270 days after the date of the enactment of this Act, the Director of Central Intelligence shall submit to Congress a report that updates and revises, as necessary, the report prepared by the Director pursuant to section 310 of the Intelligence Authorization Act for Fiscal Year 2000 (Public Law 106–120; 113 Stat. 1606).

SEC. 307. POW/MIA ANALYTIC CAPABILITY WITHIN THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.), as amended by section 305(a), is further amended by adding at the end the following:

''POW/MIA ANALYTIC CAPABILITY

''SEC. 117. (a) REQUIREMENT.—(1) The Director of Central Intelligence shall, in consultation with the Secretary of Defense, establish and maintain in the intelligence community an analytic capability with responsibility for intelligence in support of the activities of the United

States relating to individuals who, after December 31, 1990, are unaccounted for United States personnel.

''(2) The analytic capability maintained under paragraph (1) shall be known as the 'POW/MIA analytic capability of the intelligence community'.

''(b) UNACCOUNTED FOR UNITED STATES PERSONNEL.—In this section, the term 'unaccounted for United States personnel' means the following:

''(1) Any missing person (as that term is defined in section 1513(1) of title 10, United States Code).

''(2) Any United States national who was killed while engaged in activities on behalf of the United States and whose remains have not been repatriated to the United States.''.

(b) CLERICAL AMENDMENT.—The table of contents for the National Security Act of 1947, as amended by section 305(b), is further amended by inserting after the item relating to section 116 the following new item:

''Sec. 117. POW/MIA analytic capability.''.

SEC. 308. APPLICABILITY TO LAWFUL UNITED STATES INTELLIGENCE ACTIVITIES OF FEDERAL LAWS IMPLEMENTING INTERNATIONAL TREATIES AND AGREEMENTS.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding at the end the following new title:

''TITLE X—ADDITIONAL MISCELLANEOUS PROVISIONS

''APPLICABILITY TO UNITED STATES INTELLIGENCE ACTIVITIES OF FEDERAL LAWS IMPLEMENTING INTERNATIONAL TREATIES AND AGREEMENTS

''SEC. 1001. (a) IN GENERAL.—No Federal law enacted on or after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2001 that implements a treaty or other international agreement shall be construed as making unlawful an otherwise lawful and authorized intelligence activity of the United States Government or its employees, or any other person to the extent such other person is carrying out such activity on behalf of, and at the direction of, the United States, unless such Federal law specifically addresses such intelligence activity.

''(b) AUTHORIZED INTELLIGENCE ACTIVITIES.—An intelligence activity shall be treated as authorized for purposes of subsection (a) if the intelligence activity is authorized by an appropriate official of the United States Government, acting within the scope of the official duties of that official and in compliance with Federal law and any applicable Presidential directive.''.

(b) CLERICAL AMENDMENT.—The table of contents for the National Security Act of 1947 is amended by inserting at the end the following new items:

''TITLE X—ADDITIONAL MISCELLANEOUS PROVISIONS

''Sec. 1001. Applicability to United States intelligence activities of Federal laws implementing international treaties and agreements.''.

SEC. 309. LIMITATION ON HANDLING, RETENTION, AND STORAGE OF CERTAIN CLASSIFIED MATERIALS BY THE DEPARTMENT OF STATE.

(a) CERTIFICATION REGARDING FULL COMPLIANCE WITH REQUIREMENTS.—The Director of Central Intelligence shall certify to the appropriate committees of Congress whether or not each covered element of the Department of State is in full compliance with all applicable directives of the Director of Central Intelligence relating to the handling, retention, or storage of covered classified material.

(b) LIMITATION ON CERTIFICATION.—The Director of Central Intelligence may not certify a covered element of the Department of State as being in full compliance with the directives referred to in subsection (a) if the covered element is currently subject to a waiver of compliance with respect to any such directive.

(c) REPORT ON NONCOMPLIANCE.—Whenever the Director of Central Intelligence determines that a covered element of the Department of State is not in full compliance with any directive referred to in subsection (a), the Director shall promptly notify the appropriate committees of Congress of such determination.

(d) EFFECTS OF CERTIFICATION OF NON-FULL COMPLIANCE.—(1) Subject to subsection (e), effective as of January 1, 2001, a covered element of the Department of State may not retain or store covered classified material unless the Director has certified under subsection (a) as of such date that the covered element is in full compliance with the directives referred to in subsection (a).

(2) If the prohibition in paragraph (1) takes effect in accordance with that paragraph, the prohibition shall remain in effect until the date on which the Director certifies under subsection (a) that the covered element involved is in full compliance with the directives referred to in that subsection.

(e) WAIVER BY DIRECTOR OF CENTRAL INTELLIGENCE.—(1) The Director of Central Intelligence may waive the applicability of the prohibition in subsection (d) to an element of the Department of State otherwise covered by such prohibition if the Director determines that the waiver is in the national security interests of the United States.

(2) The Director shall submit to appropriate committees of Congress a report on each exercise of the waiver authority in paragraph (1).

(3) Each report under paragraph (2) with respect to the exercise of authority under paragraph (1) shall set forth the following:

(A) The covered element of the Department of State addressed by the waiver.

(B) The reasons for the waiver.

(C) The actions that will be taken to bring such element into full compliance with the directives referred to in subsection (a), including a schedule for completion of such actions.

(D) The actions taken by the Director to protect any covered classified material to be handled, retained, or stored by such element pending achievement of full compliance of such element with such directives.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means the following:

(A) The Select Committee on Intelligence and the Committee on Foreign Relations of the Senate.

(B) The Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives.

(2) The term ''covered classified material'' means any material classified at the Sensitive Compartmented Information (SCI) level.

(3) The term ''covered element of the Department of State'' means each element of the Department of State that handles, retains, or stores covered classified material.

(4) The term ''material'' means any data, regardless of physical form or characteristic, including written or printed matter, automated information systems storage media, maps, charts, paintings, drawings, films, photographs, engravings, sketches, working notes, papers, reproductions of any such things by any means or process, and sound, voice, magnetic, or electronic recordings.

(5) The term ''Sensitive Compartmented Information (SCI) level'', in the case of classified material, means a level of classification for information in such material concerning or derived from intelligence sources, methods, or analytical processes that requires such information to be handled within formal access control systems established by the Director of Central Intelligence.

SEC. 310. DESIGNATION OF DANIEL PATRICK MOYNIHAN PLACE.

(a) FINDINGS.—Congress finds that—

(1) during the second half of the twentieth century, Senator Daniel Patrick Moynihan promoted the importance of architecture and urban planning in the Nation's Capital, particularly with respect to the portion of Pennsylvania Avenue between the White House and the United States Capitol (referred to in this subsection as the ''Avenue'');

(2) Senator Moynihan has stressed the unique significance of the Avenue as conceived by Pierre Charles L'Enfant to be the ''grand axis'' of the Nation's Capital as well as a symbolic representation of the separate yet unified branches of the United States Government;

(3) through his service to the Ad Hoc Committee on Federal Office Space (1961–1962), as a member of the President's Council on Pennsylvania Avenue (1962–1964), and as vice-chairman of the President's Temporary Commission on Pennsylvania Avenue (1965–1969), and in his various capacities in the executive and legislative branches, Senator Moynihan has consistently and creatively sought to fulfill President Kennedy's recommendation of June 1, 1962, that the Avenue not become a ''solid phalanx of public and private office buildings which close down completely at night and on weekends,'' but that it be ''lively, friendly, and inviting, as well as dignified and impressive'';

(4)(A) Senator Moynihan helped draft a Federal architectural policy, known as the ''Guiding Principles for Federal Architecture,'' that recommends a choice of designs that are ''efficient and economical'' and that provide ''visual testimony to the dignity, enterprise, vigor, and stability'' of the United States Government; and

(B) the Guiding Principles for Federal Architecture further state that the ''development of an official style must be avoided. Design must flow from the architectural profession to the Government, and not vice versa.'';

(5) Senator Moynihan has encouraged—

(A) the construction of new buildings along the Avenue, such as the Ronald Reagan Building and International Trade Center; and

(B) the establishment of an academic institution along the Avenue, namely the Woodrow Wilson International Center for Scholars, a living memorial to President Wilson; and

(6) as Senator Moynihan's service in the Senate concludes, it is appropriate to commemorate his legacy of public service and his commitment to thoughtful urban design in the Nation's Capital.

(b) DESIGNATION.—The parcel of land located in the northwest quadrant of Washington, District of Columbia, and described in subsection (c) shall be known and designated as ''Daniel Patrick Moynihan Place''.

(c) BOUNDARIES.—The parcel of land described in this subsection is the portion of Woodrow Wilson Plaza (as designated by Public Law 103–284 (108 Stat. 1448)) that is bounded—

(1) on the west by the eastern facade of the Ronald Reagan Building and International Trade Center;

(2) on the east by the western facade of the Ariel Rios Building;

(3) on the north by the southern edge of the sidewalk abutting Pennsylvania Avenue; and

(4) on the south by the line that extends west to the facade of the Ronald Reagan Building and International Trade Center, from the point where the west facade of the Ariel Rios Building intersects the north end of the west hemicycle of that building.

(d) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the parcel of land described in subsection (c) shall be deemed to be a reference to Daniel Patrick Moynihan Place.

(e) MARKERS.—The Administrator of General Services shall erect appropriate gateways or other markers in Daniel Patrick Moynihan Place so denoting that place.

SEC. 311. NATIONAL SECURITY AGENCY VOLUNTARY SEPARATION ACT.

(a) IN GENERAL.—Title III of the National Security Act of 1947 (50 U.S.C. 405 et seq.) is amended by inserting at the beginning the following new section 301:

''NATIONAL SECURITY AGENCY VOLUNTARY SEPARATION

''SEC. 301. (a) SHORT TITLE.—This section may be cited as the 'National Security Agency Voluntary Separation Act'.

''(b) DEFINITIONS.—For purposes of this section—

''(1) the term 'Director' means the Director of the National Security Agency; and

''(2) the term 'employee' means an employee of the National Security Agency, serving under an appointment without time limitation, who has been currently employed by the National Security Agency for a continuous period of at least 12 months prior to the effective date of the program established under subsection (c), except that such term does not include—

''(A) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system for employees of the Government; or

''(B) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under any of the retirement systems referred to in subparagraph (A).

''(c) ESTABLISHMENT OF PROGRAM.—Notwithstanding any other provision of law, the Director, in his sole discretion, may establish a program under which employees may, after October 1, 2000, be eligible for early retirement, offered separation pay to separate from service voluntarily, or both.

''(d) EARLY RETIREMENT.—An employee who—

''(1) is at least 50 years of age and has completed 20 years of service; or

''(2) has at least 25 years of service,

may, pursuant to regulations promulgated under this section, apply and be retired from the National Security Agency and receive benefits in accordance with chapter 83 or 84 of title 5, United States Code, if the employee has not less than 10 years of service with the National Security Agency.

''(e) AMOUNT OF SEPARATION PAY AND TREATMENT FOR OTHER PURPOSES.—

''(1) AMOUNT.—Separation pay shall be paid in a lump sum and shall be equal to the lesser of—

''(A) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code, if the employee were entitled to payment under such section; or

''(B) $25,000.

''(2) TREATMENT.—Separation pay shall not—

''(A) be a basis for payment, and shall not be included in the computation, of any other type of Government benefit; and

''(B) be taken into account for the purpose of determining the amount of any severance pay to which an individual may be entitled under section 5595 of title 5, United States Code, based on any other separation.

''(f) REEMPLOYMENT RESTRICTIONS.—An employee who receives separation pay under such program may not be reemployed by the National Security Agency for the 12-month period beginning on the effective date of the employee's separation. An employee who receives separation pay under this section on the basis of a separation occurring on or after the date of the enactment of the Federal Workforce Restructuring Act of 1994 (Public Law 103–236; 108 Stat. 111) and accepts employment with the Government of the United States within 5 years after the date of the separation on which payment of the separation pay is based shall be required to repay the entire amount of the separation pay to the National Security Agency. If the employment is with an Executive agency (as defined by section 105 of title 5, United States Code), the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

''(g) BAR ON CERTAIN EMPLOYMENT.—

''(1) BAR.—An employee may not be separated from service under this section unless the employee agrees that the employee will not—

''(A) act as agent or attorney for, or otherwise represent, any other person (except the United States) in any formal or informal appearance before, or, with the intent to influence, make any oral or written communication on behalf of any other person (except the United States) to the National Security Agency; or

''(B) participate in any manner in the award, modification, or extension of any contract for property or services with the National Security Agency,

during the 12-month period beginning on the effective date of the employee's separation from service.

''(2) PENALTY.—An employee who violates an agreement under this subsection shall be liable to the United States in the amount of the separation pay paid to the employee pursuant to this section multiplied by the proportion of the 12-month period during which the employee was in violation of the agreement.

''(h) LIMITATIONS.—Under this program, early retirement and separation pay may be offered only—

''(1) with the prior approval of the Director;

''(2) for the period specified by the Director; and

''(3) to employees within such occupational groups or geographic locations, or subject to such other similar limitations or conditions, as the Director may require.

''(i) REGULATIONS.—Before an employee may be eligible for early retirement, separation pay, or both, under this section, the Director shall prescribe such regulations as may be necessary to carry out this section.

''(j) REPORTING REQUIREMENTS.—

''(1) NOTIFICATION.—The Director may not make an offer of early retirement, separation pay, or both, pursuant to this section until 15 days after submitting to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report describing the occupational groups or geographic locations, or other similar limitations or conditions, required by the Director under subsection (h), and includes the proposed regulations issued pursuant to subsection (i).

''(2) ANNUAL REPORT.—The Director shall submit to the President and the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate an annual report on the effectiveness and costs of carrying out this section.

''(k) REMITTANCE OF FUNDS.—In addition to any other payment that is required to be made under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, the National Security Agency shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund, an amount equal to 15 percent of the final basic pay of each employee to whom a voluntary separation payment has been or is to be paid under this section. The remittance required by this subsection shall be in lieu of any remittance required by section 4(a) of the Federal Workforce Restructuring Act of 1994 (5 U.S.C. 8331 note).''.

(b) CLERICAL AMENDMENT.—The table of contents for title III of the National Security Act of 1947 is amended by inserting at the beginning the following new item:

''Sec. 301. National Security Agency voluntary separation.''.

Subtitle B—Diplomatic Telecommunications Service Program Office (DTS-PO)

SEC. 321. REORGANIZATION OF DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE.

(a) REORGANIZATION.—Effective 60 days after the date of the enactment of this Act, the Diplomatic Telecommunications Service Program Office (DTS-PO) established pursuant to title V of Public Law 102–140 shall be reorganized in accordance with this subtitle.

(b) PURPOSE AND DUTIES OF DTS-PO.—The purpose and duties of DTS-PO shall be to carry out a program for the establishment and maintenance of a diplomatic telecommunications system and communications network (hereinafter in this subtitle referred to as ''DTS'') capable of providing multiple levels of service to meet the wide ranging needs of all United States Government agencies and departments at diplomatic facilities abroad, including national security needs for secure, reliable, and robust communications capabilities.

SEC. 322. PERSONNEL.

(a) ESTABLISHMENT OF POSITION OF CHIEF EXECUTIVE OFFICER.—

(1) IN GENERAL.—Effective 60 days after the date of the enactment of this Act, there is established the position of Chief Executive Officer of the Diplomatic Telecommunications Service Program Office (hereinafter in this subtitle referred to as the ''CEO'').

(2) QUALIFICATIONS.—

(A) IN GENERAL.—The CEO shall be an individual who—

(i) is a communications professional;

(ii) has served in the commercial telecommunications industry for at least 7 years;

(iii) has an extensive background in communications system design, maintenance, and support and a background in organizational management; and

(iv) submits to a background investigation and possesses the necessary qualifications to obtain a security clearance required to meet the highest United States Government security standards.

(B) LIMITATIONS.—The CEO may not be an individual who was an officer or employee of DTS-PO prior to the date of the enactment of this Act.

(3) APPOINTMENT AUTHORITY.—The CEO of DTS-PO shall be appointed by the Director of the Office of Management and Budget.

(4) FIRST APPOINTMENT.—

(i) DEADLINE.—The first appointment under this subsection shall be made not later than May 1, 2001.

(ii) LIMITATION ON USE OF FUNDS.—Of the funds available for DTS-PO on the date of the enactment of this Act, not more than 75 percent of such funds may be obligated or expended until a CEO is appointed under this subsection and assumes such position.

(iii) MAY NOT BE AN OFFICER OR EMPLOYEE OF FEDERAL GOVERNMENT.—The individual first appointed as CEO under this subtitle may not have been an officer or employee of the Federal government during the 1 year period immediately preceding such appointment.

(5) VACANCY.—In the event of a vacancy in the position of CEO or during the absence or disability of the CEO, the Director of the Office of Management and Budget may designate an officer or employee of DTS-PO to perform the duties of the position as the acting CEO.

(6) AUTHORITIES AND DUTIES.—

(A) IN GENERAL.—The CEO shall have responsibility for day-to-day management and operations of DTS, subject to the supervision of the Diplomatic Telecommunication Service Oversight Board established under this subtitle.

(B) SPECIFIC AUTHORITIES.—In carrying out the responsibility for day-to-day management and operations of DTS, the CEO shall, at a minimum, have—

(i) final decision-making authority for implementing DTS policy; and

(ii) final decision-making authority for managing all communications technology and security upgrades to satisfy DTS user requirements.

(C) CERTIFICATION REGARDING SECURITY.—The CEO shall certify to the appropriate congressional committees that the operational and communications security requirements and practices of DTS conform to the highest security requirements and practices required by any agency utilizing the DTS.

(D) REPORTS TO CONGRESS.—

(i) SEMIANNUAL REPORTS.—Beginning on August 1, 2001, and every 6 months thereafter, the CEO shall submit to the appropriate congressional committees of jurisdiction a report regarding the activities of DTS-PO during the preceding 6 months, the current capabilities of DTS-PO, and the priorities of DTS-PO for the subsequent 6 month period. Each report shall include a discussion about any administrative, budgetary, or management issues that hinder the ability of DTS-PO to fulfill its mandate.

(ii) OTHER REPORTS.—In addition to the report required by clause (i), the CEO shall keep the appropriate congressional committees of jurisdiction fully and currently informed with regard to DTS-PO activities, particularly with regard to any significant security infractions or major outages in the DTS.

(b) ESTABLISHMENT OF POSITIONS OF DEPUTY EXECUTIVE OFFICER.—

(1) IN GENERAL.—There shall be 2 Deputy Executive Officers of the Diplomatic Telecommunications Service Program Office, each to be appointed by the President.

(2) DUTIES.—The Deputy Executive Officers shall perform such duties as the CEO may require.

(c) TERMINATION OF POSITIONS OF DIRECTOR AND DEPUTY DIRECTOR.—Effective upon the first appointment of a CEO pursuant to subsection (a), the positions of Director and Deputy Director of DTS-PO shall terminate.

(d) EMPLOYEES OF DTS-PO.—

(1) IN GENERAL.—DTS-PO is authorized to have the following employees: a CEO established under subsection (a), 2 Deputy Executive Officers established under subsection (b), and not more than 4 other employees.

(2) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The CEO and other officers and employees of DTS-PO may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(3) AUTHORITY OF DIRECTOR OF OMB TO PRESCRIBE PAY OF EMPLOYEES.—The Director of the Office of Management and Budget shall prescribe the rates of basic pay for positions to which employees are appointed under this section on the basis of their unique qualifications.

(e) STAFF OF FEDERAL AGENCIES.—

(1) IN GENERAL.—Upon request of the CEO, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to DTS-PO to assist it in carrying out its duties under this subtitle.

(2) CONTINUATION OF SERVICE.—An employee of a Federal department or agency who was performing services on behalf of DTS-PO prior to the effective date of the reorganization under this subtitle shall continue to be detailed to DTS-PO after that date, upon request.

SEC. 323. DIPLOMATIC TELECOMMUNICATIONS SERVICE OVERSIGHT BOARD.

(a) OVERSIGHT BOARD ESTABLISHED.—

(1) IN GENERAL.—There is hereby established the Diplomatic Telecommunications Service Oversight Board (hereinafter in this subtitle referred to as the ''Board'') as an instrumentality of the United States with the powers and authorities herein provided.

(2) STATUS.—The Board shall oversee and monitor the operations of DTS-PO and shall be accountable for the duties assigned to DTS-PO under this subtitle.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Board shall consist of 3 members as follows:

(i) The Deputy Director of the Office of Management and Budget.

(ii) 2 members to be appointed by the President.

(B) CHAIRPERSON.—The chairperson of the Board shall be the Deputy Director of the Office of Management and Budget.

(C) TERMS.—Members of the Board appointed by the President shall serve at the pleasure of the President.

(D) QUORUM REQUIRED.—A quorum shall consist of all members of the Board and all decisions of the Board shall require a majority vote.

(4) PROHIBITION ON COMPENSATION.—Members of the Board may not receive additional pay, allowances, or benefits by reason of their service on the Board.

(5) DUTIES AND AUTHORITIES.—The Board shall have the following duties and authorities with respect to DTS-PO:

(A) To review and approve overall strategies, policies, and goals established by DTS-PO for its activities.

(B) To review and approve financial plans, budgets, and periodic financing requests developed by DTS-PO.

(C) To review the overall performance of DTS-PO on a periodic basis, including its work, management activities, and internal controls, and the performance of DTS-PO relative to approved budget plans.

(D) To require from DTS-PO any reports, documents, and records the Board considers necessary to carry out its oversight responsibilities.

(E) To evaluate audits of DTS-PO.

(6) LIMITATION ON AUTHORITY.—The CEO shall have the authority, without any prior review or approval by the Board, to make such determinations as the CEO considers appropriate and take such actions as the CEO considers appropriate with respect to the day-to-day management and operation of DTS-PO and to carry out the reforms of DTS-PO authorized by section 305 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 305 of appendix G of Public Law 106–113).

SEC. 324. GENERAL PROVISIONS.

(a) REPORT TO CONGRESS.—Not later than March 1, 2001, the Director of the Office of Management and Budget shall submit to the appropriate congressional committees of jurisdiction a report which includes the following elements with respect to DTS-PO:

(1) Clarification of the process for the CEO to report to the Board.

(2) Details of the CEO's duties and responsibilities.

(3) Details of the compensation package for the CEO and other employees of DTS-PO.

(4) Recommendations to the Overseas Security Policy Board (OSPB) for updates.

(5) Security standards for information technology.

(6) The upgrade precedence plan for overseas posts with national security interests.

(7) A spending plan for the additional funds provided for the operation and improvement of DTS for fiscal year 2001.

(b) NOTIFICATION REQUIREMENTS.—The notification requirements of sections 502 and 505 of the National Security Act of 1947 shall apply to DTS-PO and the Board.

(c) PROCUREMENT AUTHORITY OF DTS-PO.—The procurement authorities of any of the users of DTS shall be available to the DTS-PO.

(d) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES OF JURISDICTION.—As used in this subtitle, the term ''appropriate congressional committees of jurisdiction'' means the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate and the Committee on Appropriations, the Committee on International Relations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(e) STATUTORY CONSTRUCTION.—Nothing in this subtitle shall be construed to negate or to reduce the statutory obligations of any United States department or agency head.

(f) AUTHORIZATION OF APPROPRIATIONS FOR DTS-PO.—For each of the fiscal years 2002 through 2006, there are authorized to be appropriated directly to DTS-PO such sums as may be necessary to carry out the management, oversight, and security requirements of this subtitle.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. MODIFICATIONS TO CENTRAL INTELLIGENCE AGENCY'S CENTRAL SERVICES PROGRAM.

(a) DEPOSITS IN CENTRAL SERVICES WORKING CAPITAL FUND.—Subsection (c)(2) of section 21 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403u(c)(2)) is amended—

(1) by redesignating subparagraph (F) as subparagraph (H); and

(2) by inserting after subparagraph (E) the following new subparagraphs:

''(F) Receipts from individuals in reimbursement for utility services and meals provided under the program.

''(G) Receipts from individuals for the rental of property and equipment under the program.''.

(b) CLARIFICATION OF COSTS RECOVERABLE UNDER PROGRAM.—Subsection (e)(1) of that section is amended in the second sentence by inserting ''other than structures owned by the Agency'' after ''depreciation of plant and equipment''.

(c) FINANCIAL STATEMENTS OF PROGRAM.—Subsection (g)(2) of that section is amended in the first sentence by striking ''annual audits under paragraph (1)'' and inserting the following: ''financial statements to be prepared with respect to the program. Office of Management and Budget guidance shall also determine the procedures for conducting annual audits under paragraph (1).''.

SEC. 402. TECHNICAL CORRECTIONS.

(a) CLARIFICATION REGARDING REPORTS ON EXERCISE OF AUTHORITY.—Section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q) is amended—

(1) in subsection (d)(1), by striking subparagraph (E) and inserting the following new subparagraph (E):

''(E) a description of the exercise of the subpoena authority under subsection (e)(5) by the Inspector General during the reporting period; and''; and

(2) in subsection (e)(5), by striking subparagraph (E).

(b) TERMINOLOGY WITH RESPECT TO GOVERNMENT AGENCIES.—Section 17(e)(8) of such Act (50 U.S.C. 403q(e)(8)) is amended by striking ''Federal'' each place it appears and inserting ''Government''.

SEC. 403. EXPANSION OF INSPECTOR GENERAL ACTIONS REQUIRING A REPORT TO CONGRESS.

Section 17(d)(3) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q(d)(3)) is amended by striking all that follows after subparagraph (A) and inserting the following:

''(B) an investigation, inspection, or audit carried out by the Inspector General should focus on any current or former Agency official who—

''(i) holds or held a position in the Agency that is subject to appointment by the President, by and with the advise and consent of the Senate, including such a position held on an acting basis; or

''(ii) holds or held the position in the Agency, including such a position held on an acting basis, of—

''(I) Executive Director;

''(II) Deputy Director for Operations;

''(III) Deputy Director for Intelligence;

''(IV) Deputy Director for Administration; or

''(V) Deputy Director for Science and Technology;

''(C) a matter requires a report by the Inspector General to the Department of Justice on possible criminal conduct by a current or former Agency official described or referred to in subparagraph (B);

''(D) the Inspector General receives notice from the Department of Justice declining or approving prosecution of possible criminal conduct of any of the officials described in subparagraph (B); or

''(E) the Inspector General, after exhausting all possible alternatives, is unable to obtain significant documentary information in the course of an investigation, inspection, or audit,

the Inspector General shall immediately notify and submit a report on such matter to the intelligence committees.''.

SEC. 404. DETAIL OF EMPLOYEES TO THE NATIONAL RECONNAISSANCE OFFICE.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.) is amended by adding at the end the following new section:

''DETAIL OF EMPLOYEES

''SEC. 22. The Director may—

''(1) detail any personnel of the Agency on a reimbursable basis indefinitely to the National Reconnaissance Office without regard to any limitation under law on the duration of details of Federal Government personnel; and

''(2) hire personnel for the purpose of any detail under paragraph (1).''.

SEC. 405. TRANSFERS OF FUNDS TO OTHER AGENCIES FOR ACQUISITION OF LAND.

(a) IN GENERAL.—Section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f) is amended by adding at the end the following new subsection:

''(c) TRANSFERS FOR ACQUISITION OF LAND.—(1) Sums appropriated or otherwise made available to the Agency for the acquisition of land that are transferred to another department or agency for that purpose shall remain available for 3 years.

''(2) The Director shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives an annual report on the transfers of sums described in paragraph (1).''.

(b) CONFORMING STYLISTIC AMENDMENTS.—That section is further amended—

(1) in subsection (a), by inserting ''IN GENERAL.—'' after ''(a)''; and

(2) in subsection (b), by inserting ''SCOPE OF AUTHORITY FOR EXPENDITURE.—'' after ''(b)''.

(c) APPLICABILITY.—Subsection (c) of section 5 of the Central Intelligence Agency Act of 1949, as added by subsection (a) of this section, shall apply with respect to amounts appropriated or otherwise made available for the Central Intelligence Agency for fiscal years after fiscal year 2000.

SEC. 406. ELIGIBILITY OF ADDITIONAL EMPLOYEES FOR REIMBURSEMENT FOR PROFESSIONAL LIABILITY INSURANCE.

(a) IN GENERAL.—Notwithstanding any provision of title VI, section 636 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (5 U.S.C. prec. 5941 note), the Director of Central Intelligence may—

(1) designate as qualified employees within the meaning of subsection (b) of that section appropriate categories of employees not otherwise covered by that subsection; and

(2) use appropriated funds available to the Director to reimburse employees within categories so designated for one-half of the costs incurred by such employees for professional liability insurance in accordance with subsection (a) of that section.

(b) REPORTS.—The Director of Central Intelligence shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee of Intelligence of the House of Representatives a report on each designation of a category of employees under paragraph (1) of subsection (a), including the approximate number of employees covered by such designation and an estimate of the amount to be expended on reimbursement of such employees under paragraph (2) of that subsection.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. CONTRACTING AUTHORITY FOR THE NATIONAL RECONNAISSANCE OFFICE.

(a) IN GENERAL.—The National Reconnaissance Office (''NRO'') shall negotiate, write, execute, and manage contracts for launch vehicle acquisition or launch that affect or bind the NRO and to which the United States is a party.

(b) EFFECTIVE DATE.—This section shall apply to any contract described in subsection (a) that is entered into after the date of the enactment of this Act.

(c) RETROACTIVITY.—This section shall not apply to any contract described in subsection (a) in effect as of the date of the enactment of this Act.

SEC. 502. ROLE OF DIRECTOR OF CENTRAL INTELLIGENCE IN EXPERIMENTAL PERSONNEL PROGRAM FOR CERTAIN SCIENTIFIC AND TECHNICAL PERSONNEL.

If the Director of Central Intelligence requests that the Secretary of Defense exercise any authority available to the Secretary under section 1101(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note) to carry out a program of special personnel management authority at the National Imagery and Mapping Agency and the National Security Agency in order to facilitate recruitment of eminent experts in science and engineering at such agencies, the Secretary shall respond to such request not later than 30 days after the date of such request.

SEC. 503. MEASUREMENT AND SIGNATURE INTELLIGENCE.

(a) STUDY OF OPTIONS.—The Director of Central Intelligence shall, in coordination with the Secretary of Defense, conduct a study of the utility and feasibility of various options for improving the management and organization of measurement and signature intelligence, including—

(1) the option of establishing a centralized tasking, processing, exploitation, and dissemination facility for measurement and signature intelligence;

(2) options for recapitalizing and reconfiguring the current systems for measurement and signature intelligence; and

(3) the operation and maintenance costs of the various options.

(b) REPORT.—Not later than April 1, 2001, the Director and the Secretary shall jointly submit to the appropriate committees of Congress a report on their findings as a result of the study required by subsection (a). The report shall set forth any recommendations that the Director and the Secretary consider appropriate.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means the following:

(1) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(2) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

TITLE VI—COUNTERINTELLIGENCE MATTERS

SEC. 601. SHORT TITLE.

This title may be cited as the ''Counterintelligence Reform Act of 2000''.

SEC. 602. ORDERS FOR ELECTRONIC SURVEILLANCE UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) REQUIREMENTS REGARDING CERTAIN APPLICATIONS.—Section 104 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804) is amended by adding at the end the following new subsection:

''(e)(1)(A) Upon written request of the Director of the Federal Bureau of Investigation, the Secretary of Defense, the Secretary of State, or the Director of Central Intelligence, the Attorney General shall personally review under subsection (a) an application under that subsection for a target described in section 101(b)(2).

''(B) Except when disabled or otherwise unavailable to make a request referred to in subparagraph (A), an official referred to in that subparagraph may not delegate the authority to make a request referred to in that subparagraph.

''(C) Each official referred to in subparagraph (A) with authority to make a request under that subparagraph shall take appropriate actions in advance to ensure that delegation of such authority is clearly established in the event such official is disabled or otherwise unavailable to make such request.

''(2)(A) If as a result of a request under paragraph (1) the Attorney General determines not to approve an application under the second sentence of subsection (a) for purposes of making the application under this section, the Attorney General shall provide written notice of the determination to the official making the request for the review of the application under that paragraph. Except when disabled or otherwise unavailable to make a determination under the preceding sentence, the Attorney General may not delegate the responsibility to make a determination under that sentence. The Attorney General shall take appropriate actions in advance to ensure that delegation of such responsibility is clearly established in the event the Attorney General is disabled or otherwise unavailable to make such determination.

''(B) Notice with respect to an application under subparagraph (A) shall set forth the modifications, if any, of the application that are necessary in order for the Attorney General to approve the application under the second sentence of subsection (a) for purposes of making the application under this section.

''(C) Upon review of any modifications of an application set forth under subparagraph (B), the official notified of the modifications under this paragraph shall modify the application if such official determines that such modification is warranted. Such official shall supervise the making of any modification under this subparagraph. Except when disabled or otherwise unavailable to supervise the making of any modification under the preceding sentence, such official may not delegate the responsibility to supervise the making of any modification under that preceding sentence. Each such official shall take appropriate actions in advance to ensure that delegation of such responsibility is clearly established in the event such official is disabled or otherwise unavailable to supervise the making of such modification.''.

(b) PROBABLE CAUSE.—Section 105 of that Act (50 U.S.C. 1805) is amended—

(1) by redesignating subsections (b), (c), (d), (e), (f), and (g) as subsections (c), (d), (e), (f), (g), and (h), respectively;

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

''(b) In determining whether or not probable cause exists for purposes of an order under subsection (a)(3), a judge may consider past activities of the target, as well as facts and circumstances relating to current or future activities of the target.''; and

(3) in subsection (d), as redesignated by paragraph (1), by striking ''subsection (b)(1)'' and inserting ''subsection (c)(1)''.

SEC. 603. ORDERS FOR PHYSICAL SEARCHES UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) REQUIREMENTS REGARDING CERTAIN APPLICATIONS.—Section 303 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1823) is amended by adding at the end the following new subsection:

''(d)(1)(A) Upon written request of the Director of the Federal Bureau of Investigation, the

Secretary of Defense, the Secretary of State, or the Director of Central Intelligence, the Attorney General shall personally review under subsection (a) an application under that subsection for a target described in section 101(b)(2).

''(B) Except when disabled or otherwise unavailable to make a request referred to in subparagraph (A), an official referred to in that subparagraph may not delegate the authority to make a request referred to in that subparagraph.

''(C) Each official referred to in subparagraph (A) with authority to make a request under that subparagraph shall take appropriate actions in advance to ensure that delegation of such authority is clearly established in the event such official is disabled or otherwise unavailable to make such request.

''(2)(A) If as a result of a request under paragraph (1) the Attorney General determines not to approve an application under the second sentence of subsection (a) for purposes of making the application under this section, the Attorney General shall provide written notice of the determination to the official making the request for the review of the application under that paragraph. Except when disabled or otherwise unavailable to make a determination under the preceding sentence, the Attorney General may not delegate the responsibility to make a determination under that sentence. The Attorney General shall take appropriate actions in advance to ensure that delegation of such responsibility is clearly established in the event the Attorney General is disabled or otherwise unavailable to make such determination.

''(B) Notice with respect to an application under subparagraph (A) shall set forth the modifications, if any, of the application that are necessary in order for the Attorney General to approve the application under the second sentence of subsection (a) for purposes of making the application under this section.

''(C) Upon review of any modifications of an application set forth under subparagraph (B), the official notified of the modifications under this paragraph shall modify the application if such official determines that such modification is warranted. Such official shall supervise the making of any modification under this subparagraph. Except when disabled or otherwise unavailable to supervise the making of any modification under the preceding sentence, such official may not delegate the responsibility to supervise the making of any modification under that preceding sentence. Each such official shall take appropriate actions in advance to ensure that delegation of such responsibility is clearly established in the event such official is disabled or otherwise unavailable to supervise the making of such modification.''.

(b) PROBABLE CAUSE.—Section 304 of that Act (50 U.S.C. 1824) is amended—

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

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

''(b) In determining whether or not probable cause exists for purposes of an order under subsection (a)(3), a judge may consider past activities of the target, as well as facts and circumstances relating to current or future activities of the target.''.

SEC. 604. DISCLOSURE OF INFORMATION ACQUIRED UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 FOR LAW ENFORCEMENT PURPOSES.

(a) INCLUSION OF INFORMATION ON DISCLOSURE IN SEMIANNUAL OVERSIGHT REPORT.—Section 108(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1808(a)) is amended—

(1) by inserting ''(1)'' after ''(a)''; and

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

''(2) Each report under the first sentence of paragraph (1) shall include a description of—

''(A) each criminal case in which information acquired under this Act has been passed for law enforcement purposes during the period covered by such report; and

''(B) each criminal case in which information acquired under this Act has been authorized for use at trial during such reporting period.''.

(b) REPORT ON MECHANISMS FOR DETERMINATIONS OF DISCLOSURE OF INFORMATION FOR LAW ENFORCEMENT PURPOSES.—(1) The Attorney General shall submit to the appropriate committees of Congress a report on the authorities and procedures utilized by the Department of Justice for determining whether or not to disclose information acquired under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) for law enforcement purposes.

(2) In this subsection, the term ''appropriate committees of Congress'' means the following:

(A) The Select Committee on Intelligence and the Committee on the Judiciary of the Senate.

(B) The Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.

SEC. 605. COORDINATION OF COUNTERINTELLIGENCE WITH THE FEDERAL BUREAU OF INVESTIGATION.

(a) TREATMENT OF CERTAIN SUBJECTS OF INVESTIGATION.—Subsection (c) of section 811 of the Intelligence Authorization Act for Fiscal Year 1995 (50 U.S.C. 402a) is amended—

(1) in paragraphs (1) and (2), by striking ''paragraph (3)'' and inserting ''paragraph (5)'';

(2) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (5), (6), (7), and (8), respectively;

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3)(A) The Director of the Federal Bureau of Investigation shall submit to the head of the department or agency concerned a written assessment of the potential impact of the actions of the department or agency on a counterintelligence investigation.

''(B) The head of the department or agency concerned shall—

''(i) use an assessment under subparagraph (A) as an aid in determining whether, and under what circumstances, the subject of an investigation under paragraph (1) should be left in place for investigative purposes; and

''(ii) notify in writing the Director of the Federal Bureau of Investigation of such determination.

''(C) The Director of the Federal Bureau of Investigation and the head of the department or agency concerned shall continue to consult, as appropriate, to review the status of an investigation covered by this paragraph, and to reassess, as appropriate, a determination of the head of the department or agency concerned to leave a subject in place for investigative purposes.''; and

(4) in paragraph (5), as so redesignated, by striking ''paragraph (1) or (2)'' and inserting ''paragraph (1), (2), or (3)''.

(b) TIMELY PROVISION OF INFORMATION AND CONSULTATION ON ESPIONAGE INVESTIGATIONS.—Paragraph (2) of that subsection is further amended—

(1) by inserting ''in a timely manner'' after ''through appropriate channels''; and

(2) by inserting ''in a timely manner'' after ''are consulted''.

(c) INTERFERENCE WITH FULL FIELD ESPIONAGE INVESTIGATIONS.—That subsection is further amended by inserting after paragraph (3), as amended by subsection (a) of this section, the following new paragraph (4):

''(4)(A) The Federal Bureau of Investigation shall notify appropriate officials within the executive branch, including the head of the department or agency concerned, of the commencement of a full field espionage investigation with respect to an employee within the executive branch.

''(B) A department or agency may not conduct a polygraph examination, interrogate, or otherwise take any action that is likely to alert an employee covered by a notice under subparagraph (A) of an investigation described in that subparagraph without prior coordination and consultation with the Federal Bureau of Investigation.''.

SEC. 606. ENHANCING PROTECTION OF NATIONAL SECURITY AT THE DEPARTMENT OF JUSTICE.

(a) AUTHORIZATION FOR INCREASED RESOURCES TO FULFILL NATIONAL SECURITY MISSION OF THE DEPARTMENT OF JUSTICE.—There are authorized to be appropriated to the Department of Justice for the activities of the Office of Intelligence Policy and Review to help meet the increased personnel demands to combat terrorism, process applications to the Foreign Intelligence Surveillance Court, participate effectively in counter-espionage investigations, provide policy analysis on national security issues, and enhance secure computer and telecommunications facilities—

(1) $7,000,000 for fiscal year 2001;

(2) $7,500,000 for fiscal year 2002; and

(3) $8,000,000 for fiscal year 2003.

(b) AVAILABILITY OF FUNDS.—(1) No funds authorized to be appropriated by subsection (a) for the Office of Intelligence Policy and Review for fiscal years 2002 and 2003 may be obligated or expended until the date on which the Attorney General submits the report required by paragraph (2) for the year involved.

(2)(A) The Attorney General shall submit to the committees of Congress specified in subparagraph (B) an annual report on the manner in which the funds authorized to be appropriated by subsection (a) for the Office of Intelligence Policy and Review will be used by that Office—

(i) to improve and strengthen its oversight of Federal Bureau of Investigation field offices in the implementation of orders under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.); and

(ii) to streamline and increase the efficiency of the application process under that Act.

(B) The committees of Congress referred to in this subparagraph are the following:

(i) The Select Committee on Intelligence and the Committee on the Judiciary of the Senate.

(ii) The Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.

(3) In addition to the report required by paragraph (2), the Attorney General shall also submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report that addresses the issues identified in the semiannual report of the Attorney General to such committees under section 108(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1808(a)) that was submitted in April 2000, including any corrective actions with regard to such issues. The report under this paragraph shall be submitted in classified form.

(4) Funds made available pursuant to subsection (a), in any fiscal year, shall remain available until expended.

(c) REPORT ON COORDINATING NATIONAL SECURITY AND INTELLIGENCE FUNCTIONS WITHIN THE DEPARTMENT OF JUSTICE.—The Attorney General shall report to the committees of Congress specified in subsection (b)(2)(B) within 120 days on actions that have been or will be taken by the Department to—

(1) promote quick and efficient responses to national security issues;

(2) centralize a point-of-contact within the Department on national security matters for external entities and agencies; and

(3) coordinate the dissemination of intelligence information within the appropriate components of the Department and the formulation of policy on national security issues.

SEC. 607. COORDINATION REQUIREMENTS RELATING TO THE PROSECUTION OF CASES INVOLVING CLASSIFIED INFORMATION.

The Classified Information Procedures Act (18 U.S.C. App.) is amended by inserting after section 9 the following new section:

''COORDINATION REQUIREMENTS RELATING TO THE PROSECUTION OF CASES INVOLVING CLASSIFIED INFORMATION

''SEC. 9A. (a) BRIEFINGS REQUIRED.—The Assistant Attorney General for the Criminal Division and the appropriate United States attorney, or the designees of such officials, shall provide briefings to the senior agency official, or the designee of such official, with respect to any case involving classified information that originated in the agency of such senior agency official.

''(b) TIMING OF BRIEFINGS.—Briefings under subsection (a) with respect to a case shall occur—

''(1) as soon as practicable after the Department of Justice and the United States attorney concerned determine that a prosecution or potential prosecution could result; and

''(2) at such other times thereafter as are necessary to keep the senior agency official concerned fully and currently informed of the status of the prosecution.

''(c) SENIOR AGENCY OFFICIAL DEFINED.—In this section, the term 'senior agency official' has the meaning given that term in section 1.1 of Executive Order No. 12958.''.

SEC. 608. SEVERABILITY.

If any provision of this title (including an amendment made by this title), or the application thereof, to any person or circumstance, is held invalid, the remainder of this title (including the amendments made by this title), and the application thereof, to other persons or circumstances shall not be affected thereby.

TITLE VII—DECLASSIFICATION OF INFORMATION

SEC. 701. SHORT TITLE.

This title may be cited as the ''Public Interest Declassification Act of 2000''.

SEC. 702. FINDINGS.

Congress makes the following findings:

(1) It is in the national interest to establish an effective, coordinated, and cost-effective means by which records on specific subjects of extraordinary public interest that do not undermine the national security interests of the United States may be collected, retained, reviewed, and disseminated to Congress, policymakers in the executive branch, and the public.

(2) Ensuring, through such measures, public access to information that does not require continued protection to maintain the national security interests of the United States is a key to striking the balance between secrecy essential to national security and the openness that is central to the proper functioning of the political institutions of the United States.

SEC. 703. PUBLIC INTEREST DECLASSIFICATION BOARD.

(a) ESTABLISHMENT.—There is established within the executive branch of the United States a board to be known as the ''Public Interest Declassification Board'' (in this title referred to as the ''Board'').

(b) PURPOSES.—The purposes of the Board are as follows:

(1) To advise the President, the Assistant to the President for National Security Affairs, the Director of the Office of Management and Budget, and such other executive branch officials as the Board considers appropriate on the systematic, thorough, coordinated, and comprehensive identification, collection, review for declassification, and release to Congress, interested agencies, and the public of declassified records and materials (including donated historical materials) that are of archival value, including records and materials of extraordinary public interest.

(2) To promote the fullest possible public access to a thorough, accurate, and reliable documentary record of significant United States national security decisions and significant United States national security activities in order to—

(A) support the oversight and legislative functions of Congress;

(B) support the policymaking role of the executive branch;

(C) respond to the interest of the public in national security matters; and

(D) promote reliable historical analysis and new avenues of historical study in national security matters.

(3) To provide recommendations to the President for the identification, collection, and review for declassification of information of extraordinary public interest that does not undermine the national security of the United States, to be undertaken in accordance with a declassification program that has been established or may be established by the President by Executive order.

(4) To advise the President, the Assistant to the President for National Security Affairs, the Director of the Office of Management and Budget, and such other executive branch officials as the Board considers appropriate on policies deriving from the issuance by the President of Executive orders regarding the classification and declassification of national security information.

(c) MEMBERSHIP.—(1) The Board shall be composed of nine individuals appointed from among citizens of the United States who are preeminent in the fields of history, national security, foreign policy, intelligence policy, social science, law, or archives, including individuals who have served in Congress or otherwise in the Federal Government or have otherwise engaged in research, scholarship, or publication in such fields on matters relating to the national security of the United States, of whom—

(A) five shall be appointed by the President;

(B) one shall be appointed by the Speaker of the House of Representatives;

(C) one shall be appointed by the majority leader of the Senate;

(D) one shall be appointed by the minority leader of the Senate; and

(E) one shall be appointed by the minority leader of the House of Representatives.

(2)(A) Of the members initially appointed to the Board by the President—

(i) three shall be appointed for a term of four years;

(ii) one shall be appointed for a term of three years; and

(iii) one shall be appointed for a term of two years.

(B) The members initially appointed to the Board by the Speaker of the House of Representatives or by the majority leader of the Senate shall be appointed for a term of three years.

(C) The members initially appointed to the Board by the minority leader of the House of Representatives or the Senate shall be appointed for a term of two years.

(D) Any subsequent appointment to the Board shall be for a term of three years.

(3) A vacancy in the Board shall be filled in the same manner as the original appointment. A member of the Board appointed to fill a vacancy before the expiration of a term shall serve for the remainder of the term.

(4) A member of the Board may be appointed to a new term on the Board upon the expiration of the member's term on the Board, except that no member may serve more than three full terms on the Board.

(d) CHAIRPERSON; EXECUTIVE SECRETARY.—(1)(A) The President shall designate one of the members of the Board as the Chairperson of the Board.

(B) The term of service as Chairperson of the Board shall be two years.

(C) A member serving as Chairperson of the Board may be redesignated as Chairperson of the Board upon the expiration of the member's term as Chairperson of the Board, except that no member shall serve as Chairperson of the Board for more than six years.

(2) The Director of the Information Security Oversight Office shall serve as the Executive Secretary of the Board.

(e) MEETINGS.—The Board shall meet as needed to accomplish its mission, consistent with the availability of funds. A majority of the members of the Board shall constitute a quorum.

(f) STAFF.—Any employee of the Federal Government may be detailed to the Board, with the agreement of and without reimbursement to the detailing agency, and such detail shall be without interruption or loss of civil, military, or foreign service status or privilege.

(g) SECURITY.—(1) The members and staff of the Board shall, as a condition of appointment to or employment with the Board, hold appropriate security clearances for access to the classified records and materials to be reviewed by the Board or its staff, and shall follow the guidance and practices on security under applicable Executive orders and Presidential or agency directives.

(2) The head of an agency shall, as a condition of granting access to a member of the Board, the Executive Secretary of the Board, or a member of the staff of the Board to classified records or materials of the agency under this title, require the member, the Executive Secretary, or the member of the staff, as the case may be, to—

(A) execute an agreement regarding the security of such records or materials that is approved by the head of the agency; and

(B) hold an appropriate security clearance granted or recognized under the standard procedures and eligibility criteria of the agency, including any special access approval required for access to such records or materials.

(3) The members of the Board, the Executive Secretary of the Board, and the members of the staff of the Board may not use any information acquired in the course of their official activities on the Board for nonofficial purposes.

(4) For purposes of any law or regulation governing access to classified information that pertains to the national security of the United States, and subject to any limitations on access arising under section 706(b), and to facilitate the advisory functions of the Board under this title, a member of the Board seeking access to a record or material under this title shall be deemed for purposes of this subsection to have a need to know the contents of the record or material.

(h) COMPENSATION.—(1) Each member of the Board shall receive compensation at a rate not to exceed the daily equivalent of the annual rate of basic pay payable for positions at ES–1 of the Senior Executive Service under section 5382 of title 5, United States Code, for each day such member is engaged in the actual performance of duties of the Board.

(2) Members of the Board shall be allowed travel expenses, including per diem in lieu of subsistence at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of the duties of the Board.

(i) GUIDANCE; ANNUAL BUDGET.—(1) On behalf of the President, the Assistant to the President for National Security Affairs shall provide guidance on policy to the Board.

(2) The Executive Secretary of the Board, under the direction of the Chairperson of the Board and the Board, and acting in consultation with the Archivist of the United States, the Assistant to the President for National Security Affairs, and the Director of the Office of Management and Budget, shall prepare the annual budget of the Board.

(j) SUPPORT.—The Information Security Oversight Office may support the activities of the Board under this title. Such support shall be provided on a reimbursable basis.

(k) PUBLIC AVAILABILITY OF RECORDS AND REPORTS.—(1) The Board shall make available for public inspection records of its proceedings and reports prepared in the course of its activities under this title to the extent such records and reports are not classified and would not be exempt from release under the provisions of section 552 of title 5, United States Code.

(2) In making records and reports available under paragraph (1), the Board shall coordinate the release of such records and reports with appropriate officials from agencies with expertise in classified information in order to ensure that such records and reports do not inadvertently contain classified information.

(l) APPLICABILITY OF CERTAIN ADMINISTRATIVE LAWS.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of the Board under this title. However, the records of the Board shall be governed by the provisions of the Federal Records Act of 1950.

SEC. 704. IDENTIFICATION, COLLECTION, AND REVIEW FOR DECLASSIFICATION OF INFORMATION OF ARCHIVAL VALUE OR EXTRAORDINARY PUBLIC INTEREST.

(a) BRIEFINGS ON AGENCY DECLASSIFICATION PROGRAMS.—(1) As requested by the Board, or by the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives, the head of any agency with the authority under an Executive order to classify information shall provide to the Board, the Select Committee on Intelligence of the Senate, or the Permanent Select Committee on Intelligence of the House of Representatives, on an annual basis, a summary briefing and report on such agency's progress and plans in the declassification of national security information. Such briefing shall cover the declassification goals set by statute, regulation, or policy, the agency's progress with respect to such goals, and the agency's planned goals and priorities for its declassification activities over the next two fiscal years. Agency briefings and reports shall give particular attention to progress on the declassification of records and materials that are of archival value or extraordinary public interest to the people of the United States.

(2)(A) The annual briefing and report under paragraph (1) for agencies within the Department of Defense, including the military departments and the elements of the intelligence community, shall be provided on a consolidated basis.

(B) In this paragraph, the term ''elements of the intelligence community'' means the elements of the intelligence community specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(b) RECOMMENDATIONS ON AGENCY DECLASSIFICATION PROGRAMS.—(1) Upon reviewing and discussing declassification plans and progress with an agency, the Board shall provide to the head of the agency the written recommendations of the Board as to how the agency's declassification program could be improved. A copy of each recommendation shall also be submitted to the Assistant to the President for National Security Affairs and the Director of the Office of Management and Budget.

(2) Consistent with the provisions of section 703(k), the Board's recommendations to the head of an agency under paragraph (1) shall become public 60 days after such recommendations are sent to the head of the agency under that paragraph.

(c) RECOMMENDATIONS ON SPECIAL SEARCHES FOR RECORDS OF EXTRAORDINARY PUBLIC INTEREST.—(1) The Board shall also make recommendations to the President regarding proposed initiatives to identify, collect, and review for declassification classified records and materials of extraordinary public interest.

(2) In making recommendations under paragraph (1), the Board shall consider the following:

(A) The opinions and requests of Members of Congress, including opinions and requests expressed or embodied in letters or legislative proposals.

(B) The opinions and requests of the National Security Council, the Director of Central Intelligence, and the heads of other agencies.

(C) The opinions of United States citizens.

(D) The opinions of members of the Board.

(E) The impact of special searches on systematic and all other on-going declassification programs.

(F) The costs (including budgetary costs) and the impact that complying with the recommendations would have on agency budgets, programs, and operations.

(G) The benefits of the recommendations.

(H) The impact of compliance with the recommendations on the national security of the United States.

(d) PRESIDENT'S DECLASSIFICATION PRIORITIES.—(1) Concurrent with the submission to Congress of the budget of the President each fiscal year under section 1105 of title 31, United States Code, the Director of the Office of Management and Budget shall publish a description of the President's declassification program and priorities, together with a listing of the funds requested to implement that program.

(2) Nothing in this title shall be construed to substitute or supersede, or establish a funding process for, any declassification program that has been established or may be established by the President by Executive order.

SEC. 705. PROTECTION OF NATIONAL SECURITY INFORMATION AND OTHER INFORMATION.

(a) IN GENERAL.—Nothing in this title shall be construed to limit the authority of the head of an agency to classify information or to continue the classification of information previously classified by that agency.

(b) SPECIAL ACCESS PROGRAMS.—Nothing in this title shall be construed to limit the authority of the head of an agency to grant or deny access to a special access program.

(c) AUTHORITIES OF DIRECTOR OF CENTRAL INTELLIGENCE.—Nothing in this title shall be construed to limit the authorities of the Director of Central Intelligence as the head of the intelligence community, including the Director's responsibility to protect intelligence sources and methods from unauthorized disclosure as required by section 103(c)(6) of the National Security Act of 1947 (50 U.S.C. 403–3(c)(6)).

(d) EXEMPTIONS TO RELEASE OF INFORMATION.—Nothing in this title shall be construed to limit any exemption or exception to the release to the public under this title of information that is protected under subsection (b) of section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''), or section 552a of title 5, United States Code (commonly referred to as the ''Privacy Act'').

(e) WITHHOLDING INFORMATION FROM CONGRESS.—Nothing in this title shall be construed to authorize the withholding of information from Congress.

SEC. 706. STANDARDS AND PROCEDURES.

(a) LIAISON.—(1) The head of each agency with the authority under an Executive order to classify information and the head of each Federal Presidential library shall designate an employee of such agency or library to act as liaison to the Board for purposes of this title.

(2) The Board may establish liaison and otherwise consult with such other historical and advisory committees as the Board considers appropriate for purposes of this title.

(b) LIMITATIONS ON ACCESS.—(1)(A) Except as provided in paragraph (2), if the head of an agency or the head of a Federal Presidential library determines it necessary to deny or restrict access of the Board, or of the agency or library liaison to the Board, to information contained in a record or material, in whole or in part, the head of the agency or the head of the library shall promptly notify the Board in writing of such determination.

(B) Each notice to the Board under subparagraph (A) shall include a description of the nature of the records or materials, and a justification for the determination, covered by such notice.

(2) In the case of a determination referred to in paragraph (1) with respect to a special access program created by the Secretary of Defense, the Director of Central Intelligence, or the head of any other agency, the notification of denial of access under paragraph (1), including a description of the nature of the Board's request for access, shall be submitted to the Assistant to the President for National Security Affairs rather than to the Board.

(c) DISCRETION TO DISCLOSE.—At the conclusion of a declassification review, the head of an agency may, in the discretion of the head of the agency, determine that the public's interest in the disclosure of records or materials of the agency covered by such review, and still properly classified, outweighs the Government's need to protect such records or materials, and may release such records or materials in accordance with the provisions of Executive Order 12958 or any successor order to such Executive Order.

(d) DISCRETION TO PROTECT.—At the conclusion of a declassification review, the head of an agency may, in the discretion of the head of the agency, determine that the interest of the agency in the protection of records or materials of the agency covered by such review, and still properly classified, outweighs the public's need for access to such records or materials, and may deny release of such records or materials in accordance with the provisions of Executive Order 12958 or any successor order to such Executive Order.

(e) REPORTS.—(1)(A) Except as provided in paragraph (2), the Board shall annually submit to the appropriate congressional committees a report on the activities of the Board under this title, including summary information regarding any denials to the Board by the head of an agency or the head of a Federal Presidential library of access to records or materials under this title.

(B) In this paragraph, the term ''appropriate congressional committees'' means the Select Committee on Intelligence and the Committee on Governmental Affairs of the Senate and the Permanent Select Committee on Intelligence and the Committee on Government Reform of the House of Representatives.

(2) Notwithstanding paragraph (1), notice that the Board has been denied access to records and materials, and a justification for the determination in support of the denial, shall be submitted by the agency denying the access as follows:

(A) In the case of the denial of access to a special access program created by the Secretary of Defense, to the Committees on Armed Services and Appropriations of the Senate and to the Committees on Armed Services and Appropriations of the House of Representatives.

(B) In the case of the denial of access to a special access program created by the Director of Central Intelligence, or by the head of any other agency (including the Department of Defense) if the special access program pertains to intelligence activities, or of access to any information and materials relating to intelligence sources and methods, to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(C) In the case of the denial of access to a special access program created by the Secretary of Energy or the Administrator for Nuclear Security, to the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate and to the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 707. JUDICIAL REVIEW.

Nothing in this title limits the protection afforded to any information under any other provision of law. This title is not intended and may not be construed to create any right or benefit, substantive or procedural, enforceable against the United States, its agencies, its officers, or its employees. This title does not modify in any way the substantive criteria or procedures for the classification of information, nor does this

title create any right or benefit subject to judicial review.

SEC. 708. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated to carry out the provisions of this title amounts as follows:

(1) For fiscal year 2001, $650,000.

(2) For each fiscal year after fiscal year 2001, such sums as may be necessary for such fiscal year.

(b) FUNDING REQUESTS.—The President shall include in the budget submitted to Congress for each fiscal year under section 1105 of title 31, United States Code, a request for amounts for the activities of the Board under this title during such fiscal year.

SEC. 709. DEFINITIONS.

In this title:

(1) AGENCY.—(A) Except as provided in subparagraph (B), the term ''agency'' means the following:

(i) An Executive agency, as that term is defined in section 105 of title 5, United States Code.

(ii) A military department, as that term is defined in section 102 of such title.

(iii) Any other entity in the executive branch that comes into the possession of classified information.

(B) The term does not include the Board.

(2) CLASSIFIED MATERIAL OR RECORD.—The terms ''classified material'' and ''classified record'' include any correspondence, memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microfilm, sound recording, videotape, machine readable records, and other documentary material, regardless of physical form or characteristics, that has been determined pursuant to Executive order to require protection against unauthorized disclosure in the interests of the national security of the United States.

(3) DECLASSIFICATION.—The term ''declassification'' means the process by which records or materials that have been classified are determined no longer to require protection from unauthorized disclosure to protect the national security of the United States.

(4) DONATED HISTORICAL MATERIAL.—The term ''donated historical material'' means collections of personal papers donated or given to a Federal Presidential library or other archival repository under a deed of gift or otherwise.

(5) FEDERAL PRESIDENTIAL LIBRARY.—The term ''Federal Presidential library'' means a library operated and maintained by the United States Government through the National Archives and Records Administration under the applicable provisions of the Federal Records Act of 1950.

(6) NATIONAL SECURITY.—The term ''national security'' means the national defense or foreign relations of the United States.

(7) RECORDS OR MATERIALS OF EXTRAORDINARY PUBLIC INTEREST.—The term ''records or materials of extraordinary public interest'' means records or materials that—

(A) demonstrate and record the national security policies, actions, and decisions of the United States, including—

(i) policies, events, actions, and decisions which led to significant national security outcomes; and

(ii) the development and evolution of significant United States national security policies, actions, and decisions;

(B) will provide a significantly different perspective in general from records and materials publicly available in other historical sources; and

(C) would need to be addressed through ad hoc record searches outside any systematic declassification program established under Executive order.

(8) RECORDS OF ARCHIVAL VALUE.—The term ''records of archival value'' means records that have been determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the Federal Government.

SEC. 710. EFFECTIVE DATE; SUNSET.

(a) EFFECTIVE DATE.—This title shall take effect on the date that is 120 days after the date of the enactment of this Act.

(b) SUNSET.—The provisions of this title shall expire four years after the date of the enactment of this Act, unless reauthorized by statute.

TITLE VIII—DISCLOSURE OF INFORMATION ON JAPANESE IMPERIAL GOVERNMENT

SEC. 801. SHORT TITLE.

This title may be cited as the ''Japanese Imperial Government Disclosure Act of 2000''.

SEC. 802. DESIGNATION.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' has the meaning given such term under section 551 of title 5, United States Code.

(2) INTERAGENCY GROUP.—The term ''Interagency Group'' means the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group established under subsection (b).

(3) JAPANESE IMPERIAL GOVERNMENT RECORDS.—The term ''Japanese Imperial Government records'' means classified records or portions of records that pertain to any person with respect to whom the United States Government, in its sole discretion, has grounds to believe ordered, incited, assisted, or otherwise participated in the experimentation on, and persecution of, any person because of race, religion, national origin, or political opinion, during the period beginning September 18, 1931, and ending on December 31, 1948, under the direction of, or in association with—

(A) the Japanese Imperial Government;

(B) any government in any area occupied by the military forces of the Japanese Imperial Government;

(C) any government established with the assistance or cooperation of the Japanese Imperial Government; or

(D) any government which was an ally of the Japanese Imperial Government.

(4) RECORD.—The term ''record'' means a Japanese Imperial Government record.

(b) ESTABLISHMENT OF INTERAGENCY GROUP.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall designate the Working Group established under the Nazi War Crimes Disclosure Act (Public Law 105–246; 5 U.S.C. 552 note) to also carry out the purposes of this title with respect to Japanese Imperial Government records, and that Working Group shall remain in existence for 3 years after the date on which this title takes effect. Such Working Group is redesignated as the ''Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group''.

(2) MEMBERSHIP.—Section 2(b)(2) of such Act is amended by striking ''3 other persons'' and inserting ''4 other persons who shall be members of the public, of whom 3 shall be persons appointed under the provisions of this Act in effect on October 8, 1998.''.

(c) FUNCTIONS.—Not later than 1 year after the date of the enactment of this Act, the Interagency Group shall, to the greatest extent possible consistent with section 803—

(1) locate, identify, inventory, recommend for declassification, and make available to the public at the National Archives and Records Administration, all classified Japanese Imperial Government records of the United States;

(2) coordinate with agencies and take such actions as necessary to expedite the release of such records to the public; and

(3) submit a report to Congress, including the Committee on Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on the Judiciary and the Select Committee on Intelligence of the Senate, describing all such records, the disposition of such records, and the activities of the Interagency Group and agencies under this section.

(d) FUNDING.—There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

SEC. 803. REQUIREMENT OF DISCLOSURE OF RECORDS.

(a) RELEASE OF RECORDS.—Subject to subsections (b), (c), and (d), the Japanese Imperial Government Records Interagency Working Group shall release in their entirety Japanese Imperial Government records.

(b) EXEMPTIONS.—An agency head may exempt from release under subsection (a) specific information, that would—

(1) constitute an unwarranted invasion of personal privacy;

(2) reveal the identity of a confidential human source, or reveal information about an intelligence source or method when the unauthorized disclosure of that source or method would damage the national security interests of the United States;

(3) reveal information that would assist in the development or use of weapons of mass destruction;

(4) reveal information that would impair United States cryptologic systems or activities;

(5) reveal information that would impair the application of state-of-the-art technology within a United States weapon system;

(6) reveal United States military war plans that remain in effect;

(7) reveal information that would impair relations between the United States and a foreign government, or undermine ongoing diplomatic activities of the United States;

(8) reveal information that would impair the current ability of United States Government officials to protect the President, Vice President, and other officials for whom protection services are authorized in the interest of national security;

(9) reveal information that would impair current national security emergency preparedness plans; or

(10) violate a treaty or other international agreement.

(c) APPLICATIONS OF EXEMPTIONS.—

(1) IN GENERAL.—In applying the exemptions provided in paragraphs (2) through (10) of subsection (b), there shall be a presumption that the public interest will be served by disclosure and release of the records of the Japanese Imperial Government. The exemption may be asserted only when the head of the agency that maintains the records determines that disclosure and release would be harmful to a specific interest identified in the exemption. An agency head who makes such a determination shall promptly report it to the committees of Congress with appropriate jurisdiction, including the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) APPLICATION OF TITLE 5.—A determination by an agency head to apply an exemption provided in paragraphs (2) through (9) of subsection (b) shall be subject to the same standard of review that applies in the case of records withheld under section 552(b)(1) of title 5, United States Code.

(d) RECORDS RELATED TO INVESTIGATIONS OR PROSECUTIONS.—This section shall not apply to records—

(1) related to or supporting any active or inactive investigation, inquiry, or prosecution by the Office of Special Investigations of the Department of Justice; or

(2) solely in the possession, custody, or control of the Office of Special Investigations.

SEC. 804. EXPEDITED PROCESSING OF REQUESTS FOR JAPANESE IMPERIAL GOVERNMENT RECORDS.

For purposes of expedited processing under section 552(a)(6)(E) of title 5, United States

Code, any person who was persecuted in the manner described in section 802(a)(3) and who requests a Japanese Imperial Government record shall be deemed to have a compelling need for such record.

SEC. 805. EFFECTIVE DATE.

The provisions of this title shall take effect on the date that is 90 days after the date of the enactment of this Act.

And the Senate agree to the same.

From the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

PORTER J. GOSS,
JERRY LEWIS,
BILL MCCOLLUM,
MICHAEL N. CASTLE,
SHERWOOD L. BOEHLERT,
C.F. BASS,
JIM GIBBONS,
RAY LAHOOD,
HEATHER WILSON,
JULIAN C. DIXON,
SANFORD D. BISHOP, Jr.,
NORMAN SISISKY,
GARY A. CONDIT,
TIM ROEMER,
ALCEE L. HASTINGS,

From the Committee on Armed Services, for consideration of defense tactical intelligence and related activities:

FLOYD SPENCE,
BOB STUMP,
IKE SKELTON,

Managers on the Part of the House.

RICHARD C. SHELBY,
RICHARD G. LUGAR,
JON KYL,
JAMES INHOFE,
ORRIN G. HATCH,
PAT ROBERTS,
CONNIE MACK,

From the Committee on Armed Services:

JOHN WARNER,
RICHARD H. BRYAN,
BOB GRAHAM,
JOHN F. KERRY,
MAX BAUCUS,
CHUCK ROBB,
FRANK R. LAUTENBERG,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that the yeas had it.

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶108.27 APPOINTMENT OF FUNERAL COMMITTEE OF THE LATE BRUCE F. VENTO

The SPEAKER, pro tempore, Mr. BARRETT of Nebraska, pursuant to House Resolution 618, announced the Speaker's appointment of the following members to attend the funeral for the late Honorable Bruce F. Vento on the part of the House:

Messrs. OBERSTAR, HASTERT, GEPHARDT, BONIOR, SABO, PETERSON of Minnesota, RAMSTAD, MINGE, GUTKNECHT, LUTHER, OBEY, LAFALCE, MARKEY, KILDEE, RAHALL, FROST, COYNE, HOYER, KLECZKA, KANJORSKI, LEWIS of Georgia, SAWYER, MCDERMOTT, BARRETT of Wisconsin, Hinchey, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. POMEROY, WATT of North Carolina, Ms. WOOLSEY, Messrs. FARR, UNDERWOOD, BENTSEN, Ms. JACKSON-LEE, Messrs. CUMMINGS, KIND, Ms. LEE, Messrs. GONZALEZ, GARY MILLER of California, THOMPSON of California UDALL of Colorado, UDALL of New Mexico.

¶108.28 ADJOURNMENT OVER

On motion of Mr. GOSS, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, October 16, 2000, at 2 o'clock p.m.

¶108.29 HOUR OF MEETING

On motion of Mr. GOSS, by unanimous consent,

Ordered, That when the House adjourns on Monday, October 16, 2000, it adjourn to meet at 10:30 a.m. on Tuesday, October 17, 2000, for ''morning-hour debate''.

¶108.30 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GOSS, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, October 18, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶108.31 ARNOLD C. D'AMICO POST OFFICE

On motion of Mr. MCHUGH, by unanimous consent, the Committee on Government Reform was discharged from further consideration of the bill (H.R. 4853) to redesignate the facility of the United States Postal Service located at 1568 South Glen Road in South Euclid, Ohio, as the ''Arnold C. D'Amico Station''.

When said bill was considered and read twice.

Mr. MCHUGH submitted the following amendment in the nature of a substitute which was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. ARNOLD C. D'AMICO STATION.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1568 South Green Road in South Euclid, Ohio, and known as the South Euclid Station, shall be known and designated as the ''Arnold C. D'Amico Station''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Arnold C. D'Amico Station.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: ''An Act to redesignate the facility of the United States Postal Service located at 1568 South Green Road in South Euclid, Ohio, as the 'Arnold C. D'Amico Station'.''.

A motion to reconsider the votes whereby the bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶108.32 FAMINE PREVENTION

On motion of Mr. BRADY of Texas, by unanimous consent, the bill (H.R. 4002) to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Famine Prevention and Freedom From Hunger Improvement Act of 2000''.

SEC. 2. GENERAL PROVISIONS.

(a) DECLARATIONS OF POLICY.—(1) The first sentence of section 296(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(a)) is amended to read as follows: ''The Congress declares that, in order to achieve the mutual goals among nations of ensuring food security, human health, agricultural growth, trade expansion, and the wise and sustainable use of natural resources, the United States should mobilize the capacities of the United States land-grant universities, other eligible universities, and public and private partners of universities in the United States and other countries, consistent with sections 103 and 103A of this Act, for: (1) global research on problems affecting food, agriculture, forestry, and fisheries; (2) improved human capacity and institutional resource development for the global application of agricultural and related environmental sciences; (3) agricultural development and trade research and extension services in the United States and other countries to support the entry of rural industries into world markets; and (4) providing for the application of agricultural sciences to solving food, health, nutrition, rural income, and environmental problems, especially such problems in low-income, food deficit countries.''.

(2) The second sentence of section 296(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(a)) is amended—

(A) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively;

(B) in subparagraph (A) (as redesignated), by striking ''in this country'' and inserting ''with and through the private sector in this country and to understanding processes of economic development'';

(C) in subparagraph (B) (as redesignated), to read as follows:

''(B) that land-grant and other universities in the United States have demonstrated over many years their ability to cooperate with international agencies, educational and research institutions in other countries, the private sector, and nongovernmental organizations worldwide, in expanding global agricultural production, processing, business and trade, to the benefit of aid recipient countries and of the United States;'';

(D) in subparagraph (C) (as redesignated), to read as follows:

''(C) that, in a world of growing populations with rising expectations, increased food production and improved distribution, storage, and marketing in the developing countries is necessary not only to prevent hunger and ensure human health and child survival, but to build

the basis for economic growth and trade, and the social security in which democracy and a market economy can thrive, and moreover, that the greatest potential for increasing world food supplies and incomes to purchase food is in the developing countries where the gap between food need and food supply is the greatest and current incomes are lowest;'';

(E) by striking subparagraphs (E) and (G) (as redesignated);

(F) by striking ''and'' at the end of subparagraph (F) (as redesignated);

(G) by redesignating subparagraph (F) as subparagraph (G); and

(H) by inserting after subparagraph (D) the following:

''(E) that, with expanding global markets and increasing imports into many countries, including the United States, food safety and quality, as well as secure supply, have emerged as mutual concerns of all countries;

''(F) that research, teaching, and extension activities, and appropriate institutional and policy development therefore are prime factors in improving agricultural production, food distribution, processing, storage, and marketing abroad (as well as in the United States);'';

(I) in subparagraph (G) (as redesignated), by striking ''in the United States'' and inserting ''and the broader economy of the United States''; and

(J) by adding at the end the following:

''(H) that there is a need to responsibly manage the world's agricultural and natural resources for sustained productivity, health and resilience to climate variability; and

''(I) that universities and public and private partners of universities need a dependable source of funding in order to increase the impact of their own investments and those of their State governments and constituencies, in order to continue and expand their efforts to advance agricultural development in cooperating countries, to translate development into economic growth and trade for the United States and cooperating countries, and to prepare future teachers, researchers, extension specialists, entrepreneurs, managers, and decisionmakers for the world economy.''.

(b) ADDITIONAL DECLARATIONS OF POLICY.—Section 296(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(b)) is amended to read as follows:

''(b) Accordingly, the Congress declares that, in order to prevent famine and establish freedom from hunger, the following components must be brought together in a coordinated program to increase world food and fiber production, agricultural trade, and responsible management of natural resources, including—

''(1) continued efforts by the international agricultural research centers and other international research entities to provide a global network, including United States universities, for international scientific collaboration on crops, livestock, forests, fisheries, farming resources, and food systems of worldwide importance;

''(2) contract research and the implementation of collaborative research support programs and other research collaboration led by United States universities, and involving research systems in other countries focused on crops, livestock, forests, fisheries, farming resources, and food systems, with benefits to the United States and partner countries;

''(3) broadly disseminating the benefits of global agricultural research and development including increased benefits for United States agriculturally related industries through establishment of development and trade information and service centers, for rural as well as urban communities, through extension, cooperatively with, and supportive of, existing public and private trade and development related organizations;

''(4) facilitation of participation by universities and public and private partners of universities in programs of multilateral banks and agencies which receive United States funds;

''(5) expanding learning opportunities about global agriculture for students, teachers, community leaders, entrepreneurs, and the general public through international internships and exchanges, graduate assistantships, faculty positions, and other means of education and extension through long-term recurring Federal funds matched by State funds; and

''(6) competitive grants through universities to United States agriculturalists and public and private partners of universities from other countries for research, institution and policy development, extension, training, and other programs for global agricultural development, trade, and responsible management of natural resources.''.

(c) SENSE OF THE CONGRESS.—Section 296(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(c)) is amended—

(1) in paragraph (1), by striking ''each component'' and inserting ''each of the program components described in paragraphs (1) through (6) of subsection (b)'';

(2) in paragraph (2)—

(A) by inserting ''and public and private partners of universities'' after ''for the universities''; and

(B) by striking ''and'' at the end;

(3) in paragraph (3)—

(A) by inserting ''and public and private partners of universities'' after ''such universities'';

(B) in subparagraph (A), by striking '', and'' and inserting a semicolon;

(C) in subparagraph (B), by striking the comma at the end and inserting a semicolon;

(D) by striking the matter following subparagraph (B); and

(E) by adding at the end the following:

''(C) multilateral banks and agencies receiving United States funds;

''(D) development agencies of other countries; and

''(E) United States Government foreign assistance and economic cooperation programs;''; and

(4) by adding at the end the following:

''(4) generally engage the United States university community more extensively in the agricultural research, trade, and development initiatives undertaken outside the United States, with the objectives of strengthening its capacity to carry out research, teaching, and extension activities for solving problems in food production, processing, marketing, and consumption in agriculturally developing nations, and for transforming progress in global agricultural research and development into economic growth, trade, and trade benefits for aid recipient countries and United States communities and industries, and for the wise use of natural resources; and

''(5) ensure that all federally funded support to universities and public and private partners of universities relating to the goals of this title is periodically reviewed for its performance.''.

(d) DEFINITION OF UNIVERSITIES.—Section 296(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(d)) is amended—

(1) by inserting after ''sea-grant colleges;'' the following: ''Native American land-grant colleges as authorized under the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note);''; and

(2) in paragraph (1), by striking ''extension'' and inserting ''extension (including outreach)''.

(e) DEFINITION OF ADMINISTRATOR.—Section 296(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(e)) is amended by inserting ''United States'' before ''Agency''.

(f) DEFINITION OF PUBLIC AND PRIVATE PARTNERS OF UNIVERSITIES.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

''(f) As used in this title, the term 'public and private partners of universities' includes entities that have cooperative or contractual agreements with universities, which may include formal or informal associations of universities, other education institutions, United States Government and State agencies, private voluntary organizations, nongovernmental organizations, firms operated for profit, nonprofit organizations, multinational banks, and, as designated by the Administrator, any organization, institution, or agency incorporated in other countries.''.

(g) DEFINITION OF AGRICULTURE.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

''(g) As used in this title, the term 'agriculture' includes the science and practice of activity related to food, feed, and fiber production, processing, marketing, distribution, utilization, and trade, and also includes family and consumer sciences, nutrition, food science and engineering, agricultural economics and other social sciences, forestry, wildlife, fisheries, aquaculture, floraculture, veterinary medicine, and other environmental and natural resources sciences.''.

(h) DEFINITION OF AGRICULTURISTS.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

''(h) As used in this title, the term 'agriculturists' includes farmers, herders, and livestock producers, individuals who fish and others employed in cultivating and harvesting food resources from salt and fresh waters, individuals who cultivate trees and shrubs and harvest nontimber forest products, as well as the processors, managers, teachers, extension specialists, researchers, policymakers, and others who are engaged in the food, feed, and fiber system and its relationships to natural resources.''.

SEC. 3. GENERAL AUTHORITY.

(a) AUTHORIZATION OF ASSISTANCE.—Section 297(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(a)) is amended—

(1) in paragraph (1), to read as follows:

''(1) to implement program components through United States universities as authorized by paragraphs (2) through (5) of this subsection;'';

(2) in paragraph (3), to read as follows:

''(3) to provide long-term program support for United States university global agricultural and related environmental collaborative research and learning opportunities for students, teachers, extension specialists, researchers, and the general public;''; and

(3) in paragraph (4)—

(A) by inserting ''United States'' before ''universities'';

(B) by inserting ''agricultural'' before ''research centers''; and

(C) by striking ''and the institutions of agriculturally developing nations'' and inserting ''multilateral banks, the institutions of agriculturally developing nations, and United States and foreign nongovernmental organizations supporting extension and other productivity-enhancing programs''.

(b) REQUIREMENTS.—Section 297(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(b)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''universities'' and inserting ''United States universities with public and private partners of universities''; and

(B) in subparagraph (C)—

(i) by inserting '', environment,'' before ''and related''; and

(ii) by striking ''farmers and farm families'' and inserting ''agriculturalists'';

(2) in paragraph (2), by inserting '', including resources of the private sector,'' after ''Federal or State resources''; and

(3) in paragraph (3), by striking ''and the United States Department of Agriculture'' and all that follows and inserting '', the Department of Agriculture, State agricultural agencies, the Department of Commerce, the Department of the Interior, the Environmental Protection Agency, the Office of the United States Trade Representative, the Food and Drug Administration, other appropriate Federal agencies, and appropriate nongovernmental and business organizations.''.

(c) FURTHER REQUIREMENTS.—Section 297(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(c)) is amended—

(1) in paragraph (2), to read as follows:

''(2) focus primarily on the needs of agricultural producers, rural families, processors, traders, consumers, and natural resources managers;''; and

(2) in paragraph (4), to read as follows:

''(4) be carried out within the developing countries and transition countries comprising newly emerging democracies and newly liberalized economies; and''.

(d) SPECIAL PROGRAMS.—Section 297 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b) is amended by adding at the end the following new subsection:

''(e) The Administrator shall establish and carry out special programs under this title as part of ongoing programs for child survival, democratization, development of free enterprise, environmental and natural resource management, and other related programs.''.

SEC. 4. BOARD FOR INTERNATIONAL FOOD AND AGRICULTURAL DEVELOPMENT.

(a) ESTABLISHMENT.—Section 298(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(a)) is amended in the third sentence, by inserting at the end before the period the following: ''on a case-by-case basis''.

(b) GENERAL AREAS OF RESPONSIBILITY OF THE BOARD.—Section 298(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(b)) is amended to read as follows:

''(b) The Board's general areas of responsibility shall include participating in the planning, development, and implementation of, initiating recommendations for, and monitoring, the activities described in section 297 of this title.''.

(c) DUTIES OF THE BOARD.—Section 298(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(c)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''increase food production'' and all that follows and inserting the following: ''improve agricultural production, trade, and natural resource management in developing countries, and with private organizations seeking to increase agricultural production and trade, natural resources management, and household food security in developing and transition countries;''; and

(B) in subparagraph (B), by inserting before ''sciences'' the following: '', environmental, and related social'';

(2) in paragraph (4), after ''Administrator and universities'' insert ''and their partners'';

(3) in paragraph (5), after ''universities'' insert ''and public and private partners of universities'';

(4) in paragraph (6), by striking ''and'' at the end;

(5) in paragraph (7), by striking ''in the developing nations.'' and inserting ''and natural resource issues in the developing nations, assuring efficiency in use of Federal resources, including in accordance with the Governmental Performance and Results Act of 1993 (Public Law 103–62; 107 Stat. 285), and the amendments made by that Act;''; and

(6) by adding at the end the following:

''(8) developing information exchanges and consulting regularly with nongovernmental organizations, consumer groups, producers, agribusinesses and associations, agricultural cooperatives and commodity groups, State departments of agriculture, State agricultural research and extension agencies, and academic institutions;

''(9) investigating and resolving issues concerning implementation of this title as requested by universities; and

''(10) advising the Administrator on any and all issues as requested.''.

(d) SUBORDINATE UNITS.—Section 298(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(d)) is amended—

(1) in paragraph (1)—

(A) by striking ''Research'' and insert ''Policy'';

(B) by striking ''administration'' and inserting ''design''; and

(C) by striking ''section 297(a)(3) of this title'' and inserting ''section 297''; and

(2) in paragraph (2)—

(A) by striking ''Joint Committee on Country Programs'' and inserting ''Joint Operations Committee''; and

(B) by striking ''which shall assist'' and all that follows and inserting ''which shall assist in and advise on the mechanisms and processes for implementation of activities described in section 297.''.

SEC. 5. ANNUAL REPORT.

Section 300 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220e) is amended by striking ''April 1'' and inserting ''September 1''.

On motion of Mr. BRADY of Texas, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶108.33 CORRECT ENROLLMENT OF H.R. 3244

On motion of Mr. BRADY of Texas, by unanimous consent, the following concurrent resolution (S. Con. Res. 149) was taken from the Speaker's table:

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking, shall make the following correction:

In section 2002(a)(2)(A)(ii), strike ''June 7, 1999,'' and insert ''December 13, 1999,''.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶108.34 FURTHER APPOINTMENT TO FUNERAL COMMITTEE OF THE LATE BRUCE F. VENTO

The SPEAKER, pro tempore, Mr. HANSEN, pursuant to House Resolution 618, announced the Speaker's additional appointment of Ms. PELOSI as a member of the committee to attend the funeral for the late Honorable Bruce F. Vento on the part of the House.

¶108.35 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4516) ''An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes.''.

¶108.36 SENATE BILL AND CONCURRENT RESOLUTIONS REFERRED

A bill and concurrent resolutions of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2917. An Act to settle the land claims of the Pueblo of Santo Domingo; to the Committee on Resources.

S. Con. Res. 131. Concurrent resolution commemorating the 20th anniversary of the workers' strikes in Poland that led to the creation of the independent trade union Solidarność, and for other purposes; to the Committee on International Relations.

S. Con. Res. 148. Concurrent resolution to provide for the disposition and archiving of the records, files, documents, and other materials of joint congressional committees on inaugural ceremonies; to the Committee on House Administration.

¶108.37 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2833. An Act to establish the Yuma Crossing National Heritage Area.

H.R. 3676. An Act to establish the Santa Rosa and San Jacinto Mountains National Monument in the State of California.

H.R. 4063. An Act to establish the Rosie the Riveter/World War II Home Front National Historical Park in the State of California, and for other purposes.

H.R. 4226. An Act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest.

H.R. 4275. An Act to establish the Colorado Canyons National Conservation Area and the Black Ridge Canyons Wilderness, and for other purposes.

H.R. 4285. An Act to authorize the Secretary of Agriculture to convey certain administrative sites for National Forest System lands in the State of Texas, to convey certain National Forest System land to the New Waverly Gulf Coast Trades Center, and for other purposes.

H.R. 4613. An Act to amend the National Historic Preservation Act for purposes of establishing a national historical lighthouse preservation program.

H.R. 5362. An Act to increase the amount of fees charged to employers who are petitioners for the employment of H–1B non-immigrant workers, and for other purposes.

¶108.38 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1236. An Act to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State of Idaho.

S. 1849. An Act to designate segments and tributaries of White Clay Creek, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.

¶108.39 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BACA, for today;

To Ms. ESHOO, from September 28 to October 12;

To Mr. GREEN of Texas, for today;

To Mr. NADLER, for today before 3:30 p.m.;

To Ms. SLAUGHTER, for today after 3:45 p.m.; and

To Mr. STARK, for today.

And then,

¶108.40 ADJOURNMENT

On motion of Mr. MICA, pursuant to the special order heretofore agreed to, at 8 o'clock and 44 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, October 16, 2000.

¶108.41 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. GEKAS: Committee on the Judiciary. H.R. 1924. A bill to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescene in, and relitigation of, precedents established in the Federal judicial courts; with an amendment (Rept. No. 106–976). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform. The Vaccine Injury Compensation Program: Addressing Needs and Improving Practices (Rept. No. 106–977). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 3011. A bill to amend the Communications Act of 1934 to improve the disclosure of information concerning telephone charges, and for other purposes; with an amendment (Rept. No. 106–978). Referred to the Committee of the Whole House on the State of the Union.

¶108.42 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GREENWOOD:

H.R. 5455. A bill to amend the Internal Revenue Code of 1986 to encourage investment in small companies; to the Committee on Ways and Means.

By Mr. LAMPSON (for himself, Mr. OSE, Mr. SHIMKUS, Mrs. MALONEY of New York, Mr. BARRETT of Wisconsin, Mr. PASCRELL, Mr. BRADY of Pennsylvania, Mr. BENTSEN, Mr. STRICKLAND, Mr. HINCHEY, Ms. MILLENDER-MCDONALD, Ms. WOOLSEY, Mr. REYES, Ms. DELAURO, Mr. BORSKI, Mr. HOLDEN, Ms. JACKSON-LEE of Texas, Mr. MASCARA, Ms. HOOLEY of Oregon, Mr. WU, Mr. PHELPS, Mr. FOLEY, Mr. POMEROY, Mr. SANDLIN, Mr. ACKERMAN, Mr. LUTHER, Mr. BROWN of Ohio, Mr. CRAMER, Mr. FATTAH, Mr. GEORGE MILLER of California, Ms. LEE, Mr. ROTHMAN, Mr. LARSON, Mr. FROST, Mr. GREEN of Texas, Mr. GEJDENSON, Mr. RODRIGUEZ, Mr. CROWLEY, Mr. SPRATT, Ms. BERKLEY, Mr. ENGEL, Mrs. CLAYTON, Mr. CONYERS, Mr. THOMPSON of California, Mr. GILMAN, Ms. GRANGER, Mr. ORTIZ, Mr. HINOJOSA, Ms. SANCHEZ, Mrs. MCCARTHY of New York, Ms. BALDWIN, Mr. CHABOT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. HOEFFEL, Mr. KILDEE, Mrs. LOWEY, Mr. HASTINGS of Florida, Mr. WEXLER, Mr. TIERNEY, Mr. KIND, Mr. BALDACCI, Mr. WYNN, Mr. DOOLEY of California, Mr. EVANS, Ms. VELAZQUEZ, Mr. BOSWELL, Mr. BERRY, Mrs. NAPOLITANO, Mr. COSTELLO, Ms. DUNN, Mr. SAWYER, Mr. FORD, Ms. MCKINNEY, Mr. WAXMAN, Mr. PITTS, Mr. MENENDEZ, Mr. CASTLE, Mr. CLEMENT, Mrs. THURMAN, Mr. SHERMAN, Mr. WEINER, Mr. PALLONE, Mrs. MORELLA, Mr. MCINNIS, Mr. UDALL of Colorado, Ms. SCHAKOWSKY, Ms. PELOSI, Mr. TRAFICANT, Mr. PEASE, Mr. SCOTT, Mrs. FOWLER, Mrs. MEEK of Florida, Mr. GUTKNECHT, Mr. DICKEY, Mr. BLUNT, Mr. UPTON, Mr. MCCRERY, Mr. BONIOR, Mr. BERMAN, Mrs. EMERSON, Mr. WELDON of Florida, Mr. MCINTYRE, and Mr. DOGGETT):

H.R. 5456. A bill to amend title 28, United States Code, to give district courts of the United States jurisdiction over competing State custody determinations, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself, Mrs. WILSON, and Mr. HUNTER):

H.R. 5457. A bill to provide for the interconnection of distributed generation facilities with local electric distribution systems, and for other purposes; to the Committee on Commerce.

By Mr. BILBRAY:

H.R. 5458. A bill to authorize the investor-owned electric utilities in California to purchase electric power directly from the Bonneville Power Administration at specified rates, and for other purposes; to the Committee on Commerce.

By Mr. SANFORD (for himself, Mr. LEWIS of Georgia, Mr. TANCREDO, and Ms. MCKINNEY):

H.R. 5459. A bill to direct the Secretary of the Army to recommend a water resources development and conservation project for authorization by Congress only if the project has projected benefits that are at least 1.5 times as great as the project's estimated total cost, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. BIGGERT:

H.R. 5460. A bill to amend the Inspector General Act of 1978 to increase the efficiency and accountability of Offices of Inspector General within Federal departments, and for other purposes; to the Committee on Government Reform.

By Mr. CUNNINGHAM:

H.R. 5461. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning; to the Committee on Resources.

By Mr. GREEN of Wisconsin:

H.R. 5462. A bill to amend title 18, United States Code, to punish the placing of sexual explicit photographs on the Internet without the permission of the persons photographed; to the Committee on the Judiciary.

By Mr. HOUGHTON (for himself, Mr. SAM JOHNSON of Texas, and Mr. LEVIN):

H.R. 5463. A bill to amend the Internal Revenue Code of 1986 to affirm the confidentiality of closing and similar agreements and agreements with foreign governments; to the Committee on Ways and Means.

By Mr. INSLEE:

H.R. 5464. A bill to amend the Public Health Service Act to authorize grants to carry out programs to improve recovery rates for organs in eligible hospitals; to the Committee on Commerce.

By Mr. INSLEE:

H.R. 5465. A bill to amend the Public Health Service Act to provide for a National Living Organ Donor Registry; to the Committee on Commerce.

By Mr. MATSUI:

H.R. 5466. A bill to amend the Internal Revenue Code of 1986 to provide for the payment of fellowship benefits to pension plan participants; to the Committee on Ways and Means.

By Mrs. MCCARTHY of New York:

H.R. 5467. A bill to provide for substantial reductions in the price of prescription drugs for Medicare beneficiaries and for women diagnosed with breast cancer; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 5468. A bill to establish the United States Commission on Security in an Open Society; to the Committee on Transportation and Infrastructure.

By Mr. NORWOOD (for himself, Mr. CHAMBLISS, Mr. GOODE, Mr. BISHOP, Mr. WICKER, Ms. VELAZQUEZ, Mr. PICKERING, Mr. COBLE, and Mr. GRAHAM):

H.R. 5469. A bill to provide for review in the Court of International Trade of certain determinations of binational panels under the North American Free Trade Agreement; to the Committee on Ways and Means.

By Mr. SAXTON:

H.R. 5470. A bill to provide for the opposition of the United States to the provision of any resources or assistance by the International Monetary Fund to the Palestinian Authority until the Secretary of State certifies that Israel and the Palestinian Authority have signed an agreement on borders and security arrangements for Israel and a Palestinian state; to the Committee on Banking and Financial Services.

By Mr. SAXTON:

H.R. 5471. A bill to amend the Internal Revenue Code of 1986 to allow individuals an exclusion from gross income for certain amounts of capital gains distributions from regulated investment companies; to the Committee on Ways and Means.

By Mrs. TAUSCHER (for herself, Mrs. MCCARTHY of New York, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Ms. CARSON, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Ms. LEE, Mrs. MALONEY of New York, Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mr. MORAN of Virginia, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Ms. PELOSI, Ms. SCHAKOWSKY, Mrs. JONES of Ohio, Ms. VELAZQUEZ, Ms. WOOLSEY, Mr. LIPINSKI, Mr. RANGEL, Mr. MATSUI, Mr. HASTINGS of Florida, Mr. ENGEL, Ms. MCCARTHY of Missouri, Mr. KENNEDY of Rhode Island, and Mr. WEINER):

H.R. 5472. A bill to provide grants for the purchase of firearms to States and units of local government that enforce certain rules designed to protect the public from the misuse of handguns; to the Committee on the Judiciary.

By Mr. LEACH:

H.J. Res. 113. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. LANTOS (for himself, Mr. GILMAN, Mr. SMITH of New Jersey, and Mr. BERMAN):

H. Con. Res. 425. Concurrent resolution expressing the sense of the Congress that the continued participation of the Russian Fed-

eration in the Group of Eight must be conditioned on Russia's own voluntary acceptance of and adherence to the norms and standards of democracy; to the Committee on International Relations.

By Mr. GILMAN (for himself, Mr. GEJDENSON, Mr. ARMEY, Mr. GEPHARDT, Mr. BRADY of Texas, Mr. ACKERMAN, Mr. BURTON of Indiana, Mr. BEREUTER, Ms. BERKLEY, Mr. CANNON, Mr. CHABOT, Mr. BERMAN, Mr. DIAZ-BALART, Mr. COOKSEY, Mr. CARDIN, Mr. CUNNINGHAM, Mr. CROWLEY, Mr. EHLERS,, Ms. DELAURO, Mr. FRANKS of New Jersey, Mr. FRANK of Massachusetts, Mr. DEUTSCH, Mr. ENGEL, Mr. GEKAS, Mr. GILLMOR, Mr. GALLEGLY, Mr. FROST, Mrs. KELLY, Mr. HOBSON, Mr. HASTINGS of Florida, Mr. HOEFFEL, Mr. KINGSTON, Mr. LAZIO, Mr. LANTOS, Mr. LEACH, Mrs. LOWEY, Mrs. MORELLA, Mr. MCCOLLUM, Mrs. MCCARTHY of New York, Mr. MENENDEZ, Mr. MICA, Mr. MALONEY of Connecticut, Mr. NADLER, Mr. OSE, Mr. ROTHMAN, Ms. SCHAKOWSKY, Mr. ROHRABACHER, Mr. SALMON, Mr. SHERMAN, Ms. ROS-LEHTINEN, Mr. SISISKY, Mrs. ROUKEMA, Mr. WAXMAN, Mr. SHAW, Mr. WEINER, Mr. SMITH of New Jersey, Mr. WEXLER, Mr. SMITH of Michigan, Mr. STEARNS, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WEYGAND, Mr. WYNN, and Mr. HOLT):

H. Con. Res. 426. Concurrent resolution concerning the violence in the Middle East; to the Committee on International Relations.

By Mr. SESSIONS:

H. Con. Res. 427. Concurrent resolution directing the Secretary of the Senate to correct the enrollment of the bill S. 3186; considered and agreed to.

By Mr. UPTON:

H. Con. Res. 428. Concurrent resolution providing for corrections in the enrollment of the bill (H.R. 5164) amending title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes; considered and agree to.

By Mr. BILBRAY:

H. Con. Res. 429. Concurrent resolution expressing the sense of Congress regarding the electricity crisis in San Diego and Orange Counties in California; to the Committee on Commerce.

By Mr. BILBRAY (for himself, Mr. HUNTER, Mr. PACKARD, and Mr. CUNNINGHAM):

H. Res. 629. A resolution expressing the sense of the House of Representatives that the basic allowance for housing for members of the Armed Forces stationed in San Diego and Orange Counties, California, should be increased to compensate for increased energy costs there; to the Committee on Armed Services.

¶108.43 ADDITIONAL SPONSORS

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

H.R. 450: Mr. WALDEN of Oregon.
H.R. 531: Ms. MCCARTHY of Missouri.
H.R. 632: Mr. FRANKS of New Jersey.
H.R. 842: Mr. THOMPSON of California and Mr. MASCARA.
H.R. 1071: Mr. MENENDEZ.
H.R. 1092: Mr. GOODLATTE.
H.R. 1187: Mr. MORAN of Kansas.
H.R. 1285: Ms. WOOLSEY.
H.R. 1303: Mr. MCNULTY and Mr. COX.
H.R. 1388: Mr. GOODE and Mr. GOODLING.
H.R. 1965: Ms. PELOSI.
H.R. 2457: Mr. DOGGETT.
H.R. 2467: Mr. TOOMEY.
H.R. 2702: Mr. UDALL of Colorado.
H.R. 2720: Mrs. EMERSON.
H.R. 2953: Mr. NORWOOD, Mr. WEINER and Mr. WALSH.
H.R. 3003: Mr. SPENCE.
H.R. 3214: Ms. GRANGER, Ms. VELAZQUEZ, and Mr. NADLER.
H.R. 3565: Mr. FOLEY.
H.R. 3677: Mr. REYNOLDS.
H.R. 3700: Mr. BALDACCI, Mrs. MALONEY of New York, and Mr. ALLEN.
H.R. 3872: Mr. EVANS and Mr. CLEMENT.
H.R. 3915: Mr. SANDLIN and Mr. QUINN.
H.R. 4025: Mr. GILLMOR and Mr. NEY.
H.R. 4213: Mr. WALDEN of Oregon.
H.R. 4277: Mr. MINGE.
H.R. 4360: Mr. DICKS and Mr. KIND.
H.R. 4390: Mr. LAFALCE.
H.R. 4393: Mr. FRANKS of New Jersey.
H.R. 4543: Mr. STRICKLAND, Mrs. JONES of Ohio, and Mr. SAWYER.
H.R. 4728: Mr. REYNOLDS, Mr. INSLEE, and Mr. PICKETT.
H.R. 4848: Mr. UDALL of New Mexico and Mr. FORD.
H.R. 4874: Mr. CLYBURN and Mr. Spratt.
H.R. 4949: Mrs. CAPPS.
H.R. 5055: Mr. HILLIARD.
H.R. 5121: Mr. DIAZ-BALART and Mr. HASTINGS of Florida.
H.R. 5132: Mr. MCDERMOTT, Mr. NADLER, and Mr. HALL of Ohio.
H.R. 5152: Mr. MCCOLLUM, Mrs. JONES of Ohio, and Mr. MCHUGH.
H.R. 5174: Mr. FRELINGHUYSEN, Mr. FROST, and Mr. BRADY of Texas.
H.R. 5185: Mr. WEXLER.
H.R. 5258: Mr. GRAHAM, Mr. REYES, Mr. DEUTSCH, Mr. EHRLICH, Mr. GUTIERREZ, Ms. RIVERS, Ms. LOFGREN, Mr. TURNER, Mr. CONDIT, Ms. SCHAKOWSKY, Mr. FILNER, Mr. UDALL of Colorado, Mr. BENTSEN, Mr. EDWARDS, Mr. GONZALEZ, Mr. GREEN of Wisconsin, Mr. LAMPSON, Mr. ORTIZ, Mr. RODRIGUEZ, and Mr. STENHOLM.
H.R. 5306: Mr. NORWOOD, Mr. TIAHRT, and Mr. CANNON.
H.R. 5308: Mr. COBURN.
H.R. 5339: Mr. SANDERS, Mr. SERRANO, Mr. SWEENEY, Mr. BLUMENAUER, Mr. ABERCROMBIE, and Mr. KUCINICH.
H.R. 5342: Mr. KUCINICH, Mr. STENHOLM, Mr. DOYLE, Mr. PHELPS, and Mr. KENNEDY of Rhode Island.
H.R. 5345: Mr. HINCHEY, Ms. DEGETTE, and Mr. KUCINICH.
H.R. 5350: Mr. GILLMOR.
H.R. 5367: Mr. LEACH, Mr. MANZULLO, and Mr. MINGE.
H.R. 5381: Mr. ROGERS.
H.R. 5382: Mr. ROGERS and Mr. JENKINS.
H.R. 5397: Mr. ALLEN, Mr. WEXLER, Mr. PICKETT, and Mr. FORD.
H.R. 5409: Mr. KINGSTON.
H.R. 5418: Mr. DOYLE.
H.R. 5438: Mr. FILNER.
H.J. Res. 107: Mr. LANTOS.
H. Con. Res. 337: Mr. NORWOOD and Mrs. MALONEY of New York.
H. Con. Res. 340: Ms. MILLENDER-MCDONALD and Ms. WATERS.
H. Con. Res. 341: Mr. CANADY of Florida, Mr. CANNON, and Mr. DUNCAN.
H. Con. Res. 370: Ms. WATERS.
H. Con. Res. 392: Mr. WALSH.
H. Con. Res. 401: Mr. HILLIARD, Mr. EHRLICH, Mr. HOEFFEL, and Mr. KING.
H. Con. Res. 415: Mr. MCINTOSH.
H. Con. Res. 421: Mr. CLEMENT and Mr. HILLEARY.
H. Res. 51: Mr. SPENCE.
H. Res. 430: Mr. MCGOVERN and Mr. SISISKY.

MONDAY, OCTOBER 16, 2000 (109)

¶109.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication:

WASHINGTON, DC,
October 16, 2000.

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

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

¶109.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Thursday, October 12, 2000.

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

¶109.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10565. A letter from the Administrator, Rural Utilities Services, Department of Agriculture, transmitting the Department's final rule—Electric Engineering, Architectural Services and Design Policies and Procedures (RIN: 0572–AB54) received October 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10566. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin; Pesticide Tolerances for Emergency Exemptions [OPP–301049; FRL–6742–9] (RIN: 2070–AB78) received October 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10567. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Uzbekistan, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

10568. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Algeria, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

10569. A letter from the Deputy Associate Administratior, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri; Designation of Areas for Air Quality Planning Purposes, Dent Purposes [MO 114–1114a FRL–6885–6] received October 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10570. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Arkansas; Regulation 19 and 26 [AR–8–1–7409; FRL–6885–1] received October 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10571. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Utah: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6885–5] received October 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10572. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Post-1996 Rate of Progress Plans [CT–62–7221a; A–1–FRL–6877–5] received October 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10573. A letter from the Deputy Associate Administrator, Environmental Protection

Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Changes to Various VOC Regulations [CT058–7217a; A–1–FRL–6886–5] received October 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10574. A letter from the Assistant Bureau Chief, Management, International Bureau Satellite & Radiocommunications Division, Federal Communications Commission, transmitting the Communication's final rule—The Establishment of Policies and Service Rules for the Mobile Satellite in the 2 GHz Band [IB Docket No. 99–81] received October 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10575. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Israel [Transmittal No. DTC 141–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10576. A letter from the Assistant Secretary for Legislative Affairs, Department of Defense, transmitting Obligation of funds to promote the International Nonproliferation Initiative, pursuant to 22 U.S.C. 5859; to the Committee on International Relations.

10577. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Hong Kong [Transmittal No. DTC 114–00]; to the Committee on International Relations.

10578. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Algeria [Transmittal No. DTC 095–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10579. A communication from the President of the United States, transmitting His report on the deployment of United States Military forces sent to assist the USS Cole and to provide medical, security, and disaster response assistance in Yemen; (H. Doc. No. 106–300); to the Committee on International Relations and ordered to be printed.

10580. A letter from the Executive Director, Committee For Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Procurement List: Proposed Additions and Deletion—received October 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10581. A letter from the Chief Counsel for Regulation, Office of the Secretary, Department of Commerce, transmitting the Department's final rule—Bureau of Tabulations of Population to States and Localities Pursuant to 13 U.S.C. 141(c) and Availability of Other Population Information [Docket No. 000609172–0268–02] (RIN: 0607–AA33) received October 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10582. A letter from the Director of Selective Service, transmitting the Strategic Plan for Fiscal Years 2001–2006; to the Committee on Government Reform.

10583. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, GSA, National Aeronautics and Space Administration, transmitting the Administration's final rule—Federal Acquisition Circular 97–20; Introduction—received October 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10584. A letter from the Deputy Archivist, National Archives and Records Administration, transmitting the Administration's final rule—NARA Reproduction Fee Schedule (RIN: 3095–AA87) received October 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10585. A letter from the Director, Office of Federal Housing Enterprise Oversight, transmitting a report on the Inventory of Commercial Activities; to the Committee on Government Reform.

10586. A letter from the Chief Operating Officer, U.S. Chemical Safety and Hazard Investigation Board, transmitting a report on the inventory of agency activities; to the Committee on Government Reform.

10587. A letter from the Assistant Secretary—Indian Affairs, Department of the Interior, transmitting the Department's final rule—Financial Assistance and Social Services Programs (RIN: 1076–AD95) received October 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10588. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Threatened Status for the Colorado butterfly plant (Gaura neomexicana ssp. coloradensis) from southeastern Wyoming, northcentral Colorado, and extreme western Nebraska (RIN: 1018–AE87) received October 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10589. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Rules of Practice and Procedure for Adjudicatory Proceedings; Civil Money Penalty Inflation Adjustment (RIN: 1550–AB41) received October 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10590. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Repeat Intoxicated Driver Laws [Docket No. NHTSA–98–4537] (RIN: 2127–AH47) received October 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10591. A letter from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—NASA Grants and Cooperative Agreements—received October 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

10592. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting a report on deliveries under Section 540 of P.L. 104–107 to the Government of Bosnia-Herzegovina, pursuant to Public Law 104—107, section 540(c) (110 Stat. 736); jointly to the Committees on International Relations and Appropriations.

¶109.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2607. An Act to promote the development of the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, to authorize appropriations for the Office of Space Communications, and for other purposes.

H.R. 3048. An Act to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former

H.R. 3671. An Act to amend the Acts popularly known as the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects and increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating opportunities for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and execution of those Acts, and for other purposes.

H.R. 4788. An Act to amend the United States Grain Standards Act to extend the authority of the Secretary of Agriculture to collect fees to cover the cost of services performed under that Act, extend the authorization of appropriations for that Act, and improve the administration of that Act, to reenact the United States Warehouse Act to require the licensing and inspection of warehouses used to store agricultural products and provide for the issuance of receipts, including electronic receipts, for agricultural products stored or handled in licensed warehouses, and for other purposes.

H.R. 4850. An Act to provide a cost-of-living adjustment in rates of compensation paid to veterans and service-connected disabilities, to enhance programs providing compensation and life insurance benefits for veterans, and for other purposes.

H.R. 4868. An Act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

The message also announced that the Senate has passed bills and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 623. An Act to amend Public Law 89–108 to increase authorization levels for State and Indian tribal, municipal, rural, and industrial water supplies, to meet current and future water quantity and quality needs of the Red River Valley, to deauthorize certain project features and irrigation service areas, to enhance natural resources and fish and wildlife habitat, and for other purposes.

S. 1474. An Act providing for conveyance of the Palmetto Bend project to the State of Texas.

S. 1697. An Act to authorize the Secretary of the Interior to refund certain collections received pursuant to the Reclamation Reform Act of 1982.

S. 1848. An Act to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Denver Water Reuse project.

S. 2195. An Act to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Truckee watershed reclamation project for the reclamation and reuse of water.

S. 2253. An Act to authorize the establishment of a joint United States-Canada commission to study the feasibility of connecting the rail system in Alaska to the North American continental rail system; and for other purposes.

S. 2301. An Act to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Lakehaven water reclamation project for the reclamation and reuse of water.

S. 2425. An Act to authorize the Bureau of Reclamation to participate in the planning, design, and construction of the Bend Feed Canal Pipeline Project, Oregon, and for other purposes.

S. 2594. An Act to authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of non-project water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

S. 2877. An Act to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Power River basin, Oregon.

S. 2882. An Act to authorize the Bureau of Reclamation to conduct certain feasibility studies to augment water supplies for the Klamath Project, Oregon and California, and for other purposes.

S. 2951. An Act to authorize the Secretary of the Interior to conduct a study to investigate opportunities to better manage the water resources in the Salmon Creek watershed of the upper Columbia River.

S. 3022. An Act to direct the Secretary of the Interior to convey certain irrigation facilities to the Nampa and Meridian Irrigation District.

S. 3201. An Act to rename the National Museum of American Art.

S. Con. Res. 114. Concurrent resolution recognizing the Liberty Memorial in Kansas City, Missouri, as a national World War I symbol honoring those who defended liberty and our country through service in World War I.

S. Con. Res. 151. Concurrent resolution to make a correction in the enrollment of the bill H.R. 2348.

S. Con. Res. 152. Concurrent resolution to make a technical correction in the enrollment of the bill H.R. 4868.

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 1402) ''An Act to amend title 38, United States Code, to enhance programs providing education benefits for veterans, and for other purposes,'' with amendments.

¶109.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 13, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 12, 2000 at 9:02 p.m.

That the Senate passed without amendment H.J. Res. 111.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶109.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 13, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 13, 2000 at 9:35 a.m.

That the Senate passed without amendment H.R. 1715.

That the Senate passed without amendment H.R. 2883.

That the Senate passed without amendment H.R. 3995.

That the Senate agreed to conference report H.R. 4205.

That the Senate passed without amendment H.R. 4828.

That the Senate passed without amendment H.R. 5107.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶109.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 13, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 13, 2000 at 2:35 a.m.

That the Senate agreed to the House amendment S. 624.

That the Senate agreed to conference report H.R. 1654.

That the Senate passed without amendment H.R. 2348.

That the Senate passed without amendment H.R. 2842.

That the Senate passed without amendment H.R. 2984.

That the Senate passed without amendment H.R. 3235.

That the Senate passed without amendment H.R. 3236.

That the Senate passed without amendment H.R. 3468.

That the Senate passed without amendment H.R. 3577.

That the Senate passed without amendment H.R. 3986.

That the Senate passed without amendment H.R. 4389.

That the Senate passed without amendment H.R. 4681.

That the Senate passed without amendment H.R. 5417.

That the Senate passed without amendment H. Con Res. 409.

That the Senate passed without amendment H. Con Res. 423.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶109.8 ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER pro tempore, Mr. PEASE, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled joint resolution on Thursday, October 12, 2000:

H.J. Res. 111. An Act making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶109.9 FUNERAL COMMITTEE OF THE LATE BRUCE F. VENTO

The SPEAKER, pro tempore, Mr. PEASE, pursuant to House Resolution 618, announced the Speaker appointed the following additional member, Mr. George MILLER of California, to attend the funeral for the late Honorable Bruce F. Vento, on the part of the House.

¶109.10 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. PEASE, laid before the House the following communication from Mr. Robert Barlow, Staff Assistant, office of the Honorable James A. Traficant, Jr.:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 9, 2000.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the United States District Court for the Northern District of Ohio.

After consultation with counsel, I will make the determinations required by Rule VIII.

Sincerely,

ROBERT BARLOW,
Staff Assistant.

¶109.11 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. PEASE, laid before the House the following communication from Mr. BILBRAY:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 13, 2000.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the Superior Court for San Diego County, California.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to notify the party that issued the subpoena that I do not have any responsive documents.

Sincerely,

BRIAN BILBRAY,
Member of Congress.

¶109.12 BILLS PRESENTED TO THE PRESIDENT

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

On October 11, 2000:

H.R. 4475. Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

On October 12, 2000:

H.R. 2938. To designate the facility of the United States Postal Service located at 424 South Michigan Street in South Bend, Indiana, as the ''John Brademas Post Office''.

H.R. 2778. To amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 2641. To make technical corrections to title X of the Energy Policy Act of 1992.

H.R. 2496. To reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

H.R. 2302. To designate the building of the United States Postal Service located at 307 Main Street in Johnson City, New York, as the ''James W. McCabe, Sr. Post Office Building''.

H.R. 1509. To authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

H.R. 3632. To revise the boundaries of the Golden Gate National Recreation Area, and for other purposes.

H.R. 3454. To designate the United States post office located at 451 College Street in Macon, Georgia, as the ''Henry McNeal Turner Post Office''.

H.R. 3201. To authorize the Secretary of the Interior to study the suitability and feasibility of designating the Carter G. Woodson Home in the District of Columbia as a National Historic Site, and for other purposes.

H.R. 3030. To designate the facility of the United States Postal Service located at 757 Warren Road in Ithaca, New York, as the ''Matthew F. McHugh Post Office''.

H.R. 3985. To redesignate the facility of the United States Postal Service located at 14900 Southwest 30th Street in Miramar, Florida, as the ''Vicki Coceano Post Office Building''.

H.R. 3909. To designate the facility of the United States Postal Service located at 4601 South Cottage Grove Avenue in Chicago, Illinois, as the ''Henry W. McGee Post Office Building''.

H.R. 3817. To dedicate the Big South Trail in the Comanche Peak Wilderness Area of Roosevelt National Forest in Colorado to the legacy of Jaryd Atadero.

H.R. 3745. To authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa.

H.R. 4435. To clarify certain boundaries on the map relating to Unit NC–01 of the Coastal Barrier Resources System.

H.R. 4286. To provide for the establishment of the Cahaba River National Wildlife Refuge in Bibb County, Alabama.

H.R. 4169. To designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building''.

H.R. 4157. To designate the facility of the United States Postal Service located at 600 Lincoln Avenue in Pasadena, California, as the ''Matthew 'Mack' Robinson Post Office Building''.

H.R. 4449. To designate the facility of the United States Postal Service located at 1908 North Ellamont Street in Baltimore, Maryland, as the ''Dr. Flossie McClain Dedmond Post Office Building''.

H.R. 4448. To designate the facility of the United States Postal Service located at 3500 Dolfield Avenue in Baltimore, Maryland, as the ''Judge Robert Bernard Watts, Sr. Post Office Building''.

H.R. 4447. To designate the facility of the United States Postal Service located at 919 West 34th Street in Baltimore, Maryland, as the ''Samuel H. Lacy, Sr. Post Office Building''.

H.R. 4554. To redesignate the facility of the United States Postal Service located at 1602 Frankford Avenue in Philadelphia, Pennsylvania, as the ''Joseph F. Smith Post Office Building''.

H.R. 4534. To redesignate the facility of the United States Postal Service located at 114 Ridge Street, N.W. in Lenoir, North Carolina, as the ''James T. Broyhill Post Office Building''.

H.R. 4226. To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest.

H.R. 4063. To establish the Rosie the Riveter/World War II Home Front National Historical Park in the State of California, and for other purposes.

H.R. 3676. To establish the Santa Rosa and San Jacinto Mountains National Monument in the State of California.

H.R. 2833. To establish the Yuma Crossing National Heritage Area.

H.R. 4517. To designate the facility of the United States Postal Service located at 24 Tsienneto Road in Derry, New Hampshire, as the ''Alan B. Shepard, Jr. Post Office Building''.

H.R. 4484. To designate the facility of the United States Postal Service located at 500 North Washington Street in Rockville, Maryland, as the ''Everett Alvarez, Jr. Post Office Building''.

H.R. 5036. To amend the Dayton Aviation Heritage Preservation Act of 1992 to clarify the areas included in the Dayton Aviation Heritage National Historical Park and to authorize appropriations for the park.

H.R. 4975. To designate the post office and courthouse located at 2 Federal Square, Newark, New Jersey as the ''Frank R. Lautenberg Post Office and Courthouse''.

H.R. 4884. To redesignate the facility of the United States Postal Service located at 200 West 2nd Street in Royal Oak, Michigan, as the ''William S. Broomfield Post Office Building''.

H.R. 4658. To designate the facility of the United States Postal Service located at 301 Green Street in Fayetteville,North Carolina, as the ''J.L. Dawkins Post Office Building''.

H.R. 4615. To redesignate the facility of the United States Postal Service located at 3030 Meredith Avenue in Omaha, Nebraska, as the ''Reverend J.C. Wade Post Office''.

H.R. 5362. To increase the amount of fees charged to employers who are petitioners for the employment of H–1B non-immigrant workers, and for other purposes.

H.R. 4613. To amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program.

H.R. 4285. To authorize the Secretary of Agriculture to convey certain administrative sites for National Forest System lands in the State of Texas, to convey certain National Forest System land to the New Waverly Gulf Coast Trades Center, and for other purposes.

H.R. 4275. To establish the Colorado Canyons National Conservation Area and the Black Ridge Canyons Wilderness, and for other purposes.

¶109.13 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MEEHAN, from October 11 through October 17.

And then,

¶109.14 ADJOURNMENT

The SPEAKER pro tempore, Mr. PEASE, by unanimous consent and pursuant to the special order agreed to on October 12, 2000, at 2 o'clock and 7 minutes p.m., declared the House adjourned until 10:30 a.m. on Tuesday, October 17, 2000.

¶109.15 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. SMITH of Texas: Committee on Standards of Official Conduct. In the Matter of Representative E.G. ''Bud'' Shuster (Rept. No. 106–979). Referred to the House Calendar.

Mr. BLILEY: Committee on Commerce. H.R. 4281. A bill to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new and revised toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness; with amendments (Rept. No. 106–908). Referred to the Committee of the Whole House on the State of the Union.

¶109.16 TIME LIMITATION OF REFERRED BILL

[The following action occurred on Oct. 13, 2000]

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

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 20, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 20, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 20, 2000.

¶109.17 DISCHARGE OF COMMITTEE

[The following action occurred on Oct. 13, 2000]

Pursuant to clause 5 of rule X, the Committee on Agriculture discharged from further consideration S. 1288 referred to the Committee of the Whole House on the State of the Union.

¶109.18 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LARSON:

H.R. 5473. A bill to assist workers who are displaced by trade or technology through no fault of their own by providing medical benefits, increasing government job search assistance, eliminating taxes on certain severance packages, planning for a pilot program to provide public employment for dislocated workers, increasing funding for the International Program of Child Labor of the International Labor Organization, establishing the Office of Community Economic Adjustment in the Economic Development Administration of the Department of Commerce to coordinate the Federal response in regions and communities experiencing severe and sudden economic distress, helping these regions and communities in restructuring their economies, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Commerce, Transportation and Infrastructure, Banking and Financial Services, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶109.19 MEMORIALS

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

477. The SPEAKER presented a memorial of the House of Representatives of the State of Texas, relative to a resolution petitioning

the United States House of Representatives to support S. 2912 ''To Amend the Immigration and Nationality Act to remove certain limitations on the eligibility of aliens residing in the United States to obtain lawful permanent resident status''; to the Committee on the Judiciary.

478. Also, a memorial of the House of Representatives of the State of South Carolina, relative to Concurrent Resolution H. 4434 memorializing the United States Congress to amend the Constitution of the United States and submit to the states for ratification an amendment which adds a new article providing as follows: ''Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision thereof, or an official of such a state or political subdivision, to levy or increase taxes''; to the Committee on the Judiciary.

¶109.20 ADDITIONAL SPONSORS

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

H.R. 369: Ms. BERKLEY.
H.R. 601: Mr. BACA.
H.R. 1168: Mr. SESSIONS.
H.R. 2774: Ms. CARSON.
H.R. 4493: Ms. CARSON.
H.R. 4722: Mr. SANDLIN.
H.R. 4728: Mr. ORTIZ, Mr. SNYDER, and Ms. CARSON.
H.R. 4792: Mr. KENNEDY of Rhode Island.
H.R. 5182: Mr. BONIOR.
H.R. 5204: Ms. CARSON.
H.R. 5222: Ms. CARSON.
H.R. 5261: Mr. FROST, Mr. GREEN of Texas, Mr. KUCINICH, and Mr. ALLEN.
H.R. 5373: Mr. DEMINT.
H.R. 5397: Mr. BILIRAKIS, Mr. GEKAS, and Mr. MILLER of Florida.
H.R. 5472: Mr. JACKSON of Illinois, Mr. LANTOS, and Mr. PASTOR.
H. Con. Res. 357: Ms. PELOSI.
H. Res. 146: Mr. ACKERMAN.
H. Res. 605: Mr. MOORE.

TUESDAY, OCTOBER 17, 2000 (110)

¶110.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10:30 a.m. by the SPEAKER pro tempore, Mrs. BIGGERT, who laid before the House the following communication:

WASHINGTON, DC,
October 17, 2000.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Tuesday, January 19, 1999, Members were recognized for ''morning-hour debate''.

¶110.2 RECESS—10:39 A.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock 39 minutes a.m. until 12 o'clock noon.

¶110.3 AFTER RECESS—12 NOON

The SPEAKER pro tempore, Mrs. MORELLA, called the House to order.

¶110.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. MORELLA, announced she had examined and approved the Journal of the proceedings of Monday, October 16, 2000.

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

¶110.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10593. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Zinc phosphide; Extension of Tolerances for Emergency Exemptions [OPP–301065; FRL–6748–1] (RIN: 2070–AB78) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10594. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tebuconazole; Extension of Tolerances for Emergency Exemptions [OPP–301070; FRL–6749–5] (RIN: 2070–AB78) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10595. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Norflurazon; Extension of Tolerances for Emergency Exemptions [OPP–301066; FRL–6748–2] (RIN: 2070–AB78) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10596. A letter from the Acting Under Secretary of the Navy, Department of Defense, transmitting a report on a decision to award a contract for Navy Marine Corps Intranet services; to the Committee on Armed Services.

10597. A letter from the Director, Office for Equal Opportunity, Department of the Interior, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance; Final Common Rule—received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10598. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri; Designation of Areas for Air Quality Planning Purposes, Dent Township [MO 114–1114a; FRL–6885–6] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10599. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Nitrogen Oxides Budget Program [MD 096–3053a; FRL–6878–4 received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10600. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Colorado and Utah; 1996 Periodic Carbon Monoxide Emission Inventories [CO–001–0041a, CO–001–0042a, UT–001–0032a; FRL–6889–2] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10601. A letter from the Deputy Associate Administrator, Environmental Protection Agnecy, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Virginia; Approval of Removal of TSP Ambient Air Quality Standards [VA109–5050; FRL–6887–7] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10602. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

10603. A letter from the Senior Benefits Programs Planning Analyst, AgAmerica Western Farm Credit Bank, transmitting a report on the Eleventh Farm Credit District Employees' Retirement Plan for the Plan Year Ending December 31, 1999, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

10604. A letter from the Interim Director, Court Services and Offender Supervision Agency, The District of Columbia, transmitting a report on the District of Columbia Pretrial Services Agency's Strategic Plan for 2000–2005; to the Committee on Government Reform.

10605. A letter from the Interim Director, Court Services and Offender Supervision Agency, The District of Columbia, transmitting a report on the Court Services and Offender Supervision Agency's Summary Strategic Plan 2000–2005; to the Committee on Government Reform.

10606. A letter from the Assistant for Congressional and Intergovernmental Affairs, Department of Energy, transmitting a report on the Strategic Plan ''Strength Through Science Powering the 21st Century''; to the Committee on Government Reform.

10607. A letter from the Acting Director of Communications and Legislative Affairs, U.S. Equal Employment Opportunity Commission, transmitting a report on the Commission's FY 2000 Commercial Activities Inventory; to the Committee on Government Reform.

10608. A letter from the the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period July 1, 2000 through September 30, 2000 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 106–301); to the Committee on House Administration and ordered to be printed.

10609. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the Coastal California Gnatcatcher (RIN: 1018–AF32) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10610. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Area; Amendment 58 to Revise the Chinook Salmon Savings Area [Docket No. 991210329–0273–02; I.D. 102699B] (RIN: 0648–AM63) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

¶110.6 PRIVATE CALENDAR BUSINESS DISPENSED WITH

On motion of Mr. SENSENBRENNER, by unanimous consent,

Ordered, That business in order today, under clause 5, rule XV, the Private Calendar rule, be dispensed with.

¶110.7 VETERANS BENEFITS

Mr. STUMP moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 4850) to increase, effective as of December 1, 2000, the rates of compensation

for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veterans' Compensation Cost-of-Living Adjustment Act of 2000''.

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 2000, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) COMPENSATION.—Each of the dollar amounts in effect under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under sections 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of such title.

(4) NEW DIC RATES.—The dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title.

(5) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of such title.

(6) ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amount in effect under section 1311(b) of such title.

(7) ADDITIONAL DIC FOR DISABILITY.—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(8) DIC FOR DEPENDENT CHILDREN.—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 2000.

(2) Except as provided in paragraph (3), each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2000, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(3) Each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 3. PUBLICATION OF ADJUSTED RATES.

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2001, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b) of section 2, as increased pursuant to that section.

Amend the title so as to read: ''An Act to increase, effective as of December 1, 2000, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.''.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. STUMP and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to were, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.8 VETERANS CLAIMS ASSISTANCE

Mr. STUMP moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 4864) to amend title 38,United States Code, to reaffirm and clarify the duty of the Secretary of Veterans Affairs to assist claimants for benefits under laws administered by the Secretary, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veterans Claims Assistance Act of 2000''.

SEC. 2. CLARIFICATION OF DEFINITION OF "CLAIMANT" FOR PURPOSES OF VETERANS CLAIMS.

Chapter 51 of title 38, United States Code, is amended by inserting before section 5101 the following new section:

"§5100. Definition of 'claimant'

''For purposes of this chapter, the term 'claimant' means any individual applying for, or submitting a claim for, any benefit under the laws administered by the Secretary.''.

SEC. 3. ASSISTANCE TO CLAIMANTS.

(a) REAFFIRMATION AND CLARIFICATION OF DUTY TO ASSIST.—Chapter 51 of title 38, United States Code, is further amended by striking sections 5102 and 5103 and inserting the following:

"§5102. Application forms furnished upon request; notice to claimants of incomplete applications

''(a) FURNISHING FORMS.—Upon request made by any person claiming or applying for, or expressing an intent to claim or apply for, a benefit under the laws administered by the Secretary, the Secretary shall furnish such person, free of all expense, all instructions and forms necessary to apply for that benefit.

''(b) INCOMPLETE APPLICATIONS.—If a claimant's application for a benefit under the laws administered by the Secretary is incomplete, the Secretary shall notify the claimant and the claimant's representative, if any, of the information necessary to complete the application.

"§5103. Notice to claimants of required information and evidence

''(a) REQUIRED INFORMATION AND EVIDENCE.—Upon receipt of a complete or substantially complete application, the Secretary shall notify the claimant and the claimant's representative, if any, of any information, and any medical or lay evidence, not previously provided to the Secretary that is necessary to substantiate the claim. As part of that notice, the Secretary shall indicate which portion of that information and evidence, if any, is to be provided by the claimant and which portion, if any, the Secretary, in accordance with section 5103A of this title and any other applicable provisions of law, will attempt to obtain on behalf of the claimant.

''(b) TIME LIMITATION.—(1) In the case of information or evidence that the claimant is notified under subsection (a) is to be provided by the claimant, if such information or evidence is not received by the Secretary within one year from the date of such notification, no benefit may be paid or furnished by reason of the claimant's application.

''(2) This subsection shall not apply to any application or claim for Government life insurance benefits.

"§5103A. Duty to assist claimants

''(a) DUTY TO ASSIST.—(1) The Secretary shall make reasonable efforts to assist a claimant in obtaining evidence necessary to substantiate the claimant's claim for a benefit under a law administered by the Secretary.

''(2) The Secretary is not required to provide assistance to a claimant under this section if no reasonable possibility exists that such assistance would aid in substantiating the claim.

''(3) The Secretary may defer providing assistance under this section pending the submission by the claimant of essential information missing from the claimant's application.

''(b) ASSISTANCE IN OBTAINING RECORDS.—(1) As part of the assistance provided under subsection (a), the Secretary shall make reasonable efforts to obtain relevant records (including private records) that the claimant adequately identifies to the Secretary and authorizes the Secretary to obtain.

''(2) Whenever the Secretary, after making such reasonable efforts, is unable to obtain all of the relevant records sought, the Secretary shall notify the claimant that the Secretary is unable to obtain records with respect to the claim. Such a notification shall—

''(A) identify the records the Secretary is unable to obtain;

''(B) briefly explain the efforts that the Secretary made to obtain those records; and

''(C) describe any further action to be taken by the Secretary with respect to the claim.

''(3) Whenever the Secretary attempts to obtain records from a Federal department or agency under this subsection or subsection (c), the efforts to obtain those records shall continue until the records are obtained unless it is reasonably certain that such records do not exist or that further efforts to obtain those records would be futile.

''(c) OBTAINING RECORDS FOR COMPENSATION CLAIMS.—In the case of a claim for disability compensation, the assistance provided by the Secretary under subsection (b) shall include obtaining the following records if relevant to the claim:

''(1) The claimant's service medical records and, if the claimant has furnished the Secretary information sufficient to locate such records, other relevant records pertaining to the claimant's active military, naval, or air service that are held or maintained by a governmental entity.

''(2) Records of relevant medical treatment or examination of the claimant at Department health-care facilities or at the expense of the Department, if the claimant furnishes information sufficient to locate those records.

''(3) Any other relevant records held by any Federal department or agency that the claimant adequately identifies and authorizes the Secretary to obtain.

''(d) MEDICAL EXAMINATIONS FOR COMPENSATION CLAIMS.—(1) In the case of a claim for disability compensation, the assistance provided by the Secretary under subsection (a) shall include providing a medical examination or obtaining a medical opinion when such an examination or opinion is necessary to make a decision on the claim.

''(2) The Secretary shall treat an examination or opinion as being necessary to make a decision on a claim for purposes of paragraph (1) if the evidence of record before the Secretary, taking into consideration all information and lay or medical evidence (including statements of the claimant)—

''(A) contains competent evidence that the claimant has a current disability, or persistent or recurrent symptoms of disability; and

''(B) indicates that the disability or symptoms may be associated with the claimant's active military, naval, or air service; but

''(C) does not contain sufficient medical evidence for the Secretary to make a decision on the claim.

''(e) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section.

''(f) RULE WITH RESPECT TO DISALLOWED CLAIMS.—Nothing in this section shall be construed to require the Secretary to reopen a claim that has been disallowed except when new and material evidence is presented or secured, as described in section 5108 of this title.

''(g) OTHER ASSISTANCE NOT PRECLUDED.—Nothing in this section shall be construed as precluding the Secretary from providing such other assistance under subsection (a) to a claimant in substantiating a claim as the Secretary considers appropriate.''.

(b) REENACTMENT OF RULE FOR CLAIMANT'S LACKING A MAILING ADDRESS.—Chapter 51 of such title is further amended by adding at the end the following new section:

''§5126. Benefits not to be denied based on lack of mailing address

''Benefits under laws administered by the Secretary may not be denied a claimant on the basis that the claimant does not have a mailing address.''.

SEC. 4. DECISION ON CLAIM.

Section 5107 of title 38, United States Code, is amended to read as follows:

''§5107. Claimant responsibility; benefit of the doubt

''(a) CLAIMANT RESPONSIBILITY.—Except as otherwise provided by law, a claimant has the responsibility to present and support a claim for benefits under laws administered by the Secretary.

''(b) BENEFIT OF THE DOUBT.—The Secretary shall consider all information and lay and medical evidence of record in a case before the Secretary with respect to benefits under laws administered by the Secretary. When there is an approximate balance of positive and negative evidence regarding any issue material to the determination of a matter, the Secretary shall give the benefit of the doubt to the claimant.''.

SEC. 5. PROHIBITION OF CHARGES FOR RECORDS FURNISHED BY OTHER FEDERAL DEPARTMENTS AND AGENCIES.

Section 5106 of title 38, United States Code, is amended by adding at the end the following new sentence: ''The cost of providing information to the Secretary under this section shall be borne by the department or agency providing the information.''.

SEC. 6. CLERICAL AMENDMENTS.

The table of sections at the beginning of chapter 51 of title 38, United States Code, is amended—

(1) by inserting before the item relating to section 5101 the following new item:

''5100. Definition of 'claimant'.'';

(2) by striking the items relating to sections 5102 and 5103 and inserting the following:

''5102. Application forms furnished upon request; notice to claimants of incomplete applications.

''5103. Notice to claimants of required information and evidence.

''5103A. Duty to assist claimants.'';

(3) by striking the item relating to section 5107 and inserting the following:

''5107. Claimant responsibility; benefit of the doubt.'';

and

(4) by adding at the end the following new item:

''5126. Benefits not to be denied based on lack of mailing address.''.

SEC. 7. EFFECTIVE DATE.

(a) IN GENERAL.—Except as specifically provided otherwise, the provisions of section 5107 of title 38, United States Code, as amended by section 4 of this Act, apply to any claim—

(1) filed on or after the date of the enactment of this Act; or

(2) filed before the date of the enactment of this Act and not final as of that date.

(b) RULE FOR CLAIMS THE DENIAL OF WHICH BECAME FINAL AFTER THE COURT OF APPEALS FOR VETERANS CLAIMS DECISION IN THE MORTON CASE.—(1) In the case of a claim for benefits denied or dismissed as described in paragraph (2), the Secretary of Veterans Affairs shall, upon the request of the claimant or on the Secretary's own motion, order the claim readjudicated under chapter 51 of such title, as amended by this Act, as if the denial or dismissal had not been made.

(2) A denial or dismissal described in this paragraph is a denial or dismissal of a claim for a benefit under the laws administered by the Secretary of Veterans Affairs that—

(A) became final during the period beginning on July 14, 1999, and ending on the date of the enactment of this Act; and

(B) was issued by the Secretary of Veterans Affairs or a court because the claim was not well grounded (as that term was used in section 5107(a) of title 38, United States Code, as in effect during that period).

(3) A claim may not be readjudicated under this subsection unless a request for readjudication is filed by the claimant, or a motion is made by the Secretary, not later than two years after the date of the enactment of this Act.

(4) In the absence of a timely request of a claimant under paragraph (3), nothing in this Act shall be construed as establishing a duty on the part of the Secretary of Veterans Affairs to locate and readjudicate a claim described in this subsection.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. STUMP and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.9 VETERANS AND DEPENDENTS MILLENNIUM EDUCATION

Mr. STUMP moved to suspend the rules and agree to the following amendments of the Senate to the House amendments to the bill of the Senate (S. 1402) to amend title 38, United States Code, to enhance programs providing educational benefits for veterans, and for other purposes:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Benefits and Health Care Improvement Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS

Subtitle A—Montgomery GI Bill Educational Assistance

Sec. 101. Increase in rates of basic educational assistance under Montgomery GI Bill.
Sec. 102. Uniform requirement for high school diploma or equivalency before application for Montgomery GI Bill benefits.
Sec. 103. Repeal of requirement for initial obligated period of active duty as condition of eligibility for Montgomery GI Bill benefits.
Sec. 104. Additional opportunity for certain VEAP participants to enroll in basic educational assistance under Montgomery GI Bill.
Sec. 105. Increased active duty educational assistance benefit for contributing members.

Subtitle B—Survivors' and Dependents' Educational Assistance

Sec. 111. Increase in rates of survivors' and dependents' educational assistance.
Sec. 112. Election of certain recipients of commencement of period of eligibility for survivors' and dependents' educational assistance.
Sec. 113. Adjusted effective date for award of survivors' and dependents' educational assistance.
Sec. 114. Availability under survivors' and dependents' educational assistance of preparatory courses for college and graduate school entrance exams.

Subtitle C—General Educational Assistance

Sec. 121. Revision of educational assistance interval payment requirements.
Sec. 122. Availability of education benefits for payment for licensing or certification tests.
Sec. 123. Increase for fiscal years 2001 and 2002 in aggregate annual amount available for State approving agencies for administrative expenses.

TITLE II—HEALTH PROVISIONS

Subtitle A—Personnel Matters

Sec. 201. Annual national pay comparability adjustment for nurses employed by Department of Veterans Affairs.
Sec. 202. Special pay for dentists.
Sec. 203. Exemption for pharmacists from ceiling on special salary rates.
Sec. 204. Temporary full-time appointments of certain medical personnel.
Sec. 205. Qualifications of social workers.
Sec. 206. Physician assistant adviser to Under Secretary for Health.
Sec. 207. Extension of voluntary separation incentive payments.

Subtitle B—Military Service Issues

Sec. 211. Findings and sense of Congress concerning use of military histories of veterans in Department of Veterans Affairs health care.
Sec. 212. Study of post-traumatic stress disorder in Vietnam veterans.

Subtitle C—Medical Administration

Sec. 221. Department of Veterans Affairs Fisher Houses.
Sec. 222. Exception to recapture rule.
Sec. 223. Sense of Congress concerning cooperation between the Department of Veterans Affairs and the Department of Defense in the procurement of medical items.
Sec. 224. Technical and conforming changes.

Subtitle D—Construction Authorization
Sec. 231. Authorization of major medical facility projects.
Sec. 232. Authorization of appropriations.
Subtitle E—Real Property Matters
Sec. 241. Change to enhanced use lease congressional notification period.
Sec. 242. Release of reversionary interest of the United States in certain real property previously conveyed to the State of Tennessee.
Sec. 243. Demolition, environmental cleanup, and reversion of Department of Veterans Affairs Medical Center, Allen Park, Michigan.
Sec. 244. Conveyance of certain property at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia.
Sec. 245. Land conveyance, Miles City Department of Veterans Affairs Medical Center complex, Miles City, Montana.
Sec. 246. Conveyance of Fort Lyon Department of Veterans Affairs Medical Center, Colorado, to the State of Colorado.
Sec. 247. Effect of closure of Fort Lyon Department of Veterans Affairs Medical Center on administration of health care for veterans.
TITLE III—COMPENSATION, INSURANCE, HOUSING, EMPLOYMENT, AND MEMORIAL AFFAIRS PROVISIONS
Subtitle A—Compensation Program Changes
Sec. 301. Strokes and heart attacks incurred or aggravated by members of reserve components in the performance of duty while performing inactive duty training to be considered to be service-connected.
Sec. 302. Special monthly compensation for women veterans who lose a breast as a result of a service-connected disability.
Sec. 303. Benefits for persons disabled by participation in compensated work therapy program.
Sec. 304. Revision to limitation on payments of benefits to incompetent institutionalized veterans.
Sec. 305. Review of dose reconstruction program of the Defense Threat Reduction Agency.
Subtitle B—Life Insurance Matters
Sec. 311. Premiums for term Service Disabled Veterans' Insurance for veterans older than age 70.
Sec. 312. Increase in automatic maximum coverage under Servicemembers' Group Life Insurance and Veterans' Group Life Insurance.
Sec. 313. Eligibility of certain members of the Individual Ready Reserve for Servicemembers' Group Life Insurance.
Subtitle C—Housing and Employment Programs
Sec. 321. Elimination of reduction in assistance for specially adapted housing for disabled veterans for veterans having joint ownership of housing units.
Sec. 322. Veterans employment emphasis under Federal contracts for recently separated veterans.
Sec. 323. Employers required to grant leave of absence for employees to participate in honor guards for funerals of veterans.
Subtitle D—Cemeteries and Memorial Affairs
Sec. 331. Eligibility for interment of certain Filipino veterans of World War II in national cemeteries.
Sec. 332. Payment rate of certain burial benefits for certain Filipino veterans of World War II.
Sec. 333. Plot allowance for burial in State veterans cemeteries.
TITLE IV—OTHER MATTERS
Sec. 401. Benefits for the children of women Vietnam veterans who suffer from certain birth defects.
Sec. 402. Extension of certain expiring authorities.
Sec. 403. Preservation of certain reporting requirements.
Sec. 404. Technical amendments.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS

Subtitle A—Montgomery GI Bill Educational Assistance

SEC. 101. INCREASE IN RATES OF BASIC EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.

(a) ACTIVE DUTY EDUCATIONAL ASSISTANCE.—Section 3015 is amended—

(1) in subsection (a)(1), by striking ''$528'' and inserting ''$650''; and

(2) in subsection (b)(1), by striking ''$429'' and inserting ''$528''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on November 1, 2000, and shall apply with respect to educational assistance allowances paid under chapter 30 of title 38, United States Code, for months after October 2000.

SEC. 102. UNIFORM REQUIREMENT FOR HIGH SCHOOL DIPLOMA OR EQUIVALENCY BEFORE APPLICATION FOR MONTGOMERY GI BILL BENEFITS.

(a) ACTIVE DUTY PROGRAM.—(1) Section 3011 is amended—

(A) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

''(2) who completes the requirements of a secondary school diploma (or equivalency certificate), or successfully completes (or otherwise receives academic credit for) the equivalent of 12 semester hours in a program of education leading to a standard college degree, before applying for benefits under this section; and''; and

(B) by striking subsection (e).

(2) Section 3017(a)(1)(A)(ii) is amended by striking ''clause (2)(A)'' and inserting ''clause (2)''.

(b) SELECTED RESERVE PROGRAM.—Section 3012 is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

''(2) who completes the requirements of a secondary school diploma (or equivalency certificate), or successfully completes (or otherwise receives academic credit for) the equivalent of 12 semester hours in a program of education leading to a standard college degree, before applying for benefits under this section; and''; and

(2) by striking subsection (f).

(c) WITHDRAWAL OF ELECTION NOT TO ENROLL.—Paragraph (4) of section 3018(b) is amended to read as follows:

''(4) before applying for benefits under this section—

''(A) completes the requirements of a secondary school diploma (or equivalency certificate); or

''(B) successfully completes (or otherwise receives academic credit for) the equivalent of 12 semester hours in a program of education leading to a standard college degree; and''.

(d) EDUCATIONAL ASSISTANCE PROGRAM FOR MEMBERS OF SELECTED RESERVE.—Paragraph (2) of section 16132(a) of title 10, United States Code, is amended to read as follows:

''(2) before applying for benefits under this section, has completed the requirements of a secondary school diploma (or an equivalency certificate);''.

(e) DELIMITING PERIOD.—(1) In the case of an individual described in paragraph (2), with respect to the time limitation under section 3031 of title 38, United States Code, for use of eligibility and entitlement of basic educational assistance under chapter 30 of such title, the 10-year period applicable under such section shall begin on the later of—

(A) the date of the enactment of this Act; or

(B) the date of the individual's last discharge or release from active duty.

(2) An individual referred to in paragraph (1) is an individual who—

(A) before the date of the enactment of this Act, was not eligible for such basic educational assistance by reason of the requirement of a secondary school diploma (or equivalency certificate) as a condition of eligibility for such assistance as in effect on the date preceding the date of the enactment of this Act; and

(B) becomes entitled to basic educational assistance under section 3011(a)(2), 3012(a)(2), or 3018(b)(4) of title 38, United States Code, by reason of the amendments made by this section.

SEC. 103. REPEAL OF REQUIREMENT FOR INITIAL OBLIGATED PERIOD OF ACTIVE DUTY AS CONDITION OF ELIGIBILITY FOR MONTGOMERY GI BILL BENEFITS.

(a) ACTIVE DUTY PROGRAM.—Section 3011 is amended—

(1) in subsection (a)(1)(A)—

(A) by striking clause (i) and inserting the following new clause (i):

''(i) who serves an obligated period of active duty of at least two years of continuous active duty in the Armed Forces; or''; and

(B) in clause (ii)(II), by striking ''in the case of an individual who completed not less than 20 months'' and all that follows through ''was at least three years'' and inserting ''if, in the case of an individual with an obligated period of service of two years, the individual completes not less than 20 months of continuous active duty under that period of obligated service, or, in the case of an individual with an obligated period of service of at least three years, the individual completes not less than 30 months of continuous active duty under that period of obligated service'';

(2) in subsection (d)(1), by striking ''individual's initial obligated period of active duty'' and inserting ''obligated period of active duty on which an individual's entitlement to assistance under this section is based'';

(3) in subsection (h)(2)(A), by striking ''during an initial period of active duty,'' and inserting ''during the obligated period of active duty on which entitlement to assistance under this section is based,''; and

(4) in subsection (i), by striking ''initial''.

(b) SELECTED RESERVE PROGRAM.—Section 3012 is amended—

(1) in subsection (a)(1)(A)(i), by striking '', as the individual's'' and all that follows through ''Armed Forces'' and inserting ''an obligated period of active duty of at least two years of continuous active duty in the Armed Forces''; and

(2) in subsection (e)(1), by striking ''initial''.

(c) DURATION OF ASSISTANCE.—Section 3013 is amended—

(1) in subsection (a)(2), by striking ''individual's initial obligated period of active duty'' and inserting ''obligated period of active duty on which such entitlement is based''; and

(2) in subsection (b)(1), by striking ''individual's initial obligated period of active duty'' and inserting ''obligated period of active duty on which such entitlement is based''.

(d) AMOUNT OF ASSISTANCE.—Section 3015 is amended—

(1) in the second sentence of subsection (a), by inserting before ''a basic educational assistance allowance'' the following: ''in the case of an individual entitled to an educational assistance allowance under this chapter whose obligated period of active duty on which such entitlement is based is three years,'';

(2) in subsection (b), by striking ''and whose initial obligated period of active duty is two years,'' and inserting ''whose obligated period of active duty on which such entitlement is based is two years,''; and

(3) in subsection (c)(2), by striking subparagraphs (A) and (B) and inserting the following new subparagraphs (A) and (B):

''(A) whose obligated period of active duty on which such entitlement is based is less than three years;

''(B) who, beginning on the date of the commencement of such obligated period of active duty, serves a continuous period of active duty of not less than three years; and''.

(e) DELIMITING PERIOD.—(1) In the case of an individual described in paragraph (2), with respect to the time limitation under section 3031 of title 38, United States Code, for use of eligibility and entitlement of basic educational assistance under chapter 30 of such title, the 10-year period applicable under such section shall begin on the later of—

(A) the date of the enactment of this Act; or

(B) the date of the individual's last discharge or release from active duty.

(2) An individual referred to in paragraph (1) is an individual who—

(A) before the date of the enactment of this Act, was not eligible for basic educational assistance under chapter 30 of such title by reason of the requirement of an initial obligated period of active duty as condition of eligibility for such assistance as in effect on the date preceding the date of the enactment of this Act; and

(B) on or after such date becomes eligible for such assistance by reason of the amendments made by this section.

SEC. 104. ADDITIONAL OPPORTUNITY FOR CERTAIN VEAP PARTICIPANTS TO ENROLL IN BASIC EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.

(a) SPECIAL ENROLLMENT PERIOD.—Section 3018C is amended by adding at the end the following new subsection:

''(e)(1) A qualified individual (described in paragraph (2)) may make an irrevocable election under this subsection, during the one-year period beginning on the date of the enactment of this subsection, to become entitled to basic educational assistance under this chapter. Such an election shall be made in the same manner as elections made under subsection (a)(5).

''(2) A qualified individual referred to in paragraph (1) is an individual who meets each of the following requirements:

''(A) The individual was a participant in the educational benefits program under chapter 32 of this title on or before October 9, 1996.

''(B) The individual has continuously served on active duty since October 9, 1996 (excluding the periods referred to in section 3202(1)(C) of this title), through at least April, 1, 2000.

''(C) The individual meets the requirements of subsection (a)(3).

''(D) The individual, when discharged or released from active duty, is discharged or released therefrom with an honorable discharge.

''(3)(A) Subject to the succeeding provisions of this paragraph, with respect to a qualified individual who makes an election under paragraph (1) to become entitled to basic education assistance under this chapter—

''(i) the basic pay of the qualified individual shall be reduced (in a manner determined by the Secretary concerned) until the total amount by which such basic pay is reduced is $2,700; and

''(ii) to the extent that basic pay is not so reduced before the qualified individual's discharge or release from active duty as specified in subsection (a)(4), at the election of the qualified individual—

''(I) the Secretary concerned shall collect from the qualified individual; or

''(II) the Secretary concerned shall reduce the retired or retainer pay of the qualified individual by,

an amount equal to the difference between $2,700 and the total amount of reductions under clause (i), which shall be paid into the Treasury of the United States as miscellaneous receipts.

''(B)(i) The Secretary concerned shall provide for an 18-month period, beginning on the date the qualified individual makes an election under paragraph (1), for the qualified individual to pay that Secretary the amount due under subparagraph (A).

''(ii) Nothing in clause (i) shall be construed as modifying the period of eligibility for and entitlement to basic education assistance under this chapter applicable under section 3031 of this title.

''(C) The provisions of subsection (c) shall apply to qualified individuals making elections under this subsection in the same manner as they applied to individuals making elections under subsection (a)(5).

''(4) With respect to qualified individuals referred to in paragraph (3)(A)(ii), no amount of educational assistance allowance under this chapter shall be paid to the qualified individual until the earlier of the date on which—

''(A) the Secretary concerned collects the applicable amount under subclause (I) of such paragraph; or

''(B) the retired or retainer pay of the qualified individual is first reduced under subclause (II) of such paragraph.

''(5) The Secretary, in conjunction with the Secretary of Defense, shall provide for notice to participants in the educational benefits program under chapter 32 of this title of the opportunity under this subsection to elect to become entitled to basic educational assistance under this chapter.''.

(b) CONFORMING AMENDMENT.—Section 3018C(b) is amended by striking ''subsection (a)'' and inserting ''subsection (a) or (e)''.

(c) COORDINATION PROVISIONS.—(1) If this Act is enacted before the provisions of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 are enacted into law, section 1601 of that Act, including the amendments made by that section, shall not take effect. If this Act is enacted after the provisions of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 are enacted into law, then as of the enactment of this Act, the amendments made by section 1601 of that Act shall be deemed for all purposes not to have taken effect and that section shall cease to be in effect.

(2) If the Veterans Claims Assistance Act of 2000 is enacted before the provisions of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 are enacted into law, section 1611 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, including the amendments made by that section, shall not take effect. If the Veterans Claims Assistance Act of 2000 is enacted after the provisions of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 are enacted into law, then as of the enactment of the Veterans Claims Assistance Act of 2000, the amendments made by section 1611 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 shall be deemed for all purposes not to have taken effect and that section shall cease to be in effect.

SEC. 105. INCREASED ACTIVE DUTY EDUCATIONAL ASSISTANCE BENEFIT FOR CONTRIBUTING MEMBERS.

(a) AUTHORITY TO MAKE CONTRIBUTIONS FOR INCREASED ASSISTANCE AMOUNT.—(1) Section 3011, as amended by section 102(a)(1)(B), is amended by inserting after subsection (d) the following new subsection (e):

''(e)(1) Any individual eligible for educational assistance under this section who does not make an election under subsection (c)(1) may contribute amounts for purposes of receiving an increased amount of basic educational assistance as provided for under section 3015(g) of this title. Such contributions shall be in addition to any reductions in the basic pay of such individual under subsection (b).

''(2) An individual covered by paragraph (1) may make the contributions authorized by that paragraph at any time while on active duty.

''(3) The total amount of the contributions made by an individual under paragraph (1) may not exceed $600. Such contributions shall be made in multiples of $4.

''(4) Contributions under this subsection shall be made to the Secretary. The Secretary shall deposit any amounts received by the Secretary as contributions under this subsection into the Treasury as miscellaneous receipts.''.

(2) Section 3012, as amended by section 102(b)(2), is amended by inserting after subsection (e) the following new subsection (f):

''(f)(1) Any individual eligible for educational assistance under this section who does not make an election under subsection (d)(1) may contribute amounts for purposes of receiving an increased amount of basic educational assistance as provided for under section 3015(g) of this title. Such contributions shall be in addition to any reductions in the basic pay of such individual under subsection (c).

''(2) An individual covered by paragraph (1) may make the contributions authorized by that paragraph at any time while on active duty.

''(3) The total amount of the contributions made by an individual under paragraph (1) may not exceed $600. Such contributions shall be made in multiples of $4.

''(4) Contributions under this subsection shall be made to the Secretary. The Secretary shall deposit any amounts received by the Secretary as contributions under this subsection into the Treasury as miscellaneous receipts.''.

(b) INCREASED ASSISTANCE AMOUNT.—Section 3015 is amended—

(1) by striking ''subsection (g)'' each place it appears in subsections (a)(1) and (b)(1) and inserting ''subsection (h)'';

(2) by redesignating subsection (g) as subsection (h); and

(3) by inserting after subsection (f) the following new subsection (g):

''(g) In the case of an individual who has made contributions authorized by section 3011(e) or 3012(f) of this title, the monthly amount of basic educational assistance allowance applicable to such individual under subsection (a), (b), or (c) shall be the monthly rate otherwise provided for under the applicable subsection increased by—

''(1) an amount equal to $1 for each $4 contributed by such individual under section 3011(e) or 3012(f), as the case may be, for an approved program of education pursued on a full-time basis; or

''(2) an appropriately reduced amount based on the amount so contributed, as determined under regulations which the Secretary shall prescribe, for an approved program of education pursued on less than a full-time basis.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on May 1, 2001.

(d) TRANSITIONAL PROVISION FOR INDIVIDUALS DISCHARGED BETWEEN ENACTMENT AND EFFECTIVE DATE.—(1) During the period beginning on May 1, 2001, and ending on July 31, 2001, an individual described in paragraph (2) may make contributions under section 3011(e) or 3012(f) of title 38, United States Code (as added by subsection (a)), whichever is applicable to that individual, without regard to paragraph (2) of that section and otherwise in the same manner as an individual eligible for educational assistance under chapter 30 of such title who is on active duty.

(2) Paragraph (1) applies in the case of an individual who—

(A) is discharged or released from active duty during the period beginning on the date of the enactment of this Act and ending on April 30, 2001; and

(B) is eligible for educational assistance under chapter 30 of title 38, United States Code.

Subtitle B—Survivors' and Dependents' Educational Assistance

SEC. 111. INCREASE IN RATES OF SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.

(a) SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.—Section 3532 is amended—

(1) in subsection (a)(1)—

(A) by striking ''$485'' and inserting ''$588'';

(B) by striking ''$365'' and inserting ''$441''; and

(C) by striking ''$242'' and inserting ''$294'';

(2) in subsection (a)(2), by striking ''$485'' and inserting ''$588'';

(3) in subsection (b), by striking ''$485'' and inserting ''$588''; and

(4) in subsection (c)(2)—

(A) by striking ''$392'' and inserting ''$475'';

(B) by striking ''$294'' and inserting ''$356''; and

(C) by striking ''$196'' and inserting ''$238''.

(b) CORRESPONDENCE COURSE.—Section 3534(b) is amended by striking ''$485'' and inserting ''$588''.

(c) SPECIAL RESTORATIVE TRAINING.—Section 3542(a) is amended—

(1) by striking ''$485'' and inserting ''$588'';

(2) by striking ''$152'' each place it appears and inserting ''$184''; and

(3) by striking ''$16.16'' and all that follows and inserting ''such increased amount of allowance that is equal to one-thirtieth of the full-time basic monthly rate of special training allowance.''.

(d) APPRENTICESHIP TRAINING.—Section 3687(b)(2) is amended—

(1) by striking ''$353'' and inserting ''$428'';

(2) by striking ''$264'' and inserting ''$320'';

(3) by striking ''$175'' and inserting ''$212''; and

(4) by striking ''$88'' and inserting ''$107''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a) through (d) shall take effect on November 1, 2000, and shall apply with respect to educational assistance allowances paid under chapter 35 of title 38, United States Code, for months after October 2000.

(f) ANNUAL ADJUSTMENTS TO AMOUNTS OF ASSISTANCE.—

(1) CHAPTER 35.—(A) Subchapter VI of chapter 35 is amended by adding at the end the following new section:

''§ 3564. Annual adjustment of amounts of educational assistance

''With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the rates payable under sections 3532, 3534(b), and 3542(a) of this title equal to the percentage by which—

''(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

''(2) such Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).''.

(B) The table of sections at the beginning of chapter 35 is amended by inserting after the item relating to section 3563 the following new item:

''3564. Annual adjustment of amounts of educational assistance.''.

(2) CHAPTER 36.—Section 3687 is amended by adding at the end the following new subsection:

''(d) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the rates payable under subsection (b)(2) equal to the percentage by which—

''(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

''(2) such Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).''.

(3) EFFECTIVE DATE.—Sections 3654 and 3687(d) of title 38, United States Code, as added by this subsection, shall take effect on October 1, 2001.

SEC. 112. ELECTION OF CERTAIN RECIPIENTS OF COMMENCEMENT OF PERIOD OF ELIGIBILITY FOR SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.

Section 3512(a)(3) is amended by striking ''8 years after,'' and all that follows through the end and inserting ''8 years after the date that is elected by that person to be the beginning date of entitlement under section 3511 of this title or subchapter V of this chapter if—

''(A) the Secretary approves that beginning date;

''(B) the eligible person makes that election after the person's eighteenth birthday but before the person's twenty-sixth birthday; and

''(C) that beginning date—

''(i) in the case of a person whose eligibility is based on a parent who has a service-connected total disability permanent in nature, is between the dates described in subsection (d); and

''(ii) in the case of a person whose eligibility is based on the death of a parent, is between—

''(I) the date of the parent's death; and

''(II) the date of the Secretary's decision that the death was service-connected;''.

SEC. 113. ADJUSTED EFFECTIVE DATE FOR AWARD OF SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Section 5113 is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) in subsection (a), by striking ''subsection (b) of this section'' and inserting ''subsections (b) and (c)''; and

(3) by inserting after subsection (a) the following new subsection:

''(b)(1) When determining the effective date of an award under chapter 35 of this title for an individual described in paragraph (2) based on an original claim, the Secretary may consider the individual's application as having been filed on the eligibility date of the individual if that eligibility date is more than one year before the date of the initial rating decision.

''(2) An individual referred to in paragraph (1) is an eligible person who—

''(A) submits to the Secretary an original application for educational assistance under chapter 35 of this title within one year of the date that the Secretary makes the rating decision;

''(B) claims such educational assistance for pursuit of an approved program of education during a period preceding the one-year period ending on the date on which the application was received by the Secretary; and

''(C) would have been entitled to such educational assistance for such course pursuit if the individual had submitted such an application on the individual's eligibility date.

''(3) In this subsection:

''(A) The term 'eligibility date' means the date on which an individual becomes an eligible person.

''(B) The term 'eligible person' has the meaning given that term under section 3501(a)(1) of this title under subparagraph (A)(i), (A)(ii), (B), or (D) of such section by reason of either (i) the service-connected death or (ii) service-connected total disability permanent in nature of the veteran from whom such eligibility is derived.

''(C) The term 'initial rating decision' means with respect to an eligible person a decision made by the Secretary that establishes (i) service connection for such veteran's death or (ii) the existence of such veteran's service-connected total disability permanent in nature, as the case may be.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to applications first made under section 3513 of title 38, United States Code, that—

(1) are received on or after the date of the enactment of this Act; or

(2) on the date of the enactment of this Act, are pending (A) with the Secretary of Veterans Affairs, or (B) exhaustion of available administrative and judicial remedies.

SEC. 114. AVAILABILITY UNDER SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE OF PREPARATORY COURSES FOR COLLEGE AND GRADUATE SCHOOL ENTRANCE EXAMS.

(a) IN GENERAL.—Section 3501(a)(5) is amended by adding at the end the following new sentence: ''Such term also includes any preparatory course described in section 3002(3)(B) of this title.''.

(b) SCOPE OF AVAILABILITY.—Section 3512(a) is amended—

(1) by striking ''and'' at the end of clause (5);

(2) by striking the period at the end of clause (6) and inserting ''; and''; and

(3) by adding at the end the following:

''(7) if the person is pursuing a preparatory course described in section 3002(3)(B) of this title, such period may begin on the date that is the first day of such course pursuit, notwithstanding that such date may be before the person's eighteenth birthday, except that in no case may such person be afforded educational assistance under this chapter for pursuit of secondary schooling unless such course pursuit would otherwise be authorized under this subsection.''.

Subtitle C—General Educational Assistance

SEC. 121. REVISION OF EDUCATIONAL ASSISTANCE INTERVAL PAYMENT REQUIREMENTS.

(a) IN GENERAL.—Subclause (C) of the third sentence of section 3680(a) is amended to read as follows:

''(C) during periods between school terms where the educational institution certifies the enrollment of the eligible veteran or eligible person on an individual term basis if (i) the period between those terms does not exceed eight weeks, and (ii) both the terms preceding and following the period are not shorter in length than the period.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to payments of educational assistance under title 38, United States Code, for months beginning on or after the date of the enactment of this Act.

SEC. 122. AVAILABILITY OF EDUCATION BENEFITS FOR PAYMENT FOR LICENSING OR CERTIFICATION TESTS.

(a) IN GENERAL.—Sections 3452(b) and 3501(a)(5) (as amended by section 114(a)) are each amended by adding at the end the following new sentence: ''Such term also includes licensing or certification tests, the successful completion of which demonstrates an individual's possession of the knowledge or skill required to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession, provided such tests and the licensing or credentialing organizations or entities that offer such tests are approved by the Secretary in accordance with section 3689 of this title.''.

(b) AMOUNT OF PAYMENT.—

(1) CHAPTER 30.—Section 3032 is amended by adding at the end the following new subsection:

''(f)(1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3452(b) of this title is the lesser of $2,000 or the fee charged for the test.

''(2) The number of months of entitlement charged in the case of any individual for such licensing or certification test is equal to the number (including any fraction) determined by dividing the total amount of educational assistance paid such individual for such test by the full-time monthly institutional rate of educational assistance which, except for paragraph (1), such individual would otherwise be paid under subsection (a)(1), (b)(1), (d), or (e)(1) of section 3015 of this title, as the case may be.

''(3) In no event shall payment of educational assistance under this subsection for such a test

exceed the amount of the individual's available entitlement under this chapter.''.

(2) CHAPTER 32.—Section 3232 is amended by adding at the end the following new subsection:

''(c)(1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3452(b) of this title is the lesser of $2,000 or the fee charged for the test.

''(2) The number of months of entitlement charged in the case of any individual for such licensing or certification test is equal to the number (including any fraction) determined by dividing the total amount paid to such individual for such test by the full-time monthly institutional rate of the educational assistance allowance which, except for paragraph (1), such individual would otherwise be paid under this chapter.

''(3) In no event shall payment of educational assistance under this subsection for such a test exceed the amount of the individual's available entitlement under this chapter.''.

(3) CHAPTER 34.—Section 3482 is amended by adding at the end the following new subsection:

''(h)(1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3452(b) of this title is the lesser of $2,000 or the fee charged for the test.

''(2) The number of months of entitlement charged in the case of any individual for such licensing or certification test is equal to the number (including any fraction) determined by dividing the total amount paid to such individual for such test by the full-time monthly institutional rate of the educational assistance allowance which, except for paragraph (1), such individual would otherwise be paid under this chapter.

''(3) In no event shall payment of educational assistance under this subsection for such a test exceed the amount of the individual's available entitlement under this chapter.''.

(4) CHAPTER 35.—Section 3532 is amended by adding at the end the following new subsection:

''(f)(1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3501(a)(5) of this title is the lesser of $2,000 or the fee charged for the test.

''(2) The number of months of entitlement charged in the case of any individual for such licensing or certification test is equal to the number (including any fraction) determined by dividing the total amount paid to such individual for such test by the full-time monthly institutional rate of the educational assistance allowance which, except for paragraph (1), such individual would otherwise be paid under this chapter.

''(3) In no event shall payment of educational assistance under this subsection for such a test exceed the amount of the individual's available entitlement under this chapter.''.

(c) REQUIREMENTS FOR LICENSING AND CREDENTIALING TESTING.—(1) Chapter 36 is amended by inserting after section 3688 the following new section:

''§3689. Approval requirements for licensing and certification testing

''(a) IN GENERAL.—(1) No payment may be made for a licensing or certification test described in section 3452(b) or 3501(a)(5) of this title unless the Secretary determines that the requirements of this section have been met with respect to such test and the organization or entity offering the test. The requirements of approval for tests and organizations or entities offering tests shall be in accordance with the provisions of this chapter and chapters 30, 32, 34, and 35 of this title and with regulations prescribed by the Secretary to carry out this section.

''(2) To the extent that the Secretary determines practicable, State approving agencies may, in lieu of the Secretary, approve licensing and certification tests, and organizations and entities offering such tests, under this section.

''(b) REQUIREMENTS FOR TESTS.—(1) Subject to paragraph (2), a licensing or certification test is approved for purposes of this section only if—

''(A) the test is required under Federal, State, or local law or regulation for an individual to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession; or

''(B) the Secretary determines that the test is generally accepted, in accordance with relevant government, business, or industry standards, employment policies, or hiring practices, as attesting to a level of knowledge or skill required to qualify to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession.

''(2) A licensing or certification test offered by a State, or a political subdivision of a State, is deemed approved by the Secretary for purposes of this section.

''(c) REQUIREMENTS FOR ORGANIZATIONS OR ENTITIES OFFERING TESTS.—(1) Each organization or entity that is not an entity of the United States, a State, or political subdivision of a State, that offers a licensing or certification test for which payment may be made under chapter 30, 32, 34, or 35 of this title and that meets the following requirements, shall be approved by the Secretary to offer such test:

''(A) The organization or entity certifies to the Secretary that the licensing or certification test offered by the organization or entity is generally accepted, in accordance with relevant government, business, or industry standards, employment policies, or hiring practices, as attesting to a level of knowledge or skill required to qualify to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession.

''(B) The organization or entity is licensed, chartered, or incorporated in a State and has offered the test for a minimum of two years before the date on which the organization or entity first submits to the Secretary an application for approval under this section.

''(C) The organization or entity employs, or consults with, individuals with expertise or substantial experience with respect to all areas of knowledge or skill that are measured by the test and that are required for the license or certificate issued.

''(D) The organization or entity has no direct financial interest in—

''(i) the outcome of the test; or

''(ii) organizations that provide the education or training of candidates for licenses or certificates required for vocations or professions.

''(E) The organization or entity maintains appropriate records with respect to all candidates who take the test for a period prescribed by the Secretary, but in no case for a period of less than three years.

''(F)(i) The organization or entity promptly issues notice of the results of the test to the candidate for the license or certificate.

''(ii) The organization or entity has in place a process to review complaints submitted against the organization or entity with respect to the test or the process for obtaining a license or certificate required for vocations or professions.

''(G) The organization or entity furnishes to the Secretary such information with respect to the test as the Secretary requires to determine whether payment may be made for the test under chapter 30, 32, 34, or 35 of this title, including personal identifying information, fee payment, and test results. Such information shall be furnished in the form prescribed by the Secretary.

''(H) The organization or entity furnishes to the Secretary the following information:

''(i) A description of the licensing or certification test offered by the organization or entity, including the purpose of the test, the vocational, professional, governmental, and other entities that recognize the test, and the license of certificate issued upon successful completion of the test.

''(ii) The requirements to take the test, including the amount of the fee charged for the test and any prerequisite education, training, skills, or other certification.

''(iii) The period for which the license or certificate awarded upon successful completion of the test is valid, and the requirements for maintaining or renewing the license or certificate.

''(I) Upon request of the Secretary, the organization or entity furnishes such information to the Secretary that the Secretary determines necessary to perform an assessment of—

''(i) the test conducted by the organization or entity as compared to the level of knowledge or skills that a license or certificate attests; and

''(ii) the applicability of the test over such periods of time as the Secretary determines appropriate.

''(2) With respect to each organization or entity that is an entity of the United States, a State, or political subdivision of a State, that offers a licensing or certification test for which payment may be made under 30, 32, 34, or 35 of this title, the following provisions of paragraph (1) shall apply to the entity: subparagraphs (E), (F), (G), and (H).

''(d) ADMINISTRATION.—Except as otherwise specifically provided in this section or chapter 30, 32, 34, or 35 of this title, in implementing this section and making payment under any such chapter for a licensing or certification test, the test is deemed to be a 'course' and the organization or entity that offers such test is deemed to be an 'institution' or 'educational institution', respectively, as those terms are applied under and for purposes of sections 3671, 3673, 3674, 3678, 3679, 3681, 3682, 3683, 3685, 3690, and 3696 of this title.

''(e) PROFESSIONAL CERTIFICATION AND LICENSURE ADVISORY COMMITTEE.—(1) There is established within the Department a committee to be known as the Professional Certification and Licensure Advisory Committee (hereinafter in this section referred to as the 'Committee').

''(2) The Committee shall advise the Secretary with respect to the requirements of organizations or entities offering licensing and certification tests to individuals for which payment for such tests may be made under chapter 30, 32, 34, or 35 of this title, and such other related issues as the Committee determines to be appropriate.

''(3)(A) The Secretary shall appoint seven individuals with expertise in matters relating to licensing and certification tests to serve as members of the Committee.

''(B) The Secretary of Labor and the Secretary of Defense shall serve as ex officio members of the Committee.

''(C) A vacancy in the Committee shall be filled in the manner in which the original appointment was made.

''(4)(A) The Secretary shall appoint the chairman of the Committee.

''(B) The Committee shall meet at the call of the chairman.

''(5) The Committee shall terminate December 31, 2006.''.

(2) The table of sections at the beginning of chapter 36 is amended by inserting after the item relating to section 3688 the following new item:

''3689. Approval requirements for licensing and certification testing.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on March 1, 2001, and shall apply with respect to licensing and certification tests approved by the Secretary on Veterans Affairs on or after such date.

(e) STARTUP FUNDING.—From amounts appropriated to the Department of Veterans Affairs for fiscal year 2001 for readjustment benefits, the Secretary of Veterans Affairs shall use an amount not to exceed $3,000,000 to develop the systems and procedures required to make payments under chapters 30, 32, 34, and 35 of title 38, United States Code, for licensing and certification tests.

SEC. 123. INCREASE FOR FISCAL YEARS 2001 AND 2002 IN AGGREGATE ANNUAL AMOUNT AVAILABLE FOR STATE APPROVING AGENCIES FOR ADMINISTRATIVE EXPENSES.

Section 3674(a)(4) is amended—

(1) in the first sentence, by inserting ''or, for each of fiscal years 2001 and 2002, $14,000,000'' after ''$13,000,000''; and

(2) in the second sentence, by striking ''$13,000,000'' both places it appears and inserting ''the amount applicable to that fiscal year under the preceding sentence''.

TITLE II—HEALTH PROVISIONS

Subtitle A—Personnel Matters

SEC. 201. ANNUAL NATIONAL PAY COMPARABILITY ADJUSTMENT FOR NURSES EMPLOYED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) REVISED PAY ADJUSTMENT PROCEDURES.—(1) Subsection (d) of section 7451 is amended—

(A) in paragraph (1)—

(i) by striking ''The rates'' and inserting ''Subject to subsection (e), the rates''; and

(ii) in subparagraph (A)—

(I) by striking ''section 5305'' and inserting ''section 5303''; and

(II) by inserting ''and to be by the same percentage'' after ''to have the same effective date'';

(B) in paragraph (2), by striking ''Such'' in the second sentence and inserting ''Except as provided in paragraph (1)(A), such'';

(C) in paragraph (3)(B)—

(i) by inserting after the first sentence the following new sentence: ''To the extent practicable, the director shall use third-party industry wage surveys to meet the requirements of the preceding sentence.'';

(ii) by inserting before the penultimate sentence the following new sentence: ''To the extent practicable, all surveys conducted pursuant to this subparagraph or subparagraph (A) shall include the collection of salary midpoints, actual salaries, lowest and highest salaries, average salaries, bonuses, incentive pays, differential pays, actual beginning rates of pay, and such other information needed to meet the purpose of this section.''; and

(iii) in the penultimate sentence, by inserting ''or published'' after ''completed''; and

(D) by striking clause (iii) of paragraph (3)(C).

(2) Subsection (e) of such section is amended to read as follows:

''(e)(1) An adjustment in a rate of basic pay under subsection (d) may not reduce the rate of basic pay applicable to any grade of a covered position.

''(2) The director of a Department health-care facility, in determining whether to carry out a wage survey under subsection (d)(3) with respect to rates of basic pay for a grade of a covered position, may not consider as a factor in such determination the absence of a current recruitment or retention problem for personnel in that grade of that position. The director shall make such a determination based upon whether, in accordance with criteria established by the Secretary, there is a significant pay-related staffing problem at that facility in any grade for a position. If the director determines that there is such a problem, or that such a problem is likely to exist in the near future, the Director shall provide for a wage survey in accordance with subsection (d)(3).

''(3) The Under Secretary for Health may, to the extent necessary to carry out the purposes of subsection (d), modify any determination made by the director of a Department health-care facility with respect to adjusting the rates of basic pay applicable to covered positions. If the determination of the director would result in an adjustment in rates of basic pay applicable to covered positions, any action by the Under Secretary under the preceding sentence shall be made before the effective date of such pay adjustment. Upon such action by the Under Secretary, any adjustment shall take effect on the first day of the first pay period beginning after such action. The Secretary shall ensure that the Under Secretary establishes a mechanism for the timely exercise of the authority in this paragraph.

''(4) Each director of a Department health-care facility shall provide to the Secretary, not later than July 31 each year, a report on staffing for covered positions at that facility. The report shall include the following:

''(A) Information on turnover rates and vacancy rates for each grade in a covered position, including a comparison of those rates with the rates for the preceding three years.

''(B) The director's findings concerning the review and evaluation of the facility's staffing situation, including whether there is, or is likely to be, in accordance with criteria established by the Secretary, a significant pay-related staffing problem at that facility for any grade of a covered position and, if so, whether a wage survey was conducted, or will be conducted with respect to that grade.

''(C) In any case in which the director conducts such a wage survey during the period covered by the report, information describing the survey and any actions taken or not taken based on the survey, and the reasons for taking (or not taking) such actions.

''(D) In any case in which the director, after finding that there is, or is likely to be, in accordance with criteria established by the Secretary, a significant pay-related staffing problem at that facility for any grade of a covered position, determines not to conduct a wage survey with respect to that position, a statement of the reasons why the director did not conduct such a survey.

''(5) Not later than September 30 of each year, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on staffing for covered positions at Department health care facilities. Each such report shall include the following:

''(A) A summary and analysis of the information contained in the most recent reports submitted by facility directors under paragraph (4).

''(B) The information for each such facility specified in paragraph (4).''.

(3) Subsection (f) of such section is amended—

(A) by striking ''February 1 of 1991, 1992, and 1993'' and inserting ''March 1 of each year''; and

(B) by striking ''subsection (d)(1)(A)'' and inserting ''subsection (d)''.

(4) Such section is further amended by striking subsection (g) and redesignating subsection (h) as subsection (g).

(b) REQUIRED CONSULTATIONS WITH NURSES.—(1) Subchapter II of chapter 73 is further amended by adding at the end the following new section:

''§ 7323. Required consultations with nurses

''The Under Secretary for Health shall ensure that—

''(1) the director of a geographic service area, in formulating policy relating to the provision of patient care, shall consult regularly with a senior nurse executive or senior nurse executives; and

''(2) the director of a medical center shall include a registered nurse as a member of any committee used at that medical center to provide recommendations or decisions on medical center operations or policy affecting clinical services, clinical outcomes, budget, or resources.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7322 the following new item:

''7323. Required consultations with nurses.''.

SEC. 202. SPECIAL PAY FOR DENTISTS.

(a) FULL-TIME STATUS PAY.—Paragraph (1) of section 7435(b) is amended by striking ''$3,500'' and inserting ''$9,000''.

(b) TENURE PAY.—The table in paragraph (2)(A) of that section is amended to read as follows:

''Length of Service	*Rate*	
	Minimum	*Maximum*
1 year but less than 2 years	*$1,000*	*$2,000*
2 years but less than 4 years	*4,000*	*5,000*
4 years but less than 8 years	*5,000*	*8,000*
8 years but less than 12 years	*8,000*	*12,000*
12 years but less than 20 years	*12,000*	*15,000*
20 years or more	*15,000*	*18,000.''.*

(c) SCARCE SPECIALTY PAY.—Paragraph (3)(A) of that section is amended by striking ''$20,000'' and inserting ''$30,000''.

(d) RESPONSIBILITY PAY.—(1) The table in paragraph (4)(A) of that section is amended to read as follows:

''Position	*Rate*	
	Minimum	*Maximum*
Chief of Staff or in an Executive Grade	*$14,500*	*$25,000*
Director Grade	*0*	*25,000*
Service Chief (or in a comparable position as determined by the Secretary)	*4,500*	*15,000.''.*

(2) The table in paragraph (4)(B) of that section is amended to read as follows:

''Position	*Rate*
Deputy Service Director	*$20,000*
Service Director	*25,000*
Deputy Assistant Under Secretary for Health	*27,500*
Assistant Under Secretary for Health (or in a comparable position as determined by the Secretary)	*30,000.''.*

(e) GEOGRAPHIC PAY.—Paragraph (6) of that section is amended by striking ''$5,000'' and inserting ''$12,000''.

(f) SPECIAL PAY FOR POST-GRADUATE TRAINING.—Such section is further amended by adding at the end the following new paragraph:

''(8) For a dentist who has successfully completed a post-graduate year of hospital-based training in a program accredited by the American Dental Association, an annual rate of $2,000 for each of the first two years of service after successful completion of that training.''.

(g) CREDITING OF INCREASED TENURE PAY FOR CIVIL SERVICE RETIREMENT.—Section 7438(b) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

''(5) Notwithstanding paragraphs (1) and (2), a dentist employed as a dentist in the Veterans Health Administration on the date of the enactment of the Veterans Benefits and Health Care Improvement Act of 2000 shall be entitled to have special pay paid to the dentist under section 7435(b)(2)(A) of this title (referred to as 'tenure pay') considered basic pay for the purposes of chapter 83 or 84, as appropriate, of title 5 only as follows:

''(A) In an amount equal to the amount that would have been so considered under such section on the day before such date based on the rates of special pay the dentist was entitled to receive under that section on the day before such date.

''(B) With respect to any amount of special pay received under that section in excess of the amount such dentist was entitled to receive under such section on the day before such date, in an amount equal to 25 percent of such excess amount for each two years that the physician or dentist has completed as a physician or dentist in the Veterans Health Administration after such date.''.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to agreements entered into by dentists under subchapter III of chapter 74 of title 38, United States Code, on or after the date of the enactment of this Act.

(i) TRANSITION.—In the case of an agreement entered into by a dentist under subchapter III of chapter 74 of title 38, United States Code, before the date of the enactment of this Act that ex-

pires after that date, the Secretary of Veterans Affairs and the dentist concerned may agree to terminate that agreement as of the date of the enactment of this Act in order to permit a new agreement in accordance with section 7435 of such title, as amended by this section, to take effect as of that date.

SEC. 203. EXEMPTION FOR PHARMACISTS FROM CEILING ON SPECIAL SALARY RATES.

Section 7455(c)(1) is amended by inserting '', pharmacists,'' after ''anesthetists''.

SEC. 204. TEMPORARY FULL-TIME APPOINTMENTS OF CERTAIN MEDICAL PERSONNEL.

(a) PHYSICIAN ASSISTANTS AWAITING CERTIFICATION OR LICENSURE.—Paragraph (2) of section 7405(c) is amended to read as follows:

''(2) A temporary full-time appointment may not be made for a period in excess of two years in the case of a person who—

''(A) has successfully completed—

''(i) a full course of nursing in a recognized school of nursing, approved by the Secretary; or

''(ii) a full course of training for any category of personnel described in paragraph (3) of section 7401 of this title, or as a physician assistant, in a recognized education or training institution approved by the Secretary; and

''(B) is pending registration or licensure in a State or certification by a national board recognized by the Secretary.''.

(b) MEDICAL SUPPORT PERSONNEL.—That section is further amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3)(A) Temporary full-time appointments of persons in positions referred to in subsection (a)(1)(D) shall not exceed three years.

''(B) Temporary full-time appointments under this paragraph may be renewed for one or more additional periods not in excess of three years each.''.

SEC. 205. QUALIFICATIONS OF SOCIAL WORKERS.

Section 7402(b)(9) is amended by striking ''a person must'' and all that follows and inserting ''a person must—

''(A) hold a master's degree in social work from a college or university approved by the Secretary; and

''(B) be licensed or certified to independently practice social work in a State, except that the Secretary may waive the requirement of licensure or certification for an individual social worker for a reasonable period of time recommended by the Under Secretary for Health.''.

SEC. 206. PHYSICIAN ASSISTANT ADVISER TO UNDER SECRETARY FOR HEALTH.

Section 7306(a) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraph (9):

''(9) The Advisor on Physician Assistants, who shall be a physician assistant with appropriate experience and who shall advise the Under Secretary for Health on all matters relating to the utilization and employment of physician assistants in the Administration.''.

SEC. 207. EXTENSION OF VOLUNTARY SEPARATION INCENTIVE PAYMENTS.

The Department of Veterans Affairs Employment Reduction Assistance Act of 1999 (title XI of Public Law 106–117; 5 U.S.C. 5597 note) is amended as follows:

(1) Section 1102(c) is amended to read as follows:

''(c) LIMITATION.—The plan under subsection (a) shall be limited to a total of 7,734 positions within the Department, allocated among the elements of the Department as follows:

''(1) The Veterans Health Administration, 6,800 positions.

''(2) The Veterans Benefits Administration, 740 positions.

''(3) Department of Veterans Affairs Staff Offices, 156 positions.

''(4) The National Cemetery Administration, 38 positions.''.

(2) Section 1105(a) is amended by striking ''26 percent'' and inserting ''15 percent''.

(3) Section 1109(a) is amended by striking ''December 31, 2000'' and inserting ''December 31, 2002''.

Subtitle B—Military Service Issues

SEC. 211. FINDINGS AND SENSE OF CONGRESS CONCERNING USE OF MILITARY HISTORIES OF VETERANS IN DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE.

(a) FINDINGS.—Congress makes the following findings:

(1) Pertinent military experiences and exposures may affect the health status of Department of Veterans Affairs patients who are veterans.

(2) The Department of Veterans Affairs has begun to implement a Veterans Health Initiative to develop systems to ensure that both patient care and medical education in the Veterans Health Administration are specific to the special needs of veterans and should be encouraged to continue these efforts.

(3) Protocols eliciting pertinent information relating to the military history of veterans may be beneficial to understanding certain conditions for which veterans may be at risk and thereby facilitate the treatment of veterans for those conditions.

(4) The Department of Veterans Affairs is in the process of developing a Computerized Patient Record System that offers the potential to aid in the care and monitoring of such conditions.

(b) SENSE OF CONGRESS.—Congress—

(1) urges the Secretary of Veterans Affairs to assess the feasibility and desirability of using a computer-based system to conduct clinical evaluations relevant to military experiences and exposures; and

(2) recommends that the Secretary accelerate efforts within the Department of Veterans Affairs to ensure that relevant military histories of veterans are included in Department medical records.

SEC. 212. STUDY OF POST-TRAUMATIC STRESS DISORDER IN VIETNAM VETERANS.

(a) STUDY ON POST-TRAUMATIC STRESS DISORDER.—Not later than 10 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into a contract with an appropriate entity to carry out a study on post-traumatic stress disorder.

(b) FOLLOW-UP STUDY.—The contract under subsection (a) shall provide for a follow-up study to the study conducted in accordance with section 102 of the Veterans Health Care Amendments of 1983 (Public Law 98–160). Such follow-up study shall use the data base and sample of the previous study.

(c) INFORMATION TO BE INCLUDED.—The study conducted pursuant to this section shall be designed to yield information on—

(1) the long-term course of post-traumatic stress disorder;

(2) any long-term medical consequences of post-traumatic stress disorder;

(3) whether particular subgroups of veterans are at greater risk of chronic or more severe problems with such disorder; and

(4) the services used by veterans who have post-traumatic stress disorder and the effect of those services on the course of the disorder.

(d) REPORT.—The Secretary shall submit to the Committees of Veterans' Affairs of the Senate and House of Representatives a report on the results of the study under this section. The report shall be submitted no later than October 1, 2004.

Subtitle C—Medical Administration

SEC. 221. DEPARTMENT OF VETERANS AFFAIRS FISHER HOUSES.

(a) AUTHORITY.—Subchapter I of chapter 17 is amended by adding at the end the following new section:

''§ 1708. Temporary lodging

''(a) The Secretary may furnish persons described in subsection (b) with temporary lodging in a Fisher house or other appropriate facility in connection with the examination, treatment, or care of a veteran under this chapter or, as provided for under subsection (e)(5), in connection with benefits administered under this title.

''(b) Persons to whom the Secretary may provide lodging under subsection (a) are the following:

''(1) A veteran who must travel a significant distance to receive care or services under this title.

''(2) A member of the family of a veteran and others who accompany a veteran and provide the equivalent of familial support for such veteran.

''(c) In this section, the term 'Fisher house' means a housing facility that—

''(1) is located at, or in proximity to, a Department medical facility;

''(2) is available for residential use on a temporary basis by patients of that facility and others described in subsection (b)(2); and

''(3) is constructed by, and donated to the Secretary by, the Zachary and Elizabeth M. Fisher Armed Services Foundation.

''(d) The Secretary may establish charges for providing lodging under this section. The proceeds from such charges shall be credited to the medical care account and shall be available until expended for the purposes of providing such lodging.

''(e) The Secretary shall prescribe regulations to carry out this section. Such regulations shall include provisions—

''(1) limiting the duration of lodging provided under this section;

''(2) establishing standards and criteria under which charges are established for such lodging under subsection (d);

''(3) establishing criteria for persons considered to be accompanying a veteran under subsection (b)(2);

''(4) establishing criteria for the use of the premises of temporary lodging facilities under this section; and

''(5) establishing any other limitations, conditions, and priorities that the Secretary considers appropriate with respect to lodging under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1707 the following new item:

''1708. Temporary lodging.''.

SEC. 222. EXCEPTION TO RECAPTURE RULE.

Section 8136 is amended—

(1) by inserting ''(a)'' at the beginning of the text of the section; and

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

''(b) The establishment and operation by the Secretary of an outpatient clinic in facilities described in subsection (a) shall not constitute grounds entitling the United States to any recovery under that subsection.''.

SEC. 223. SENSE OF CONGRESS CONCERNING COOPERATION BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE IN THE PROCUREMENT OF MEDICAL ITEMS.

(a) FINDINGS.—Congress makes the following findings:

(1) The procurement and distribution of medical items, including prescription drugs, is a multibillion-dollar annual business for both the Department of Defense and the Department of Veterans Affairs.

(2) Those departments prescribe common high-use drugs to many of their 12,000,000 patients who have similar medical profiles.

(3) The health care systems of those departments should have management systems that can share and communicate clinical and management information useful for both systems.

(4) The institutional barriers separating the two departments have begun to be overcome in the area of medical supplies, in part as a re-

sponse to recommendations by the General Accounting Office and the Commission on Servicemembers and Veterans Transition Assistance.

(5) There is significant potential for improved savings and services by improving cooperation between the two departments in the procurement and management of prescription drugs, while remaining mindful that the two departments have different missions.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense and the Department of Veterans Affairs should increase, to the maximum extent consistent with their respective missions, their level of cooperation in the procurement and management of prescription drugs.

SEC. 224. TECHNICAL AND CONFORMING CHANGES.

(a) REQUIREMENT TO PROVIDE CARE.—Section 1710A(a) is amended by inserting ''(subject to section 1710(a)(4) of this title)'' after ''Secretary'' the first place it appears.

(b) CONFORMING AMENDMENTS.—Section 1710(a)(4) is amended—

(1) by inserting ''the requirement in section 1710A(a) of this title that the Secretary provide nursing home care,'' after ''medical services,''; and

(2) by striking the comma after ''extended care services''.

(c) OUTPATIENT TREATMENT.—Section 201 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 113 Stat. 1561) is amended by adding at the end the following new subsection:

''(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply with respect to medical services furnished under section 1710(a) of title 38, United States Code, on or after the effective date of the regulations prescribed by the Secretary of Veterans Affairs to establish the amounts required to be established under paragraphs (1) and (2) of section 1710(g) of that title, as amended by subsection (b).''.

(d) RATIFICATION.—Any action taken by the Secretary of Veterans Affairs under section 1710(g) of title 38, United States Code, during the period beginning on November 30, 1999, and ending on the date of the enactment of this Act is hereby ratified.

Subtitle D—Construction Authorization

SEC. 231. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS.

(a) FISCAL YEAR 2001 PROJECTS.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Construction of a 120-bed gero-psychiatric facility at the Department of Veterans Affairs Palo Alto Health Care System, Menlo Park Division, California, $26,600,000.

(2) Construction of a nursing home at the Department of Veterans Affairs Medical Center, Beckley, West Virginia, $9,500,000.

(3) Seismic corrections, clinical consolidation, and other improvements at the Department of Veterans Affairs Medical Center, Long Beach, California, $51,700,000.

(4) Construction of a utility plant and electrical vault at the Department of Veterans Affairs Medical Center, Miami, Florida, $23,600,000.

(b) ADDITIONAL FISCAL YEAR 2000 PROJECT.—The Secretary is authorized to carry out a project for the renovation of psychiatric nursing units at the Department of Veterans Affairs Medical Center, Murfreesboro, Tennessee, in an amount not to exceed $14,000,000.

SEC. 232. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Veterans Affairs for the Construction, Major Projects, account—

(1) for fiscal years 2001 and 2002, a total of $87,800,000 for the projects authorized in paragraphs (1), (2), and (3) of section 231(a);

(2) for fiscal year 2001, an additional amount of $23,600,000 for the project authorized in paragraph (4) of that section; and

(3) for fiscal year 2002, an additional amount of $14,500,000 for the project authorized in section 401(1) of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 113 Stat. 1572).

(b) LIMITATION.—The projects authorized in section 231(a) may only be carried out using—

(1) funds appropriated for fiscal year 2001 or fiscal year 2002 (or, in the case of the project authorized in section 231(a)(4), for fiscal year 2001) pursuant to the authorization of appropriations in subsection (a);

(2) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2001 that remain available for obligation; and

(3) funds appropriated for Construction, Major Projects, for fiscal year 2001 or fiscal year 2002 (or, in the case of the project authorized in section 231(a)(4), for fiscal year 2001) for a category of activity not specific to a project.

(c) REVISION TO PRIOR LIMITATION.—Notwithstanding the limitation in section 403(b) of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 113 Stat. 1573), the project referred to in subsection (a)(3) may be carried out using—

(1) funds appropriated for fiscal year 2002 pursuant to the authorization of appropriations in subsection (a)(3);

(2) funds appropriated for Construction, Major Projects, for fiscal year 2001 that remain available for obligation; and

(3) funds appropriated for Construction, Major Projects, for fiscal year 2001 or fiscal year 2002 for a category of activity not specific to a project.

Subtitle E—Real Property Matters

SEC. 241. CHANGE TO ENHANCED USE LEASE CONGRESSIONAL NOTIFICATION PERIOD.

Paragraph (2) of section 8163(c) is amended to read as follows:

''(2) The Secretary may not enter into an enhanced use lease until the end of the 90-day period beginning on the date of the submission of notice under paragraph (1).''.

SEC. 242. RELEASE OF REVERSIONARY INTEREST OF THE UNITED STATES IN CERTAIN REAL PROPERTY PREVIOUSLY CONVEYED TO THE STATE OF TENNESSEE.

(a) RELEASE OF INTEREST.—The Secretary of Veterans Affairs shall execute such legal instruments as necessary to release the reversionary interest of the United States described in subsection (b) in a certain parcel of real property conveyed to the State of Tennessee pursuant to the Act entitled ''An Act authorizing the transfer of certain property of the Veterans' Administration (in Johnson City, Tennessee) to the State of Tennessee'', approved June 6, 1953 (67 Stat. 54).

(b) SPECIFIED REVERSIONARY INTEREST.—Subsection (a) applies to the reversionary interest of the United States required under section 2 of the Act referred to in subsection (a), requiring use of the property conveyed pursuant to that Act to be primarily for training of the National Guard and for other military purposes.

(c) CONFORMING AMENDMENT.—Section 2 of such Act is repealed.

SEC. 243. DEMOLITION, ENVIRONMENTAL CLEANUP, AND REVERSION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, ALLEN PARK, MICHIGAN.

(a) AUTHORITY.—(1) The Secretary of Veterans Affairs shall enter into a multiyear contract with the Ford Motor Land Development Corporation (hereinafter in this section referred to as the ''Corporation'') to undertake project management responsibility to—

(A) demolish the buildings and auxiliary structures comprising the Department of Veterans Affairs Medical Center, Allen Park, Michigan; and

(B) remediate the site of all hazardous material and environmental contaminants found on the site.

(2) The contract under paragraph (1) may be entered into notwithstanding sections 303 and 304 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253, 254). The contract shall be for a period specified in the contract not to exceed seven years.

(b) CONTRACT COST AND SOURCE OF FUNDING.—(1) The Secretary may expend no more than $14,000,000 for the contract required by subsection (a). The contract shall provide that all costs for the demolition and site remediation under the contract in excess of $14,000,000 shall be borne by the Corporation.

(2) Payments by the Secretary under the contract shall be made in annual increments of no more than $2,000,000, beginning with fiscal year 2001, for the duration of the contract. Such payments shall be made from the nonrecurring maintenance portion of the annual Department of Veterans Affairs medical care appropriation.

(3) Notwithstanding any other provision of law, the amount obligated upon the award of the contract may not exceed $2,000,000 and the amount obligated with respect to any succeeding fiscal year may not exceed $2,000,000. Any funds obligated for the contact shall be subject to the availability of appropriated funds.

(c) REVERSION OF PROPERTY.—Upon completion of the demolition and remediation project under the contract to the satisfaction of the Secretary, the Secretary shall, on behalf of the United States, formally abandon the Allen Park property (title to which will then revert in accordance with the terms of the 1937 deed conveying such property to the United States).

(d) FLAGPOLE AND MEMORIAL.—The contract under subsection (a) shall require that the Corporation shall erect and maintain on the property abandoned by the United States under subsection (c) a flagpole and suitable memorial identifying the property as the location of the former Allen Park Medical Center. The Secretary and the Corporation shall jointly determine the placement of the memorial and flagpole and the form of, and appropriate inscription on, the memorial.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions with regard to the contract with the Corporation under subsection (a) and with the reversion of the property under subsection (c) as the Secretary considers appropriate to protect the interest of the United States.

SEC. 244. CONVEYANCE OF CERTAIN PROPERTY AT THE CARL VINSON DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, DUBLIN, GEORGIA.

(a) CONVEYANCE TO STATE BOARD OF REGENTS.—The Secretary of Veterans Affairs shall convey, without consideration, to the Board of Regents of the State of Georgia all right, title, and interest of the United States in and to two tracts of real property, including any improvements thereon, at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia, consisting of 39 acres, more or less, in Laurens County, Georgia.

(b) CONVEYANCE TO COMMUNITY SERVICE BOARD OF MIDDLE GEORGIA.—The Secretary of Veterans Affairs shall convey, without consideration, to the Community Service Board of Middle Georgia all right, title, and interest of the United States in and to three tracts of real property, including any improvements thereon, at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia, consisting of 58 acres, more or less, in Laurens County, Georgia.

(c) CONDITIONS ON CONVEYANCE.—The conveyance under subsection (a) shall be subject to the condition that the real property conveyed under that subsection be used in perpetuity solely for education purposes. The conveyance under subsection (b) shall be subject to the condition that the real property conveyed under that subsection be used in perpetuity solely for education and health care purposes.

(d) SURVEY.—The exact acreage and legal description of the real property to be conveyed under this section shall be determined by a survey or surveys satisfactory to the Secretary of Veterans Affairs. The cost of any such survey shall not be borne by the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of Veterans Affairs may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 245. LAND CONVEYANCE, MILES CITY DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER COMPLEX, MILES CITY, MONTANA.

(a) CONVEYANCE REQUIRED.—The Secretary of Veterans Affairs shall convey, without consideration, to Custer County, Montana (in this section referred to as the ''County''), all right, title, and interest of the United States in and to the parcels of real property consisting of the Miles City Department of Veterans Affairs Medical Center complex, which has served as a medical and support complex for the Department of Veterans Affairs in Miles City, Montana.

(b) TIMING OF CONVEYANCE.—The conveyance required by subsection (a) shall be made as soon as practicable after the date of the enactment of this Act.

(c) CONDITIONS OF CONVEYANCE.—The conveyance required by subsection (a) shall be subject to the condition that the County—

(1) use the parcels conveyed, whether directly or through an agreement with a public or private entity, for veterans activities, community and economic development, or such other public purposes as the County considers appropriate; or

(2) convey the parcels to an appropriate public or private entity for use for the purposes specified in paragraph (1).

(d) CONVEYANCE OF IMPROVEMENTS.—(1) As part of the conveyance required by subsection (a), the Secretary may also convey to the County any improvements, equipment, fixtures, and other personal property located on the parcels conveyed under that subsection that are not required by the Secretary.

(2) Any conveyance under this subsection shall be without consideration.

(e) USE PENDING CONVEYANCE.—Until such time as the real property to be conveyed under subsection (a) is conveyed by deed under this section, the Secretary may continue to lease the real property, together with any improvements thereon, under the terms and conditions of the current lease of the real property.

(f) MAINTENANCE PENDING CONVEYANCE.—The Secretary shall be responsible for maintaining the real property to be conveyed under subsection (a), and any improvements, equipment, fixtures, and other personal property to be conveyed under subsection (d), in its condition as of the date of the enactment of this Act until such time as the real property, and such improvements, equipment, fixtures, and other personal property are conveyed by deed under this section.

(g) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary determines appropriate to protect the interests of the United States.

SEC. 246. CONVEYANCE OF FORT LYON DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, COLORADO, TO THE STATE OF COLORADO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of Veterans Affairs may convey, without consideration, to the State of Colorado all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 512 acres and comprising the Fort Lyon Department of Veterans Affairs Medical Center. The purpose of the conveyance is to permit the State of Colorado to use the property for purposes of a correctional facility.

(b) PUBLIC ACCESS.—(1) The Secretary may not make the conveyance of real property authorized by subsection (a) unless the State of Colorado agrees to provide appropriate public access to Kit Carson Chapel (located on that real property) and the cemetery located adjacent to that real property.

(2) The State of Colorado may satisfy the condition specified in paragraph (1) with respect to Kit Carson Chapel by relocating the chapel to Fort Lyon National Cemetery, Colorado, or another appropriate location approved by the Secretary.

(c) PLAN REGARDING CONVEYANCE.—(1) The Secretary may not make the conveyance authorized by subsection (a) before the date on which the Secretary implements a plan providing the following:

(A) Notwithstanding sections 1720(a)(3) and 1741 of title 38, United States Code, that veterans who are receiving inpatient or institutional long-term care at Fort Lyon Department of Veterans Affairs Medical Center as of the date of the enactment of this Act are provided appropriate inpatient or institutional long-term care under the same terms and conditions as such veterans are receiving inpatient or institutional long-term care as of that date.

(B) That the conveyance of the Fort Lyon Department of Veterans Affairs Medical Center does not result in a reduction of health care services available to veterans in the catchment area of the Medical Center.

(C) Improvements in veterans' overall access to health care in the catchment area through, for example, the opening of additional outpatient clinics.

(2) The Secretary shall prepare the plan referred to in paragraph (1) in consultation with appropriate representatives of veterans service organizations and other appropriate organizations.

(3) The Secretary shall publish a copy of the plan referred to in paragraph (1) before implementation of the plan.

(d) ENVIRONMENTAL RESTORATION.—The Secretary may not make the conveyance authorized by subsection (a) until the Secretary completes the evaluation and performance of any environmental restoration activities required by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and by any other provision of law.

(e) PERSONAL PROPERTY.—As part of the conveyance authorized by subsection (a), the Secretary may convey, without consideration, to the State of Colorado any furniture, fixtures, equipment, and other personal property associated with the property conveyed under that subsection that the Secretary determines is not required for purposes of the Department of Veterans Affairs health care facilities to be established by the Secretary in southern Colorado or for purposes of Fort Lyon National Cemetery.

(f) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. Any costs associated with the survey shall be borne by the State of Colorado.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such other terms and conditions in connection with the conveyances authorized by subsections (a) and (e) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 247. EFFECT OF CLOSURE OF FORT LYON DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER ON ADMINISTRATION OF HEALTH CARE FOR VETERANS.

(a) PAYMENT FOR NURSING HOME CARE.—Notwithstanding any limitation under section 1720 or 1741 of title 38, United States Code, the Secretary of Veterans Affairs may pay the State of Colorado, or any private nursing home care facility, for costs incurred in providing nursing home care to any veteran who is relocated from the Fort Lyon Department of Veterans Affairs Medical Center, Colorado, to a facility of the State of Colorado or such private facility, as the case may be, as a result of the closure of the Fort Lyon Department of Veterans Affairs Medical Center.

(b) OBLIGATION TO PROVIDE EXTENDED CARE SERVICES.—Nothing in section 246 or this section may be construed to alter or otherwise affect the obligation of the Secretary to meet the requirements of section 1710B(b) of title 38, United States Code, relating to staffing and levels of extended care services in fiscal years after fiscal year 1998.

(c) REPORT ON VETERANS HEALTH CARE IN SOUTHERN COLORADO.—Not later than one year after the conveyance, if any, authorized by section 246, the Under Secretary for Health of the Department of Veterans Affairs, acting through the Director of Veterans Integrated Service Network (VISN) 19, shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the status of the health care system for veterans under that Network in southern Colorado. The report shall describe any improvements to the system in southern Colorado that have been put into effect in the period beginning on the date of the conveyance and ending on the date of the report.

TITLE III—COMPENSATION, INSURANCE, HOUSING, EMPLOYMENT, AND MEMORIAL AFFAIRS PROVISIONS

Subtitle A—Compensation Program Changes

SEC. 301. STROKES AND HEART ATTACKS INCURRED OR AGGRAVATED BY MEMBERS OF RESERVE COMPONENTS IN THE PERFORMANCE OF DUTY WHILE PERFORMING INACTIVE DUTY TRAINING TO BE CONSIDERED TO BE SERVICE-CONNECTED.

(a) SCOPE OF TERM ''ACTIVE MILITARY, NAVAL, OR AIR SERVICE''.—Section 101(24) is amended to read as follows:

''(24) The term 'active military, naval, or air service' includes—

''(A) active duty;

''(B) any period of active duty for training during which the individual concerned was disabled or died from a disease or injury incurred or aggravated in line of duty; and

''(C) any period of inactive duty training during which the individual concerned was disabled or died—

''(i) from an injury incurred or aggravated in line of duty; or

''(ii) from an acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident occurring during such training.''.

(b) TRAVEL TO OR FROM TRAINING DUTY.—Section 106(d) is amended—

(1) by inserting ''(1)'' after ''(d)'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) by inserting ''or covered disease'' after ''injury'' each place it appears;

(4) by designating the second sentence as paragraph (2);

(5) by designating the third sentence as paragraph (3); and

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

''(4) For purposes of this subsection, the term 'covered disease' means any of the following:

''(A) Acute myocardial infarction.

''(B) A cardiac arrest.

''(C) A cerebrovascular accident.''.

SEC. 302. SPECIAL MONTHLY COMPENSATION FOR WOMEN VETERANS WHO LOSE A BREAST AS A RESULT OF A SERVICE-CONNECTED DISABILITY.

Section 1114(k) is amended—

(1) by striking ''or has suffered'' and inserting ''has suffered''; and

(2) by inserting after ''air and bone conduction,'' the following: ''or, in the case of a

woman veteran, has suffered the anatomical loss of one or both breasts (including loss by mastectomy),''.

SEC. 303. BENEFITS FOR PERSONS DISABLED BY PARTICIPATION IN COMPENSATED WORK THERAPY PROGRAM.

Section 1151(a)(2) is amended—

(1) by inserting ''(A)'' after ''proximately caused''; and

(2) by inserting before the period at the end the following: '', or (B) by participation in a program (known as a 'compensated work therapy program') under section 1718 of this title''.

SEC. 304. REVISION TO LIMITATION ON PAYMENTS OF BENEFITS TO INCOMPETENT INSTITUTIONALIZED VETERANS.

Section 5503(b)(1) is amended—

(1) in subparagraph (A)—

(A) by striking ''$1,500'' and inserting ''the amount equal to five times the section 1114(j) rate''; and

(B) by striking ''$500'' and inserting ''one-half that amount''; and

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

''(D) For purposes of this paragraph, the term 'section 1114(j) rate' means the monthly rate of compensation in effect under section 1114(j) of this title for a veteran with a service-connected disability rated as total.''.

SEC. 305. REVIEW OF DOSE RECONSTRUCTION PROGRAM OF THE DEFENSE THREAT REDUCTION AGENCY.

(a) REVIEW BY NATIONAL ACADEMY OF SCIENCES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with the National Academy of Sciences to carry out periodic reviews of the program of the Defense Threat Reduction Agency of the Department of Defense known as the ''dose reconstruction program''.

(b) REVIEW ACTIVITIES.—The periodic reviews of the dose reconstruction program under the contract under subsection (a) shall consist of the periodic selection of random samples of doses reconstructed by the Defense Threat Reduction Agency in order to determine—

(1) whether or not the reconstruction of the sampled doses is accurate;

(2) whether or not the reconstructed dosage number is accurately reported;

(3) whether or not the assumptions made regarding radiation exposure based upon the sampled doses are credible; and

(4) whether or not the data from nuclear tests used by the Defense Threat Reduction Agency as part of the reconstruction of the sampled doses is accurate.

(c) DURATION OF REVIEW.—The periodic reviews under the contract under subsection (a) shall occur over a period of 24 months.

(d) REPORT.—(1) Not later than 60 days after the conclusion of the period referred to in subsection (c), the National Academy of Sciences shall submit to Congress a report on its activities under the contract under this section.

(2) The report shall include the following:

(A) A detailed description of the activities of the National Academy of Sciences under the contract.

(B) Any recommendations that the National Academy of Sciences considers appropriate regarding a permanent system of review of the dose reconstruction program of the Defense Threat Reduction Agency.

Subtitle B—Life Insurance Matters

SEC. 311. PREMIUMS FOR TERM SERVICE DISABLED VETERANS' INSURANCE FOR VETERANS OLDER THAN AGE 70.

(a) CAP ON PREMIUMS.—Section 1922 is amended by adding at the end the following new subsection:

''(c) The premium rate of any term insurance issued under this section shall not exceed the renewal age 70 premium rate.''.

(b) REPORT.—Not later than September 30, 2001, the Secretary of Veterans Affairs shall submit to Congress a report setting forth a plan to liquidate the unfunded liability under the life insurance program under section 1922 of title 38, United States Code, not later than October 1, 2011.

SEC. 312. INCREASE IN AUTOMATIC MAXIMUM COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE.

(a) MAXIMUM UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.—Section 1967 is amended in subsections (a), (c), and (d) by striking ''$200,000'' each place it appears and inserting ''$250,000''.

(b) MAXIMUM UNDER VETERANS' GROUP LIFE INSURANCE.—Section 1977(a) is amended by striking ''$200,000'' each place it appears and inserting ''$250,000''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month that begins more than 120 days after the date of the enactment of this Act.

SEC. 313. ELIGIBILITY OF CERTAIN MEMBERS OF THE INDIVIDUAL READY RESERVE FOR SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) ELIGIBILITY.—Section 1965(5) is amended—

(1) by striking ''and'' at the end of subparagraph (B);

(2) by redesignating subparagraph (C) as subparagraph (D); and

(3) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) a person who volunteers for assignment to a mobilization category in the Individual Ready Reserve, as defined in section 12304(i)(1) of title 10; and''.

(b) CONFORMING AMENDMENTS.—Sections 1967(a), 1968(a), and 1969(a)(2)(A) are amended by striking ''section 1965(5)(B) of this title'' each place it appears and inserting ''subparagraph (B) or (C) of section 1965(5) of this title''.

Subtitle C—Housing and Employment Programs

SEC. 321. ELIMINATION OF REDUCTION IN ASSISTANCE FOR SPECIALLY ADAPTED HOUSING FOR DISABLED VETERANS FOR VETERANS HAVING JOINT OWNERSHIP OF HOUSING UNITS.

Section 2102 is amended by adding at the end the following new subsection:

''(c) The amount of assistance afforded under subsection (a) for a veteran authorized assistance by section 2101(a) of this title shall not be reduced by reason that title to the housing unit, which is vested in the veteran, is also vested in any other person, if the veteran resides in the housing unit.''.

SEC. 322. VETERANS EMPLOYMENT EMPHASIS UNDER FEDERAL CONTRACTS FOR RECENTLY SEPARATED VETERANS.

(a) EMPLOYMENT EMPHASIS.—Subsection (a) of section 4212 is amended in the first sentence by inserting ''recently separated veterans,'' after ''veterans of the Vietnam era,''.

(b) CONFORMING AMENDMENTS.—Subsection (d)(1) of that section is amended by inserting ''recently separated veterans,'' after ''veterans of the Vietnam era,'' each place it appears in subparagraphs (A) and (B).

(c) RECENTLY SEPARATED VETERAN DEFINED.—Section 4211 is amended by adding at the end the following new paragraph:

''(6) The term 'recently separated veteran' means any veteran during the one-year period beginning on the date of such veteran's discharge or release from active duty.''.

SEC. 323. EMPLOYERS REQUIRED TO GRANT LEAVE OF ABSENCE FOR EMPLOYEES TO PARTICIPATE IN HONOR GUARDS FOR FUNERALS OF VETERANS.

(a) DEFINITION OF SERVICE IN THE UNIFORMED SERVICES.—Section 4303(13) is amended—

(1) by striking ''and'' after ''National Guard duty''; and

(2) by inserting before the period at the end '', and a period for which a person is absent from employment for the purpose of performing funeral honors duty as authorized by section 12503 of title 10 or section 115 of title 32.''.

(b) REQUIRED LEAVE OF ABSENCE.—Section 4316 is amended by adding at the end the following new subsection:

''(e)(1) An employer shall grant an employee who is a member of a reserve component an authorized leave of absence from a position of employment to allow that employee to perform funeral honors duty as authorized by section 12503 of title 10 or section 115 of title 32.

''(2) For purposes of section 4312(e)(1) of this title, an employee who takes an authorized leave of absence under paragraph (1) is deemed to have notified the employer of the employee's intent to return to such position of employment.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect 180 days after the date of the enactment of this Act.

Subtitle D—Cemeteries and Memorial Affairs

SEC. 331. ELIGIBILITY FOR INTERMENT OF CERTAIN FILIPINO VETERANS OF WORLD WAR II IN NATIONAL CEMETERIES.

(a) ELIGIBILITY OF CERTAIN COMMONWEALTH ARMY VETERANS.—Section 2402 is amended by adding at the end the following new paragraph:

''(8) Any individual whose service is described in section 107(a) of this title if such individual at the time of death—

''(A) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(B) resided in the United States.''.

(b) CONFORMING AMENDMENT.—Section 107(a)(3) is amended to read as follows:

''(3) chapters 11, 13 (except section 1312(a)), 23, and 24 (to the extent provided for in section 2402(8)) of this title.''.

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to deaths occurring on or after the date of the enactment of this Act.

SEC. 332. PAYMENT RATE OF CERTAIN BURIAL BENEFITS FOR CERTAIN FILIPINO VETERANS OF WORLD WAR II.

(a) PAYMENT RATE.—Section 107 is amended—

(1) in subsection (a), by striking ''Payments'' and inserting ''Subject to subsection (c), payments''; and

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

''(c)(1) In the case of an individual described in paragraph (2), the second sentence of subsection (a) shall not apply.

''(2) Paragraph (1) applies to any individual whose service is described in subsection (a) and who dies after the date of the enactment of this subsection if the individual, on the individual's date of death—

''(A) is a citizen of, or an alien lawfully admitted for permanent residence in, the United States;

''(B) is residing in the United States; and

''(C) either—

''(i) is receiving compensation under chapter 11 of this title; or

''(ii) if the individual's service had been deemed to be active military, naval, or air service, would have been paid pension under section 1521 of this title without denial or discontinuance by reason of section 1522 of this title.''.

(b) APPLICABILITY.—No benefits shall accrue to any person for any period before the date of the enactment of this Act by reason of the amendments made by subsection (a).

SEC. 333. PLOT ALLOWANCE FOR BURIAL IN STATE VETERANS CEMETERIES.

(a) IN GENERAL.—Section 2303(b)(1)(A) is amended to read as follows: ''(A) is used solely for the interment of persons who are (i) eligible for burial in a national cemetery, and (ii) members of a reserve component of the Armed Forces not otherwise eligible for such burial or former members of such a reserve component not otherwise eligible for such burial who are discharged or released from service under conditions other than dishonorable, and''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the burial of persons dying on or after the date of the enactment of this Act.

TITLE IV—OTHER MATTERS

SEC. 401. BENEFITS FOR THE CHILDREN OF WOMEN VIETNAM VETERANS WHO SUFFER FROM CERTAIN BIRTH DEFECTS.

(a) IN GENERAL.—Chapter 18 is amended by adding at the end the following new subchapter:

''SUBCHAPTER II—CHILDREN OF WOMEN VIETNAM VETERANS BORN WITH CERTAIN BIRTH DEFECTS

''§ 1811. Definitions

''In this subchapter:

''(1) The term 'eligible child' means an individual who—

''(A) is the child (as defined in section 1821(1) of this title) of a woman Vietnam veteran; and

''(B) was born with one or more covered birth defects.

''(2) The term 'covered birth defect' means a birth defect identified by the Secretary under section 1812 of this title.

''§ 1812. Covered birth defects

''(a) IDENTIFICATION.—The Secretary shall identify the birth defects of children of women Vietnam veterans that—

''(1) are associated with the service of those veterans in the Republic of Vietnam during the Vietnam era; and

''(2) result in permanent physical or mental disability.

''(b) LIMITATIONS.—(1) The birth defects identified under subsection (a) may not include birth defects resulting from the following:

''(A) A familial disorder.

''(B) A birth-related injury.

''(C) A fetal or neonatal infirmity with well-established causes.

''(2) In any case where affirmative evidence establishes that a covered birth defect of a child of a woman Vietnam veteran results from a cause other than the active military, naval, or air service of that veteran in the Republic of Vietnam during the Vietnam era, no benefits or assistance may be provided the child under this subchapter.

''§ 1813. Health care

''(a) NEEDED CARE.—The Secretary shall provide an eligible child such health care as the Secretary determines is needed by the child for that child's covered birth defects or any disability that is associated with those birth defects.

''(b) AUTHORITY FOR CARE TO BE PROVIDED DIRECTLY OR BY CONTRACT.—The Secretary may provide health care under this section directly or by contract or other arrangement with a health care provider.

''(c) DEFINITIONS.—For purposes of this section, the definitions in section 1803(c) of this title shall apply with respect to the provision of health care under this section, except that for such purposes—

''(1) the reference to 'specialized spina bifida clinic' in paragraph (2) of that section shall be treated as a reference to a specialized clinic treating the birth defect concerned under this section; and

''(2) the reference to 'vocational training under section 1804 of this title' in paragraph (8) of that section shall be treated as a reference to vocational training under section 1814 of this title.

''§ 1814. Vocational training

''(a) AUTHORITY.—The Secretary may provide a program of vocational training to an eligible child if the Secretary determines that the achievement of a vocational goal by the child is reasonably feasible.

''(b) APPLICABLE PROVISIONS.—Subsections (b) through (e) of section 1804 of this title shall apply with respect to any program of vocational training provided under subsection (a).

''§ 1815. Monetary allowance

''(a) MONETARY ALLOWANCE.—The Secretary shall pay a monthly allowance to any eligible child for any disability resulting from the covered birth defects of that child.

''(b) SCHEDULE FOR RATING DISABILITIES.—(1) The amount of the monthly allowance paid under this section shall be based on the degree of disability suffered by the child concerned, as determined in accordance with a schedule for rating disabilities resulting from covered birth defects that is prescribed by the Secretary.

''(2) In prescribing a schedule for rating disabilities for the purposes of this section, the Secretary shall establish four levels of disability upon which the amount of the allowance provided by this section shall be based. The levels of disability established may take into account functional limitations, including limitations on cognition, communication, motor abilities, activities of daily living, and employability.

''(c) AMOUNT OF MONTHLY ALLOWANCE.—The amount of the monthly allowance paid under this section shall be as follows:

''(1) In the case of a child suffering from the lowest level of disability prescribed in the schedule for rating disabilities under subsection (b), $100.

''(2) In the case of a child suffering from the lower intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), the greater of—

''(A) $214; or

''(B) the monthly amount payable under section 1805(b)(3) of this title for the lowest level of disability prescribed for purposes of that section.

''(3) In the case of a child suffering from the higher intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), the greater of—

''(A) $743; or

''(B) the monthly amount payable under section 1805(b)(3) of this title for the intermediate level of disability prescribed for purposes of that section.

''(4) In the case of a child suffering from the highest level of disability prescribed in the schedule for rating disabilities under subsection (b), the greater of—

''(A) $1,272; or

''(B) the monthly amount payable under section 1805(b)(3) of this title for the highest level of disability prescribed for purposes of that section.

''(d) INDEXING TO SOCIAL SECURITY BENEFIT INCREASES.—Amounts under paragraphs (1), (2)(A), (3)(A), and (4)(A) of subsection (c) shall be subject to adjustment from time to time under section 5312 of this title.

''§ 1816. Regulations

''The Secretary shall prescribe regulations for purposes of the administration of this subchapter.''.

(b) CONSOLIDATION OF PROVISIONS APPLICABLE TO BOTH SUBCHAPTERS.—Chapter 18 is further amended by adding after subchapter II, as added by subsection (a), the following new subchapter:

''SUBCHAPTER III—GENERAL PROVISIONS

''§ 1821. Definitions

''In this chapter:

''(1) The term 'child' means an individual, regardless of age or marital status, who—

''(A) is the natural child of a Vietnam veteran; and

''(B) was conceived after the date on which that veteran first entered the Republic of Vietnam during the Vietnam era.

''(2) The term 'Vietnam veteran' means an individual who performed active military, naval, or air service in the Republic of Vietnam during the Vietnam era, without regard to the characterization of that individual's service.

''(3) The term 'Vietnam era' with respect to—

''(A) subchapter I of this chapter, means the period beginning on January 9, 1962, and ending on May 7, 1975; and

''(B) subchapter II of this chapter, means the period beginning on February 28, 1961, and ending on May 7, 1975.

''§ 1822. Applicability of certain administrative provisions

''(a) APPLICABILITY OF CERTAIN PROVISIONS RELATING TO COMPENSATION.—The provisions of this title specified in subsection (b) apply with respect to benefits and assistance under this chapter in the same manner as those provisions apply to compensation paid under chapter 11 of this title.

''(b) SPECIFIED PROVISIONS.—The provisions of this title referred to in subsection (a) are the following:

''(1) Section 5101(c).

''(2) Subsections (a), (b)(2), (g), and (i) of section 5110.

''(3) Section 5111.

''(4) Subsection (a) and paragraphs (1), (6), (9), and (10) of subsection (b) of section 5112.

''§ 1823. Treatment of receipt of monetary allowance and other benefits

''(a) COORDINATION WITH OTHER BENEFITS PAID TO THE RECIPIENT.—Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe, or otherwise affect the right of the individual to receive any other benefit to which the individual is otherwise entitled under any law administered by the Secretary.

''(b) COORDINATION WITH BENEFITS BASED ON RELATIONSHIP OF RECIPIENTS.—Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe, or otherwise affect the right of any other individual to receive any benefit to which such other individual is entitled under any law administered by the Secretary based on the relationship of such other individual to the individual who receives such monetary allowance.

''(c) MONETARY ALLOWANCE NOT TO BE CONSIDERED AS INCOME OR RESOURCES FOR CERTAIN PURPOSES.—Notwithstanding any other provision of law, a monetary allowance paid an individual under this chapter shall not be considered as income or resources in determining eligibility for, or the amount of benefits under, any Federal or federally assisted program.

''§ 1824. Nonduplication of benefits

''(a) MONETARY ALLOWANCE.—In the case of an eligible child under subchapter II of this chapter whose only covered birth defect is spina bifida, a monetary allowance shall be paid under subchapter I of this chapter. In the case of an eligible child under subchapter II of this chapter who has spina bifida and one or more additional covered birth defects, a monetary allowance shall be paid under subchapter II of this chapter.

''(b) VOCATIONAL REHABILITATION.—An individual may only be provided one program of vocational training under this chapter.''.

(c) REPEAL OF RECODIFIED PROVISIONS.—The following provisions are repealed:

(1) Section 1801.

(2) Subsections (c) and (d) of section 1805.

(3) Section 1806.

(d) DESIGNATION OF SUBCHAPTER I.—Chapter 18 is further amended by inserting before section 1802 the following:

''SUBCHAPTER I—CHILDREN OF VIETNAM VETERANS BORN WITH SPINA BIFIDA''.

(e) CONFORMING AMENDMENTS.—(1) Section 1802 is amended by striking ''this chapter'' and inserting ''this subchapter''.

(2) Section 1805(a) is amended by striking ''this chapter'' and inserting ''this section''.

(f) CLERICAL AMENDMENTS.—(1) The chapter heading of chapter 18 is amended to read as follows:

''CHAPTER 18—BENEFITS FOR CHILDREN OF VIETNAM VETERANS''.

(2) The tables of chapters before part I, and at the beginning of part II, are each amended by

striking the item relating to chapter 18 and inserting the following new item:

''18. Benefits for Children of Vietnam Veterans ..... 1802''.

(3) The table of sections at the beginning of chapter 18 is amended—

(A) by inserting at the beginning the following:

''SUBCHAPTER I—CHILDREN OF VIETNAM VETERANS BORN WITH SPINA BIFIDA'';

(B) by striking the items relating to sections 1801 and 1806; and

(C) by adding at the end the following:

''SUBCHAPTER II—CHILDREN OF WOMEN VIETNAM VETERANS BORN WITH CERTAIN BIRTH DEFECTS

''1811. Definitions.

''1812. Covered birth defects.

''1813. Health care.

''1814. Vocational training.

''1815. Monetary allowance.

''1816. Regulations.

''SUBCHAPTER III—GENERAL PROVISIONS

''1821. Definitions.

''1822. Applicability of certain administrative provisions.

''1823. Treatment of receipt of monetary allowance and other benefits.

''1824. Nonduplication of benefits.''.

(g) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on the first day of the first month beginning more than one year after the date of the enactment of this Act.

(2) The Secretary of Veterans Affairs shall identify birth defects under section 1812 of title 38, United States Code (as added by subsection (a) of this section), and shall prescribe the regulations required by subchapter II of chapter 18 of that title (as so added), not later than the effective date specified in paragraph (1).

SEC. 402. EXTENSION OF CERTAIN EXPIRING AUTHORITIES.

(a) ENHANCED LOAN ASSET SALE AUTHORITY.—Section 3720(h)(2) is amended by striking ''December 31, 2002'' and inserting ''December 31, 2008''.

(b) HOME LOAN FEES.—Section 3729 is amended by striking everything after the section heading and inserting the following:

''(a) REQUIREMENT OF FEE.—(1) Except as provided in subsection (c), a fee shall be collected from each person obtaining a housing loan guaranteed, insured, or made under this chapter, and each person assuming a loan to which section 3714 of this title applies. No such loan may be guaranteed, insured, made, or assumed until the fee payable under this section has been remitted to the Secretary.

''(2) The fee may be included in the loan and paid from the proceeds thereof.

''(b) DETERMINATION OF FEE.—(1) The amount of the fee shall be determined from the loan fee table in paragraph (2). The fee is expressed as a percentage of the total amount of the loan guaranteed, insured, or made, or, in the case of a loan assumption, the unpaid principal balance of the loan on the date of the transfer of the property.

''(2) The loan fee table referred to in paragraph (1) is as follows:

''LOAN FEE TABLE

Type of loan	Active duty veteran	Reservist	Other obligor
(A)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed before October 1, 2008)	2.00	2.75	NA
(A)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2008)	1.25	2.00	NA

''LOAN FEE TABLE—Continued

Type of loan	Active duty veteran	Reservist	Other obligor
(B)(i) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed before October 1, 2008)	3.00	3.00	NA
(B)(ii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2008)	1.25	2.00	NA
(C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before October 1, 2008)	1.50	2.25	NA

''LOAN FEE TABLE—Continued

Type of loan	Active duty veteran	Reservist	Other obligor
(C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2008)	.75	1.50	NA
(D)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before October 1, 2008)	1.25	2.00	NA
(D)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2008)	.50	1.25	NA
(E) Interest rate reduction refinancing loan	0.50	0.50	NA
(F) Direct loan under section 3711	1.00	1.00	NA

''LOAN FEE TABLE—Continued

Type of loan	Active duty veteran	Reservist	Other obligor
(G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan)	1.00	1.00	NA
(H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan)	1.25	1.25	NA
(I) Loan assumption under section 3714	0.50	0.50	0.50
(J) Loan under section 3733(a) ..	2.25	2.25	2.25''.

''(3) Any reference to a section in the 'Type of loan' column in the loan fee table in paragraph (2) refers to a section of this title.

''(4) For the purposes of paragraph (2):

''(A) The term 'active duty veteran' means any veteran eligible for the benefits of this chapter other than a Reservist.

''(B) The term 'Reservist' means a veteran described in section 3701(b)(5)(A) of this title.

''(C) The term 'other obligor' means a person who is not a veteran, as defined in section 101 of this title or other provision of this chapter.

''(D) The term 'initial loan' means a loan to a veteran guaranteed under section 3710 or made under section 3711 of this title if the veteran has never obtained a loan guaranteed under section 3710 or made under section 3711 of this title.

''(E) The term 'subsequent loan' means a loan to a veteran, other than an interest rate reduction refinancing loan, guaranteed under section 3710 or made under section 3711 of this title if the veteran has previously obtained a loan guaranteed under section 3710 or made under section 3711 of this title.

''(F) The term 'interest rate reduction refinancing loan' means a loan described in section 3710(a)(8), 3710(a)(9)(B)(i), 3710(a)(11), 3712(a)(1)(F), or 3762(h) of this title.

''(G) The term '0-down' means a downpayment, if any, of less than 5 percent of the total purchase price or construction cost of the dwelling.

''(H) The term '5-down' means a downpayment of at least 5 percent or more, but less than 10 percent, of the total purchase price or construction cost of the dwelling.

''(I) The term '10-down' means a downpayment of 10 percent or more of the total purchase price or construction cost of the dwelling.

''(c) WAIVER OF FEE.—A fee may not be collected under this section from a veteran who is receiving compensation (or who, but for the receipt of retirement pay, would be entitled to receive compensation) or from a surviving spouse of any veteran (including a person who died in the active military, naval, or air service) who died from a service-connected disability.''.

(c) PROCEDURES APPLICABLE TO LIQUIDATION SALES ON DEFAULTED HOME LOANS GUARANTEED BY THE DEPARTMENT OF VETERANS AFFAIRS.—Section 3732(c)(11) is amended by striking ''October 1, 2002'' and inserting ''October 1, 2008''.

(d) INCOME VERIFICATION AUTHORITY.—Section 5317(g) is amended by striking ''September 30, 2002'' and inserting ''September 30, 2008''.

(e) LIMITATION ON PENSION FOR CERTAIN RECIPIENTS OF MEDICAID-COVERED NURSING HOME CARE.—Section 5503(f)(7) is amended by striking ''September 30, 2002'' and inserting ''September 30, 2008''.

(f) ANNUAL REPORT OF COMMITTEE ON MENTALLY ILL VETERANS.—Section 7321(d)(2) is amended by striking ''three'' and inserting ''six''.

(g) AUTHORITY TO ESTABLISH RESEARCH AND EDUCATION CORPORATIONS.—Section 7368 is amended by striking ''December 31, 2000'' and inserting ''December 31, 2003''.

SEC. 403. PRESERVATION OF CERTAIN REPORTING REQUIREMENTS.

(a) INAPPLICABILITY OF PRIOR REPORTS TERMINATION PROVISION TO CERTAIN REPORTS OF THE DEPARTMENT OF VETERANS AFFAIRS.—Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following: sections 503(c), 529, 541(c), 542(c), 3036, and 7312(d) of title 38, United States Code.

(b) REPEAL OF REPORTING REQUIREMENTS TERMINATED BY PRIOR LAW.—Sections 8111A(f) and 8201(h) are repealed.

(c) SUNSET OF CERTAIN REPORTING REQUIREMENTS.—

(1) ANNUAL REPORT ON EQUITABLE RELIEF CASES.—Section 503(c) is amended by adding at the end the following new sentence: ''No report shall be required under this subsection after December 31, 2004.''.

(2) BIENNIAL REPORT OF ADVISORY COMMITTEE ON FORMER PRISONERS OF WAR.—Section 541(c)(1) is amended by inserting ''through 2003'' after ''each odd-numbered year''.

(3) BIENNIAL REPORT OF ADVISORY COMMITTEE ON WOMEN VETERANS.—Section 542(c)(1) is amended by inserting ''through 2004'' after ''each even-numbered year''.

(4) BIENNIAL REPORTS ON MONTGOMERY GI BILL.—Subsection (d) of section 3036 is amended to read as follows:

''(d) No report shall be required under this section after January 1, 2005.''.

(5) ANNUAL REPORT OF SPECIAL MEDICAL ADVISORY GROUP.—Section 7312(d) is amended by adding at the end the following new sentence: ''No report shall be required under this subsection after December 31, 2004.''.

(d) COST INFORMATION TO BE PROVIDED WITH EACH REPORT REQUIRED BY CONGRESS.—(1)(A) Chapter 1 is amended by adding at the end the following new section:

''§ 116. Reports to Congress: cost information

''Whenever the Secretary submits to Congress, or any committee of Congress, a report that is required by law or by a joint explanatory statement of a committee of conference of the Congress, the Secretary shall include with the report—

''(1) a statement of the cost of preparing the report; and

''(2) a brief explanation of the methodology used in preparing that cost statement.''.

(B) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''116. Reports to Congress: cost information.''.

(2) Section 116 of title 38, United States Code, as added by paragraph (1) of this subsection, shall apply with respect to any report submitted by the Secretary of Veterans Affairs after the end of the 90–day period beginning on the date of the enactment of this Act.

SEC. 404. TECHNICAL AMENDMENTS.

(a) TITLE 38.—Title 38, United States Code, is amended as follows:

(1) Section 1116(a)(2)(F) is amended by inserting ''of disability'' after ''to a degree''

(2) Section 1318(b)(3) is amended by striking ''not later than'' and inserting ''not less than''.

(3) Section 1712(a)(4)(A) is amended by striking ''subsection (a) of this section (other than paragraphs (3)(B) and (3)(C) of that subsection)'' and inserting ''this subsection''.

(4) Section 1720A(c)(1) is amended by striking ''for such disability'' and all that follows through ''to such member'' and inserting ''for such disability. Care and services provided to a member so transferred''.

(5) Section 2402(7) is amended by striking ''chapter 67 of title 10'' and inserting ''chapter 1223 of title 10''.

(6) Section 3012(g)(2) is amended by striking ''subparagraphs'' both places it appears and inserting ''subparagraph''.

(7) Section 3684(c) is amended by striking ''calender'' and inserting ''calendar''.

(8) The table of sections at the beginning of chapter 41 is amended by inserting after the item relating to section 4110A the following new item: ''4110B. Coordination and nonduplication.''.

(9) The text of section 4213 is amended to read as follows:

''(a) Amounts and periods of time specified in subsection (b) shall be disregarded in determining eligibility under any of the following:

''(1) Any public service employment program.

''(2) Any emergency employment program.

''(3) Any job training program assisted under the Economic Opportunity Act of 1964.

''(4) Any employment or training program carried out under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).

''(5) Any other employment or training (or related) program financed in whole or in part with Federal funds.

''(b) Subsection (a) applies with respect to the following amounts and periods of time:

''(1) Any amount received as pay or allowances by any person while serving on active duty.

''(2) Any period of time during which such person served on active duty.

''(3) Any amount received under chapters 11, 13, 30, 31, 32, and 36 of this title by an eligible veteran.

''(4) Any amount received by an eligible person under chapters 13 and 35 of this title.

''(5) Any amount received by an eligible member under chapter 106 of title 10.''.

(10) Section 7603(a)(1) is amended by striking ''subsection'' and inserting ''subchapter''.

(b) OTHER LAWS.—

(1) Effective November 30, 1999, and as if included therein as originally enacted, section 208(c)(2) of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 113 Stat. 1568) is amended by striking ''subsection (c)(1)'' and inserting ''subsection (c)(3)''.

(2) Effective November 21, 1977, and as if included therein as originally enacted, section 402(e) of the Veterans' Benefits Act of 1997 (Public Law 105–114; 111 Stat. 2294) is amended by striking ''second sentence'' and inserting ''third sentence''.

Amend the amendment of the House to the title so as to read: ''An Act to amend title 38, United States Code, to increase the rates of educational assistance under the Montgomery GI Bill, to improve procedures for the adjustment of rates of pay for nurses employed by the Department of Veterans Affairs, to make other improvements in veterans educational assistance, health care, and benefits programs, and for other purposes.''.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. STUMP and Mr. EVANS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments of the Senate to the House amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments of the Senate to the House amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.10 TECHNOLOGY TRANSFER COMMERCIALIZATION

Mr. SENSENBRENNER moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 209) to improve the ability of Federal agencies to license federally owned inventions:

Page 21, after line 2, insert:

SEC. 11. TECHNOLOGY PARTNERSHIPS OMBUDSMAN.

(a) APPOINTMENT OF OMBUDSMAN.—The Secretary of Energy shall direct the director of each national laboratory of the Department of Energy, and may direct the director of each facility under the jurisdiction of the Department of Energy, to appoint a technology partnership ombudsman to hear and help resolve complaints from outside organizations regarding the policies and actions of each such laboratory or facility with respect to technology partnerships (including cooperative research and development agreements), patents, and technology licensing.

(b) QUALIFICATIONS.—An ombudsman appointed under subsection (a) shall be a senior official of the national laboratory or facility who is not involved in day-to-day technology partnerships, patents, or technology licensing, or, if appointed from outside the laboratory or facility, function as such a senior official.

(c) DUTIES.—Each ombudsman appointed under subsection (a) shall—

(1) serve as the focal point for assisting the public and industry in resolving complaints and disputes with the national laboratory or facility regarding technology partnerships, patents, and technology licensing;

(2) promote the use of collaborative alternative dispute resolution techniques such as mediation to facilitate the speedy and low-cost resolution of complaints and disputes, when appropriate; and

(3) report quarterly on the number and nature of complaints and disputes raised, along with the ombudsman's assessment of their resolution, consistent with the protection of confidential and sensitive information, to—

(A) the Secretary;

(B) the Administrator for Nuclear Security;

(C) the Director of the Office of Dispute Resolution of the Department of Energy; and

(D) the employees of the Department responsible for the administration of the contract for the operation of each national laboratory or facility that is a subject of the report, for consideration in the administration and review of that contract.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. SENSENBRENNER and Mr. GORDON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.11 COMMERCIAL SPACE TRANSPORTATION

Mr. SENSENBRENNER moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2607) to promote the development of the commercial space industry, to authorize appropriations for the Office of the Associate Administrator for commercial Space Transportation, to authorize appropriations for the appropriations for the Office of Space Commercialization, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Commercial Space Transportation Competitiveness Act of 2000''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) a robust United States space transportation industry is vital to the Nation's economic well-being and national security;

(2) enactment of a 5-year extension of the excess third party claims payment provision of chapter 701 of title 49, United States Code (Commercial Space Launch Activities), will have a beneficial impact on the international competitiveness of the United States space transportation industry;

(3) space transportation may evolve into airplane-style operations;

(4) during the next 3 years the Federal Government and the private sector should analyze the liability risk-sharing regime to determine its appropriateness and effectiveness, and, if needed, develop and propose a new regime to Congress at least 2 years prior to the expiration of the extension contained in this Act;

(5) the areas of responsibility of the Office of the Associate Administrator for Commercial Space Transportation have significantly increased as a result of—

(A) the rapidly expanding commercial space transportation industry and associated government licensing requirements;

(B) regulatory activity as a result of the emerging commercial reusable launch vehicle industry; and

(C) the increased regulatory activity associated with commercial operation of launch and reentry sites; and

(6) the Office of the Associate Administrator for Commercial Space Transportation should continue to limit its promotional activities to those which support its regulatory mission.

SEC. 3. OFFICE OF COMMERCIAL SPACE TRANSPORTATION.

(a) AMENDMENT.—Section 70119 of title 49, United States Code, is amended to read as follows:

"§ 70119. Office of Commercial Space Transportation

''There are authorized to be appropriated to the Secretary of Transportation for the activities of the Office of the Associate Administrator for Commercial Space Transportation—

''(1) $12,607,000 for fiscal year 2001; and

''(2) $16,478,000 for fiscal year 2002.''.

(b) TABLE OF SECTIONS AMENDMENT.—The item relating to section 70119 in the table of sections of chapter 701 of title 49, United States Code, is amended to read as follows:

''70119. Office of Commercial Space Transportation.''.

SEC. 4. OFFICE OF SPACE COMMERCIALIZATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce for the activities of the Office of Space Commercialization—

(1) $590,000 for fiscal year 2001;

(2) $608,000 for fiscal year 2002; and

(3) $626,000 for fiscal year 2003.

(b) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall transmit to the Congress a report on the Office of Space Commercialization detailing the activities of the Office, the materials produced by the Office, the extent to which the Office has fulfilled the functions established for it by the Congress, and the extent to which the Office has participated in interagency efforts.

SEC. 5. COMMERCIAL SPACE TRANSPORTATION INDEMNIFICATION EXTENSION.

(a) IN GENERAL.—If, on the date of enactment of this Act, section 70113(f) of title 49, United States Code, has not been amended by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, then that section is amended by striking ''December 31, 2000'' and inserting ''December 31, 2004''.

(b) AMENDMENT OF MODIFIED SECTION.—If, on the date of enactment of this Act, section 70113(f) of title 49, United States Code, has been amended by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, then that section is amended by striking ''December 31, 2001'' and inserting ''December 31, 2004''.

SEC. 6. TECHNICAL AMENDMENT TO SECTION 70113 OF TITLE 49.

(a) Section 70113 of title 49, United States Code, is amended by striking ''———, 19——.','' in subsection (e)(1)(A) and inserting ''———, 20——.',''.

(b) The amendment made by subsection (a) takes effect on January 1, 2000.

SEC. 7. LIABILITY REGIME FOR COMMERCIAL SPACE TRANSPORTATION.

(a) REPORT REQUIREMENT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Transportation shall transmit to the Congress a report on the liability risk-sharing regime in the United States for commercial space transportation.

(b) CONTENTS.—The report required by this section shall—

(1) analyze the adequacy, propriety, and effectiveness of, and the need for, the current liability risk-sharing regime in the United States for commercial space transportation;

(2) examine the current liability and liability risk-sharing regimes in other countries with space transportation capabilities;

(3) examine the appropriateness of deeming all space transportation activities to be ''ultrahazardous activities'' for which a strict liability standard may be applied and which liability regime should attach to space transportation activities, whether ultrahazardous activities or not;

(4) examine the effect of relevant international treaties on the Federal Government's liability for commercial space launches and how the current domestic liability risk-sharing regime meets or exceeds the requirements of those treaties;

(5) examine the appropriateness, as commercial reusable launch vehicles enter service and demonstrate improved safety and reliability, of evolving the commercial space transportation liability regime towards the approach of the airline liability regime;

(6) examine the need for changes to the Federal Government's indemnification policy to accommodate the risks associated with commercial spaceport operations; and

(7) recommend appropriate modifications to the commercial space transportation liability regime and the actions required to accomplish those modifications.

(c) SECTIONS.—The report required by this section shall contain sections expressing the views and recommendations of—

(1) interested Federal agencies, including—

(A) the Office of the Associate Administrator for Commercial Space Transportation;

(B) the National Aeronautics and Space Administration;

(C) the Department of Defense; and

(D) the Office of Space Commercialization; and

(2) the public, received as a result of notice in Commerce Business Daily, the Federal Register, and appropriate Federal agency Internet websites.

SEC. 8. AUTHORIZATION OF INTERAGENCY SUPPORT FOR GLOBAL POSITIONING SYSTEM.

The use of interagency funding and other forms of support is hereby authorized by Congress for the functions and activities of the Interagency Global Positioning System Executive Board, including an Executive Secretariat to be housed at the Department of Commerce.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. SENSENBRENNER and Mr. GORDON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.12 PROTECTION OF CHILDREN FROM DRUG TRAFFICKERS

Mr. CANADY moved to suspend the rules and pass the bill (H.R. 5312) to amend the Controlled Substances Act to protect children from drug traffickers.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. CANADY and Mr. GORDON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.13 DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS

Mr. CANADY moved to suspend the rules and pass the bill (H.R. 4493) to establish grants for drug treatment alternative to prison programs administered by State or local prosecutors.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. CANADY and Mr. GORDON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill as passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.14 DIAMOND VALLEY LAKE INTERPRETIVE CENTER AND MUSEUM

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 4187) to assist in the establishment of an interpretive center and museum in the vicinity of Diamond Valley Lake in southern California to ensure the protection and interpretation of the paleontology discoveries made at the lake and to develop a trail system for the lake for use by pedestrians and nonmotorized vehicles.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. CALVERT and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.15 WORLD WAR II MEMORIAL

Mr. CALVERT moved to suspend the rules and agree to the following concurrent resolution of the Senate (S. Con. Res. 145):

Whereas World War II is the defining event of the twentieth century for the United States and its wartime allies;

Whereas in World War II, more than 16,000,000 American men and women served in uniform in the Armed Forces, more than 400,000 of them gave their lives, and more than 670,000 of them were wounded;

Whereas many millions more on the home front in the United States organized and sacrificed to give unwavering support to those in uniform;

Whereas fewer than 6,000,000 World War II veterans are surviving at the end of the twentieth century, and the Nation mourns the passing of more than 1,200 veterans each day;

Whereas Congress, in Public Law 103–422 (108 Stat. 4356) enacted in 1994, approved the location of a memorial to this epic era in an area of the National Mall that includes the Rainbow Pool;

Whereas since 1995, the National World War II Memorial site and design have been the subject of 19 public hearings that have resulted in an endorsement from the State Historic Preservation Officer of the District of Columbia, three endorsements from the District of Columbia Historic Preservation Review Board, the endorsement of many Members of Congress, and, most significantly, four approvals from the Commission of Fine Arts and four approvals from the National Capital Planning Commission (including the approvals of those Commissions for the final architectural design);

Whereas on Veterans Day 1995, the President dedicated the approved site at the Rainbow Pool on the National Mall as the site for the National World War II Memorial; and

Whereas fundraising for the National World War II Memorial has been enormously successful, garnering enthusiastic support from half a million individual Americans, hundreds of corporations and foundations, dozens of civic, fraternal, and professional organizations, state legislatures, students in 1,100 schools, and more than 450 veterans groups representing 11,000,000 veterans: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) it is appropriate for the United States to memorialize in the Nation's Capitol the triumph of democracy over tyranny in World War II, the most important event of the twentieth century;

(2) the will of the American people to memorialize that triumph and all who labored to achieve it, and the decisions made on that memorialization by the appointed bodies charged by law with protecting the public's interests in the design, location, and construction of memorials on the National Mall in the Nation's Capitol, should be fulfilled by the construction of the National World War II Memorial, as designed, at the approved and dedicated Rainbow Pool site on the National Mall; and

(3) it is imperative that expeditious action be taken to commence and complete the construction of the National World War II Memorial so that the completed memorial will be dedicated while Americans of the World War II generation are alive to receive the national tribute embodied in that memorial, which they earned with their sacrifice and achievement during the largest and most devastating war the world has known.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. CALVERT and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.16 ALASKA NATIVE AND AMERICAN INDIAN DIRECT REIMBURSEMENT

Mr. CALVERT moved to suspend the rules and pass the bill of the Senate (S. 406) to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing for medicare, medicaid, and other third party payors, and to expand the eligibility under such program to other tribes and tribal organizations.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. CALVERT and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.17 NATIONAL PARK SERVICE POLICE INDEMNIFICATION

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 4404) to permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Service, to allow for waiver and indemnification in mutual law enforcement agreements between the National Park Service and a State or political subdivision when required by State law, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. CALVERT and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.18 IVANPAH VALLEY, NEVADA LAND TRANSFER

Mr. GIBBONS moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 1695) to provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes:

Page 2, lines 24 and 25, strike out ''assessment'' and insert ''*assessment, using the airspace management plan required by section 4(a)*''.

Page 3, strike out lines 15 through 22 and insert:

(2) DEPOSIT IN SPECIAL ACCOUNT.—(A) The Secretary shall deposit the payments received under paragraph (1) into the special account described in section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345). Such funds may be expended only for the acquisition of private inholdings in the Mojave National Preserve and for the protection and management of the petroglyph resources in Clark County, Nevada. The second sentence of section 4(f) of such Act (112 Stat. 2346) shall not apply to interest earned on amounts deposited under this paragraph.

(B) The Secretary may not expend funds pursuant to this section until—

(i) the provisions of section 5 of this Act have been completed; and

(ii) a final Record of Decision pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been issued which permits development of an airport at the Ivanpah site.

Page 3, strike out all after line 22 over to and including line 2 on page 4 and insert:

(d) REVERSION AND REENTRY.—If, following completion of compliance with section 5 of this Act and in accordance with the findings made by the actions taken in compliance with such section, the Federal Aviation Administration and the County determine that an airport should not be constructed on the conveyed lands—

Page 4, line 23, strike out ''Secretary,'' and insert ''Secretary, prior to the conveyance of the land referred to in section 2(a),''.

Page 5, line 18, after ''agencies.'' insert Any actions conducted in accordance with this section shall specifically address any impacts on the purposes for which the Mojave National Preserve was created.''.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. GIBBONS and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.19 LINCOLN HIGHWAY STUDY

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 2570) to require the Secretary of the Interior to undertake a study regarding methods to commemorate the national significance of the United States roadways that comprise the Lincoln Highway, and for other purposes.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. CALVERT and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.20 CASTLE ROCK RANCH ACQUISITION

Mr. SIMPSON moved to suspend the rules and pass the bill of the Senate (S. 1705) to direct the Secretary of the Interior to enter into land exchanges to acquire from the private owner and to convey to the State of Idaho approximately 1,240 acres of land near the City of Rocks National Reserve, Idaho, and for other purposes.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. SIMPSON and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.21 SANTO DOMINGO PUEBLO CLAIMS SETTLEMENT

Mr. CALVERT moved to suspend the rules and pass the bill of the Senate (S. 2917) to settle the land claims of the Pueblo of Santo Domingo.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. CALVERT and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. MORELLA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.22 MISSOURI RIVER WILD AND SCENIC CLASSIFICATION

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 5041) to establish the boundaries and classification of a segment of the Missouri River in Montana under the Wild and Scenic Rivers Act.

The SPEAKER pro tempore, Mrs. MORELLA, recognized Mr. CALVERT and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.23 AGRICULTURE OPPORTUNITIES

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 4521) to direct the Secretary of the Interior to authorize and provide funding for rehabilitation of the Going-to-the-Sun Road in Glacier National Park, to authorize funds for maintenance of utilities related to the Park, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CALVERT and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.24 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶110.25 NATIONAL FOREST SYSTEM

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 4646) to designate certain National Forest System lands within the boundaries of the State of Virginia as wilderness areas, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CALVERT and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to designate certain National Forest System lands within the boundaries of the State of Virginia as wilderness areas.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.26 FIVE NATIONS CITIZENS LAND REFORM

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 5308) to amend laws relating to the lands of the citizens of the Muscogee (Creek), Seminole, Cherokee, Chickasaw and Choctaw Nations, historically referred to as the Five Civilized Tribes, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CALVERT and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.27 ILLINOIS AND MICHIGAN CANAL HERITAGE CORRIDOR

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 3926) to amend the Illinois and Michigan Canal National Heritage Corridor Act of 1984

to increase the amount authorized to be appropriated to the Illinois and Michigan Canal National Heritage Corridor Commission.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CALVERT and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. WATKINS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.28 TIMBISHA SHOSHONE HOMELAND

Mr. CALVERT moved to suspend the rules and pass the bill of the Senate (S. 2102) to provide to the Timbisha Shoshone Tribe a permanent land base within its aboriginal homeland, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CALVERT and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.29 UPPER HOUSATONIC NATIONAL HERITAGE AREA

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 4312) to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing an Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CALVERT and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.30 BEND PINE NURSERY LAND CONVEYANCE

Mr. CALVERT moved to suspend the rules and pass the bill of the Senate (S. 1936) to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CALVERT and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶110.31 LOWER DELAWARE WILD AND SCENIC RIVERS

Mr. CALVERT moved to suspend the rules and pass the bill of the Senate (S. 1296) to designate portions of the lower Delaware River and associated tributaries as a component of the National Wild and Scenic Rivers System.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CALVERT and Mr. HOLT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.32 COUSHATTA TRIBE LAND

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 5398) to provide that land which is owned by the Coushatta Tribe of Louisiana but which is not held in trust by the United States for the Tribe may be leased or transferred by the tribe without further approval by the United States.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CALVERT and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.33 AGREEING TO THE AMENDMENTS OF THE SENATE WITH AMENDMENTS TO H.R. 1444

Mr. CALVERT moved to suspend the rules and agree to the following resolution (H. Res. 630):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill, H.R. 1444, with the Senate amendments thereto, and to have concurred in the Senate amendment with the following amendments:

(1) Amend the title so as to read: ''A bill to authorize the Secretary of the Interior to establish a program to plan, design, and construct fish screens, fish passage devices, and related features to mitigate impacts on fisheries associated with irrigation system water diversions by local governmental entities in the Pacific Ocean drainage of the States of Oregon, Washington, Montana, and Idaho.''.

(2) In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fisheries Restoration and Irrigation Mitigation Act of 2000''.

SEC. 2. DEFINITIONS.

In this Act:

(1) PACIFIC OCEAN DRAINAGE AREA.—The term ''Pacific Ocean drainage area'' means the area comprised of portions of the States of Oregon, Washington, Montana, and Idaho from which water drains into the Pacific Ocean.

(2) PROGRAM.—The term ''Program'' means the Fisheries Restoration and Irrigation Mitigation Program established by section 3(a).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

SEC. 3. ESTABLISHMENT OF THE PROGRAM.

(a) ESTABLISHMENT.—There is established the Fisheries Restoration and Irrigation Mitigation Program within the Department of the Interior.

(b) GOALS.—The goals of the Program are—

(1) to decrease fish mortality associated with the withdrawal of water for irrigation and other purposes without impairing the continued withdrawal of water for those purposes; and

(2) to decrease the incidence of juvenile and adult fish entering water supply systems.

(c) IMPACTS ON FISHERIES.—

(1) IN GENERAL.—Under the Program, the Secretary, in consultation with the heads of other appropriate agencies, shall develop and implement projects to mitigate impacts to fisheries resulting from the construction and operation of water diversions by local governmental entities (including soil and water conservation districts) in the Pacific Ocean drainage area.

(2) TYPES OF PROJECTS.—Projects eligible under the Program may include—

(A) the development, improvement, or installation of—

(i) fish screens;

(ii) fish passage devices; and

(iii) other related features agreed to by non-Federal interests, relevant Federal and tribal agencies, and affected States; and

(B) inventories by the States on the need and priority for projects described in clauses (i) through (iii).

(3) PRIORITY.—The Secretary shall give priority to any project that has a total cost of less than $5,000,000.

SEC. 4. PARTICIPATION IN THE PROGRAM.

(a) NON-FEDERAL.—

(1) IN GENERAL.—Non-Federal participation in the Program shall be voluntary.

(2) FEDERAL ACTION.—The Secretary shall take no action that would result in any non-Federal entity being held financially responsible for any action under the Program, unless the entity applies to participate in the Program.

(b) FEDERAL.—Development and implementation of projects under the Program on land or facilities owned by the United States shall be nonreimbursable Federal expenditures.

SEC. 5. EVALUATION AND PRIORITIZATION OF PROJECTS.

Evaluation and prioritization of projects for development under the Program shall be conducted on the basis of—

(1) benefits to fish species native to the project area, particularly to species that are listed as being, or considered by Federal or State authorities to be, endangered, threatened, or sensitive;

(2) the size and type of water diversion;

(3) the availability of other funding sources;

(4) cost effectiveness; and

(5) additional opportunities for biological or water delivery system benefits.

SEC. 6. ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—A project carried out under the Program shall not be eligible for funding unless—

(1) the project meets the requirements of the Secretary, as applicable, and any applicable State requirements; and

(2) the project is agreed to by all Federal and non-Federal entities with authority and responsibility for the project.

(b) DETERMINATION OF ELIGIBILITY.—In determining the eligibility of a project under this Act, the Secretary shall—

(1) consult with other Federal, State, tribal, and local agencies; and

(2) make maximum use of all available data.

SEC. 7. COST SHARING.

(a) NON-FEDERAL SHARE.—The non-Federal share of the cost of development and implementation of any project under the Program on land or at a facility that is not owned by the United States shall be 35 percent.

(b) NON-FEDERAL CONTRIBUTIONS.—The non-Federal participants in any project under the Program on land or at a facility that is not owned by the United States shall provide all land, easements, rights-of-way, dredged material disposal areas, and relocations necessary for the project.

(c) CREDIT FOR CONTRIBUTIONS.—The value of land, easements, rights-of-way, dredged material disposal areas, and relocations provided under subsection (b) for a project shall be credited toward the non-Federal share of the costs of the project.

(d) ADDITIONAL COSTS.—

(1) NON-FEDERAL RESPONSIBILITIES.—The non-Federal participants in any project carried out under the Program on land or at a facility that is not owned by the United States shall be responsible for all costs associated with operating, maintaining, repairing, rehabilitating, and replacing the project.

(2) FEDERAL RESPONSIBILITY.—The Federal Government shall be responsible for costs referred to in paragraph (1) for projects carried out on Federal land or at a Federal facility.

SEC. 8. LIMITATION ON ELIGIBILITY FOR FUNDING.

A project that receives funds under this Act shall be ineligible to receive Federal funds from any other source for the same purpose.

SEC. 9. REPORT.

On the expiration of the third fiscal year for which amounts are made available to carry out this Act, the Secretary shall submit to Congress a report describing—

(1) the projects that have been completed under this Act;

(2) the projects that will be completed with amounts made available under this Act during the remaining fiscal years for which amounts are authorized to be appropriated under section 10; and

(3) recommended changes to the Program as a result of projects that have been carried out under this Act.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $25,000,000 for each of fiscal years 2001 through 2005.

(b) LIMITATIONS.—

(1) SINGLE STATE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), not more than 25 percent of the total amount of funds made available under this section may be used for 1 or more projects in any single State.

(B) WAIVER.—On notification to Congress, the Secretary may waive the limitation under subparagraph (A) if a State is unable to use the entire amount of funding made available to the State under this Act.

(2) ADMINISTRATIVE EXPENSES.—Not more than 6 percent of the funds authorized under this section for any fiscal year may be used for Federal administrative expenses of carrying out this Act.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CALVERT and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

¶110.34 FIREFIGHTERS MANDATORY AGE SEPARATION

Mr. OSE moved to suspend the rules and pass the bill (H.R. 460) to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. OSE and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.35 CHILDREN'S MEMORIAL DAY

Mr. OSE moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 415):

Whereas approximately 80,000 infants, children, teenagers, and young adults of families living throughout the United States die each year from myriad causes;

Whereas the death of an infant child, teenager, or young adult of a family is considered to be one of the greatest tragedies that a parent or family will ever endure during a lifetime; and

Whereas a supportive environment and empathy and understanding are considered critical factors in the healing process of a family that is coping with and recovering from the loss of a loved one: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) it is the sense of the Congress that there should be established a National Children's Memorial Day; and

(2) the Congress requests that the President issue a proclamation calling upon the people of the United States to observe such a day with appropriate ceremonies and activities in remembrance of the many infants, children, teenagers, and young adults in the United States who have died.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. OSE and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. OSE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed

until Wednesday, October 18, 2000, pursuant to the prior announcement of the Chair.

¶110.36 FURTHER MESSAGE FROM THE SENATE

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

H.R. 4635. An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4635) ''An Act making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BOND, Mr. BURNS, Mr. SHELBY, Mr. CRAIG, Mrs. HUTCHISON, Mr. KYL, Mr. DOMENICI, Mr. STEVENS, Ms. MIKULSKI, Mr. LEAHY, Mr. LAUTENBERG, Mr. HARKIN, Mr. REID, Mr. BYRD, and Mr. INOUYE, to be the conferees on the part of the Senate.

¶110.37 SOCIAL SECURITY NUMBER CONFIDENTIALITY

Mr. OSE moved to suspend the rules and pass the bill (H.R. 3218) to amend title 31, United States Code, to prohibit the appearance of Social Security account numbers on or through unopened mailings of checks or other drafts issued on public money in the Treasury.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. OSE and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. OSE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 18, 2000, pursuant to the prior announcement of the Chair.

¶110.38 GEORGE ATLEE GOODLING POST OFFICE BUILDING

Mr. OSE moved to suspend the rules and pass the bill (H.R. 5210) to designate the facility of the United States Postal Service located at 200 South George Street in York, Pennsylvania, as the ''George Atlee Goodling Post Office Building''.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. OSE and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.39 VA-HUD APPROPRIATIONS FY 2001

On motion of Mr. LEWIS of California, by unanimous consent, the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. LEWIS of California, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

Thereupon, the SPEAKER pro tempore, Mrs. BIGGERT, by unanimous consent, appointed Messrs. WALSH, DELAY, HOBSON, KNOLLENBERG, FRELINGHUYSEN, Mrs. NORTHUP, Messrs. SUNUNU, GOODE, YOUNG of Florida, MOLLOHAN, Ms. KAPTUR, Mrs. MEEK of Florida, Messrs. PRICE of North Carolina, CRAMER, and OBEY, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶110.40 J.T. WEEKER SERVICE CENTER

Mr. OSE moved to suspend the rules and pass the bill (H.R. 5016) to redesignate the facility of the United States Postal Service located at 514 Express Center Drive in Chicago, Illinois, as the ''J. T. Weeker Service Center''; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. OSE and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to redesignate the facility of the United States Postal Service located at 514 Express Center Road in Chicago, Illinois, as the 'J.T. Weeker Service Center'.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.41 NATIONAL TRANSPORTATION SAFETY BOARD AUTHORIZATION

Mr. SHUSTER moved to suspend the rules and pass the bill of the Senate (S. 2412) to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2000, 2001, 2002, and 2003, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. SHUSTER and Mr. SHOWS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.42 GEORGE E. BROWN, JR. UNITED STATES COURTHOUSE

Mr. SHUSTER moved to suspend the rules and pass the bill (H.R. 5110) to designate the United States courthouse located at 3470 12th Street in Riverside, California, as the ''George E. Brown, Jr. United States Courthouse''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. SHUSTER and Mr. SHOWS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.43 SOUTHEAST FEDERAL CENTER DEVELOPMENT

Mr. SHUSTER moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 3069) to authorize the Administrator of General Services to provide for redevelopment of the Southeast Federal Center in the District of Columbia:

Page 5, line 11, strike out ''Capitol'' and insert ''*Capital*''.

Page 5, line 21, after ''trator'' insert, '', *in consultation with the National Capital Planning Commission*''.

Page 7, line 1, strike out ''Environment and Public Works'' and insert ''*Governmental Affairs*''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. SHUSTER and Mr. SHOWS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.44 WILLIAM KENZO NAKAMURA UNITED STATES COURTHOUSE

Mr. SHUSTER moved to suspend the rules and pass the bill (H.R. 5302) to designate the United States courthouse located at 1010 Fifth Avenue in Seattle, Washington, as the ''William Kenzo Nakamura United States Courthouse''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. SHUSTER and Mr. SHOWS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.45 HUNTS POINT TERMINAL MARKET, NEW YORK COMPLAINTS

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 4965) to amend the Perishable Agricultural Commodities Act, 1930, to extend the time period during which persons may file a complaint alleging the preparation of false inspection certificates at Hunts Point Terminal Market, Bronx, New York.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. CALVERT and Mr. PETERSON of Minnesota, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.46 AGREEING TO THE AMENDMENT OF THE SENATE WITH AN AMENDMENT TO H.R. 4788

Mr. BARRETT of Nebraska moved to suspend the rules and agree to the following resolution (H. Res. 632):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill H.R. 4788, with the amendment of the Senate thereto, and to have concurred in the Senate amendment with the following amendment:

At the end of the matter proposed to be inserted by the Senate amendment, add the following new sections:

SEC. 311. COTTON FUTURES.

Subsection (d)(2) of the United States Cotton Futures Act (7 U.S.C. 15b(d)(2)) is amended by adding at the end the following: ''A person complying with the preceding sentence shall not be liable for any loss or damage arising or resulting from such compliance.''.

SEC. 312. IMPROVED INVESTIGATIVE AND ENFORCEMENT ACTIVITIES UNDER THE PACKERS AND STOCKYARDS ACT, 1921.

(a) IMPLEMENTATION OF GENERAL ACCOUNTING OFFICE RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Agriculture shall implement the recommendations contained in the report issued by the General Accounting Office entitled ''Packers and Stockyards Programs: Actions Needed to Improve Investigations of Competitive Practices'', GAO/RCED–00–242, dated September 21, 2000.

(b) CONSULTATION.—During the implementation period referred to in subsection (a), and for such an additional time period as needed to assure effective implementation of the recommendations contained in the report referred to in such subsection, the Secretary of Agriculture shall consult and work with the Department of Justice and the Federal Trade Commission in order to—

(1) implement the recommendations in the report regarding investigation management, operations, and case methods development processes; and

(2) effectively identify and investigate complaints of unfair and anti-competitive practices in violation of the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), and enforce the Act.

(c) TRAINING.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Agriculture shall develop and implement a training program for staff of the Department of Agriculture engaged in the investigation of complaints of unfair and anti-competitive activity in violation of the Packers and Stockyards Act, 1921. In developing the training program, the Secretary of Agriculture shall draw on existing training materials and programs available at the Department of Justice and the Federal Trade Commission, to the extent practicable.

(d) IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Agriculture shall submit to Congress a report describing the actions taken to comply with this section.

(e) ANNUAL ASSESSMENT OF CATTLE AND HOG INDUSTRIES.—Title IV of the Packers and Stockyards Act, 1921, is amended—

(1) by redesignating section 415 (7 U.S.C. 229) as section 416; and

(2) by inserting after section 414 the following:

''SEC. 415. ANNUAL ASSESSMENT OF CATTLE AND HOG INDUSTRIES.

''Not later than March 1 of each year, the Secretary shall submit to Congress and make publicly available a report that—

''(1) assesses the general economic state of the cattle and hog industries;

''(2) describes changing business practices in those industries; and

''(3) identifies market operations or activities in those industries that appear to raise concerns under this Act.''.

SEC. 313. REHABILITATION OF WATER RESOURCE STRUCTURAL MEASURES CONSTRUCTED UNDER CERTAIN DEPARTMENT OF AGRICULTURE PROGRAMS.

The Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.) is amended by adding at the end the following new section:

''SEC. 14. REHABILITATION OF STRUCTURAL MEASURES NEAR, AT, OR PAST THEIR EVALUATED LIFE EXPECTANCY.

''(a) DEFINITIONS.—For purposes of this section:

''(1) REHABILITATION.—The term 'rehabilitation', with respect to a structural measure constructed as part of a covered water resource project, means the completion of all work necessary to extend the service life of the structural measure and meet applicable safety and performance standards. This may include: (A) protecting the integrity of the structural measure or prolonging the useful life of the structural measure beyond the original evaluated life expectancy; (B) correcting damage to the structural measure from a catastrophic event; (C) correcting the deterioration of structural components that are deteriorating at an abnormal rate; (D) upgrading the structural measure to meet changed land use conditions in the watershed served by the structural measure or changed safety criteria applicable to the structural measure; or (E) decommissioning the structure, if requested by the local organization.

''(2) COVERED WATER RESOURCE PROJECT.—The term 'covered water resource project' means a work of improvement carried out under any of the following:

''(A) This Act.

''(B) Section 13 of the Act of December 22, 1944 (Public Law 78–534; 58 Stat. 905).

''(C) The pilot watershed program authorized under the heading 'FLOOD PREVENTION' of the Department of Agriculture Appropriation Act, 1954 (Public Law 156; 67 Stat. 214).

''(D) Subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451 et seq.; commonly known as the Resource Conservation and Development Program).

''(3) STRUCTURAL MEASURE.—The term 'structural measure' means a physical improvement that impounds water, commonly

known as a dam, which was constructed as part of a covered water resource project, including the impoundment area and flood pool.

''(b) COST SHARE ASSISTANCE FOR REHABILITATION.—

''(1) ASSISTANCE AUTHORIZED.—The Secretary may provide financial assistance to a local organization to cover a portion of the total costs incurred for the rehabilitation of structural measures originally constructed as part of a covered water resource project. The total costs of rehabilitation include the costs associated with all components of the rehabilitation project, including acquisition of land, easements, and rights-of-ways, rehabilitation project administration, the provision of technical assistance, contracting, and construction costs, except that the local organization shall be responsible for securing all land, easements, or rights-of-ways necessary for the project.

''(2) AMOUNT OF ASSISTANCE; LIMITATIONS.—The amount of Federal funds that may be made available under this subsection to a local organization for construction of a particular rehabilitation project shall be equal to 65 percent of the total rehabilitation costs, but not to exceed 100 percent of actual construction costs incurred in the rehabilitation. However, the local organization shall be responsible for the costs of water, mineral, and other resource rights and all Federal, State, and local permits.

''(3) RELATION TO LAND USE AND DEVELOPMENT REGULATIONS.—As a condition on entering into an agreement to provide financial assistance under this subsection, the Secretary, working in concert with the affected unit or units of general purpose local government, may require that proper zoning or other developmental regulations are in place in the watershed in which the structural measures to be rehabilitated under the agreement are located so that—

''(A) the completed rehabilitation project is not quickly rendered inadequate by additional development; and

''(B) society can realize the full benefits of the rehabilitation investment.

''(c) TECHNICAL ASSISTANCE FOR WATERSHED PROJECT REHABILITATION.—The Secretary, acting through the Natural Resources Conservation Service, may provide technical assistance in planning, designing, and implementing rehabilitation projects should a local organization request such assistance. Such assistance may consist of specialists in such fields as engineering, geology, soils, agronomy, biology, hydraulics, hydrology, economics, water quality, and contract administration.

''(d) PROHIBITED USE.—

''(1) PERFORMANCE OF OPERATION AND MAINTENANCE.—Rehabilitation assistance provided under this section may not be used to perform operation and maintenance activities specified in the agreement for the covered water resource project entered into between the Secretary and the local organization responsible for the works of improvement. Such operation and maintenance activities shall remain the responsibility of the local organization, as provided in the project work plan.

''(2) RENEGOTIATION.—Notwithstanding paragraph (1), as part of the provision of financial assistance under subsection (b), the Secretary may renegotiate the original agreement for the covered water resource project entered into between the Secretary and the local organization regarding responsibility for the operation and maintenance of the project when the rehabilitation is finished.

''(e) APPLICATION FOR REHABILITATION ASSISTANCE.—A local organization may apply to the Secretary for technical and financial assistance under this section if the application has also been submitted to and approved by the State agency having supervisory responsibility over the covered water resource project at issue or, if there is no State agency having such responsibility, by the Governor of the State. The Secretary shall request the State dam safety officer (or equivalent State official) to be involved in the application process if State permits or approvals are required. The rehabilitation of structural measures shall meet standards established by the Secretary and address other dam safety issues. At the request of the local organization, personnel of the Natural Resources Conservation Service of the Department of Agriculture may assist in preparing applications for assistance.

''(f) RANKING OF REQUESTS FOR REHABILITATION ASSISTANCE.—The Secretary shall establish such system of approving rehabilitation requests, recognizing that such requests will be received throughout the fiscal year and subject to the availability of funds to carry out this section, as is necessary for proper administration by the Department of Agriculture and equitable for all local organizations. The approval process shall be in writing, and made known to all local organizations and appropriate State agencies.

''(g) PROHIBITION ON CERTAIN REHABILITATION ASSISTANCE.—The Secretary may not approve a rehabilitation request if the need for rehabilitation of the structure is the result of a lack of adequate maintenance by the party responsible for the maintenance.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to provide financial and technical assistance under this section—

''(1) $5,000,000 for fiscal year 2001;

''(2) $10,000,000 for fiscal year 2002;

''(3) $15,000,000 for fiscal year 2003;

''(4) $25,000,000 for fiscal year 2004; and

''(5) $35,000,000 for fiscal year 2005.

''(i) ASSESSMENT OF REHABILITATION NEEDS.—The Secretary, in concert with the responsible State agencies, shall conduct an assessment of the rehabilitation needs of covered water resource projects in all States in which such projects are located.

''(j) RECORDKEEPING AND REPORTS.—

''(1) SECRETARY.—The Secretary shall maintain a data base to track the benefits derived from rehabilitation projects supported under this section and the expenditures made under this section. On the basis of such data and the reports submitted under paragraph (2), the Secretary shall prepare and submit to Congress an annual report providing the status of activities conducted under this section.

''(2) GRANT RECIPIENTS.—Not later than 90 days after the completion of a specific rehabilitation project for which assistance is provided under this section, the local organization that received the assistance shall make a report to the Secretary giving the status of any rehabilitation effort undertaken using financial assistance provided under this section.''.

SEC. 314. RELEASE OF REVERSIONARY INTEREST AND CONVEYANCE OF MINERAL RIGHTS IN FORMER FEDERAL LAND IN SUMTER COUNTY, SOUTH CAROLINA.

(a) FINDINGS.—Congress finds the following:

(1) The hiking trail known as the Palmetto Trail traverses the Manchester State Forest in Sumter County, South Carolina, which is owned by the South Carolina State Commission of Forestry on behalf of the State of South Carolina.

(2) The Commission seeks to widen the Palmetto Trail by acquiring a corridor of land along the northeastern border of the trail from the Anne Marie Carton Boardman Trust in exchange for a tract of former Federal land now owned by the Commission.

(3) At the time of the conveyance of the former Federal land to the Commission in 1955, the United States retained a reversionary interest in the land, which now prevents the land exchange from being completed.

(b) RELEASE OF REVERSIONARY INTEREST.—

(1) RELEASE REQUIRED.—In the case of the tract of land identified as Tract 3 on the map numbered 161–DI and further described in paragraph (2), the Secretary of Agriculture shall release the reversionary interest of the United States in the land that—

(A) requires that the land be used for public purposes; and

(B) is contained in the deed conveying the land from the United States to the South Carolina State Commission of Forestry, dated June 28, 1955, and recorded in Deed Drawer No. 6 of the Clerk of Court for Sumter County, South Carolina.

(2) MAP OF TRACT 3.—Tract 3 is generally depicted on the map numbered 161–DI, entitled ''Boundary Survey for South Carolina Forestry Commission'', dated August 1998, and filed, together with a legal description of the tract, with the South Carolina State Commission of Forestry.

(3) CONSIDERATION.—As consideration for the release of the revisionary interest under paragraph (1), the State of South Carolina shall transfer to the United States a vested future interest, similar to the restriction described in paragraph (1)(A), in the tract of land identified as Parcel G on the map numbered 225–HI, entitled ''South Carolina Forestry Commission Boardman Land Exchange'', dated June 9, 1999, and filed, together with a legal description of the tract, with the South Carolina State Commission of Forestry.

(c) EXCHANGE OF MINERAL RIGHTS.—

(1) EXCHANGE REQUIRED.—Subject to any valid existing rights of third parties, the Secretary of the Interior shall convey to the South Carolina State Commission of Forestry on behalf of the State of South Carolina all of the undivided mineral rights of the United States in the Tract 3 identified in subsection (b)(1) in exchange for mineral rights of equal value held by the State of South Carolina in the Parcel G identified in subsection (b)(3) as well as in Parcels E and F owned by the State and also depicted on the map referred to in subsection (b)(3).

(2) DETERMINATION OF MINERAL CHARACTER.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Interior shall determine—

(A) the mineral character of Tract 3 and Parcels E, F, and G; and

(B) the fair market value of the mineral interests.

SEC. 315. TECHNICAL CORRECTION REGARDING RESTORATION OF ELIGIBILITY FOR CROP LOSS ASSISTANCE.

Section 259 of the Agricultural Risk Protection Act of 2000 (Public Law 106–224; 114 Stat. 426; 7 U.S.C. 1421 note) is amended by adding at the end the following:

''(c) COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this section.''.

SEC. 316. PORK CHECKOFF REFERENDUM.

Notwithstanding section 1620(c)(3)(B)(iv) of the Pork Promotion, Research, and Consumer Information Act of 1985 (7 U.S.C. 4809(c)(3)(B)(iv)), the Secretary shall use funds available to carry out section 32 of the Act of August 24, 1935 (Public Law 320; 7 U.S.C. 612c) to pay for all expenses associated with the pork checkoff referendum ordered by the Secretary on February 25, 2000.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. BARRETT of Nebraska and Mr. PETERSON of Minnesota, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶110.47 INSPECTOR GENERAL

Mr. OSE moved to suspend the rules and pass the bill of the Senate (S. 1707) to amend the Inspector General Act of 1978 (5 U.S.C. App.) to provide that certain designated Federal entities shall be establishments under such Act, and for other purposes.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. OSE and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.48 ICCVAM AUTHORIZATION

Mr. BLILEY moved to suspend the rules and pass the bill (H.R. 4281) to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new and revised toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. BLILEY and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new or revised scientifically valid toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.49 RICHMOND NATIONAL BATTLEFIELD PARK

Mr. CALVERT moved to suspend the rules and pass the bill (H.R. 5225) to revise the boundaries of the Richmond National Battlefield Park based on the findings of the Civil War Sites Advisory Committee and the National Park Service and to encourage cooperative management, protection, and interpretation of the resources associated with the Civil War and the Civil War battles in and around the city of Richmond, Virginia; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. CALVERT and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.50 RENAMING MUSEUM OF AMERICAN ART

Mr. THOMAS moved to suspend the rules and pass the bill of the Senate (S. 3201) to rename the National Museum American Act.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. THOMAS and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.51 SMITHSONIAN ASTROPHYSICAL OBSERVATORY

Mr. THOMAS moved to suspend the rules and pass the bill of the Senate (S. 2498) to authorize the Smithsonian Institution to plan, design, construct, and equip laboratory, administrative, and support space to house base operations for the Smithsonian Astrophysical Observatory Submillimeter Array located on Mauna Kea at Hilo, Hawaii.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. THOMAS and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶110.52 LIBRARY OF CONGRESS FISCAL OPERATIONS IMPROVEMENT

Mr. THOMAS moved to suspend the rules and pass the bill (H.R. 5410) to establish revolving funds for the operation of certain programs and activities of the Library of Congress, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. THOMAS and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶110.53 PROVIDING FOR THE CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS, by direction of the Committee on Rules, reported (Rept. No. 106– 984) the resolution (H. Res. 633) providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶110.54 PROVIDING FOR THE CONSIDERATION OF H.R. 4656

Mr. SESSIONS, by direction of the Committee on Rules, reported (Rept. No. 106–985) the resolution (H. Res. 634) providing for consideration of the bill (H.R. 4656) to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site.

When said resolution and report were referred to the House Calendar and ordered printed.

¶110.55 PITTMAN-ROBERTSON WILDLIFE RESTORATION

Mr. YOUNG of Alaska moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 3671) to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, to commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Fish and Wildlife Programs Improvement and National Wildlife Refuge System Centennial Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—WILDLIFE AND SPORT FISH RESTORATION PROGRAMS

Sec. 101. Short titles.

Subtitle A—Wildlife Restoration

Sec. 111. Expenses for administration.
Sec. 112. Firearm and bow hunter education and safety program grants.
Sec. 113. Multistate conservation grant program.
Sec. 114. Miscellaneous provision.

Subtitle B—Sport Fish Restoration

Sec. 121. Expenses for administration.
Sec. 122. Multistate conservation grant program.
Sec. 123. Funding of the Coastal Wetlands Planning, Protection and Restoration Act.
Sec. 124. Period of availability.
Sec. 125. Miscellaneous provision.
Sec. 126. Conforming amendment.

Subtitle C—Wildlife and Sport Fish Restoration Programs

Sec. 131. Designation of programs.
Sec. 132. Assistant Director for Wildlife and Sport Fish Restoration Programs.
Sec. 133. Reports and certifications.

TITLE II—NATIONAL FISH AND WILDLIFE FOUNDATION

Sec. 201. Short title.
Sec. 202. Purposes.
Sec. 203. Board of Directors of the Foundation.
Sec. 204. Rights and obligations of the Foundation.
Sec. 205. Annual reporting of grant details.
Sec. 206. Notice to Members of Congress.
Sec. 207. Authorization of appropriations.
Sec. 208. Limitation on authority.

TITLE III—NATIONAL WILDLIFE REFUGE SYSTEM CENTENNIAL

Sec. 301. Short title.
Sec. 302. Findings and purposes.
Sec. 303. National Wildlife Refuge System Centennial Commission.
Sec. 304. Long-term planning and annual reporting requirements regarding the operation and maintenance backlog.
Sec. 305. Year of the National Wildlife Refuge.
Sec. 306. Authorization of appropriations.
Sec. 307. Effective date.

TITLE I—WILDLIFE AND SPORT FISH RESTORATION PROGRAMS

SEC. 101. SHORT TITLES.

(a) THIS TITLE.—This title may be cited as the ''Wildlife and Sport Fish Restoration Programs Improvement Act of 2000''.

(b) PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.—The Act of September 2, 1937 (16 U.S.C. 669 et seq.), is amended by adding at the end the following:

''SEC. 13. SHORT TITLE.

''This Act may be cited as the 'Pittman-Robertson Wildlife Restoration Act'.''.

(c) DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—The Act of August 9, 1950 (16 U.S.C. 777 et seq.), is amended by adding at the end the following:

''SEC. 15. SHORT TITLE.

''This Act may be cited as the 'Dingell-Johnson Sport Fish Restoration Act'.''.

Subtitle A—Wildlife Restoration

SEC. 111. EXPENSES FOR ADMINISTRATION.

(a) SET-ASIDE FOR EXPENSES FOR ADMINISTRATION OF THE PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.—Section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by striking ''SEC. 4.'' and all that follows through the end of the first sentence of subsection (a) and inserting the following:

''SEC. 4. ALLOCATION AND APPORTIONMENT OF AVAILABLE AMOUNTS.

''(a) SET-ASIDE FOR EXPENSES FOR ADMINISTRATION OF THE PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.—

''(1) IN GENERAL.—

''(A) SET-ASIDE.—For fiscal year 2001 and each fiscal year thereafter, of the revenues (excluding interest accruing under section 3(b)) covered into the fund for the fiscal year, the Secretary of the Interior may use not more than the available amount specified in subparagraph (B) for the fiscal year for expenses for administration incurred in implementation of this Act, in accordance with this subsection and section 9.

''(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

''(i) for each of fiscal years 2001 and 2002, $9,000,000;

''(ii) for fiscal year 2003, $8,212,000; and

''(iii) for fiscal year 2004 and each fiscal year thereafter, the sum of—

''(I) the available amount for the preceding fiscal year; and

''(II) the amount determined by multiplying—

''(aa) the available amount for the preceding fiscal year; and

''(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

''(2) PERIOD OF AVAILABILITY; APPORTIONMENT OF UNOBLIGATED AMOUNTS.—

''(A) PERIOD OF AVAILABILITY.—For each fiscal year, the available amount under paragraph (1) shall remain available for obligation for use under that paragraph until the end of the fiscal year.

''(B) APPORTIONMENT OF UNOBLIGATED AMOUNTS.—Not later than 60 days after the end of a fiscal year, the Secretary of the Interior shall apportion among the States any of the available amount under paragraph (1) that remains unobligated at the end of the fiscal year, on the same basis and in the same manner as other amounts made available under this Act are apportioned among the States for the fiscal year.

''(b) APPORTIONMENT TO STATES.—'';

(3) in subsection (b) (as designated by paragraph (2)), by striking ''after making the aforesaid deduction, shall apportion, except as provided in subsection (b) of this section,'' and inserting ''after deducting the available amount under subsection (a), the amount apportioned under subsection (c), any amount apportioned under section 8A, and amounts provided as grants under sections 10 and 11, shall apportion''; and

(4) in the first sentence of subsection (c) (as redesignated by paragraph (1)), by inserting ''Puerto Rico,'' after ''American Samoa,''.

(b) REQUIREMENTS AND RESTRICTIONS CONCERNING USE OF AMOUNTS FOR EXPENSES FOR ADMINISTRATION.—Section 9 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h) is amended to read as follows:

''SEC. 9. REQUIREMENTS AND RESTRICTIONS CONCERNING USE OF AMOUNTS FOR EXPENSES FOR ADMINISTRATION.

''(a) AUTHORIZED EXPENSES FOR ADMINISTRATION.—Except as provided in subsection (b), the Secretary of the Interior may use available amounts under section 4(a)(1) only for expenses for administration that directly support the implementation of this Act that consist of—

''(1) personnel costs of employees who directly administer this Act on a full-time basis;

''(2) personnel costs of employees who directly administer this Act on a part-time basis for at least 20 hours each week, not to exceed the portion of those costs incurred with respect to the work hours of the employee during which the employee directly administers this Act, as those hours are certified by the supervisor of the employee;

''(3) support costs directly associated with personnel costs authorized under paragraphs (1) and (2), excluding costs associated with staffing and operation of regional offices of the United States Fish and Wildlife Service and the Department of the Interior other than for the purposes of this Act;

''(4) costs of determining under section 6(a) whether State comprehensive plans and projects are substantial in character and design;

''(5) overhead costs, including the costs of general administrative services, that are directly attributable to administration of this Act and are based on—

''(A) actual costs, as determined by a direct cost allocation methodology approved by the Director of the Office of Management and Budget for use by Federal agencies; and

''(B) in the case of costs that are not determinable under subparagraph (A), an amount per full-time equivalent employee authorized under paragraphs (1) and (2) that does not exceed the amount charged or assessed for costs per full-time equivalent employee for any other division or program of the United States Fish and Wildlife Service;

''(6) costs incurred in auditing, every 5 years, the wildlife and sport fish activities of each State fish and game department and the use of funds under section 6 by each State fish and game department;

''(7) costs of audits under subsection (d);

''(8) costs of necessary training of Federal and State full-time personnel who administer this Act to improve administration of this Act;

''(9) costs of travel to States, territories, and Canada by personnel who—

''(A) administer this Act on a full-time basis for purposes directly related to administration of State programs or projects; or

''(B) administer grants under section 6, 10, or 11;

''(10) costs of travel outside the United States (except travel to Canada), by personnel who administer this Act on a full-time basis, for purposes that directly relate to administration of this Act and that are approved directly by the

Assistant Secretary for Fish and Wildlife and Parks;

''(11) relocation expenses for personnel who, after relocation, will administer this Act on a full-time basis for at least 1 year, as certified by the Director of the United States Fish and Wildlife Service at the time at which the relocation expenses are incurred; and

''(12) costs to audit, evaluate, approve, disapprove, and advise concerning grants under sections 6, 10, and 11.

''(b) REPORTING OF OTHER USES.—

''(1) IN GENERAL.—Subject to paragraph (2), if the Secretary of the Interior determines that available amounts under section 4(a)(1) should be used for an expense for administration other than an expense for administration described in subsection (a), the Secretary—

''(A) shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives a report describing the expense for administration and stating the amount of the expense; and

''(B) may use any such available amounts for the expense for administration only after the end of the 30-day period beginning on the date of submission of the report under subparagraph (A).

''(2) MAXIMUM AMOUNT.—For any fiscal year, the Secretary of the Interior may use under paragraph (1) not more than $25,000.

''(c) RESTRICTION ON USE TO SUPPLEMENT GENERAL APPROPRIATIONS.—The Secretary of the Interior shall not use available amounts under subsection (b) to supplement the funding of any function for which general appropriations are made for the United States Fish and Wildlife Service or any other entity of the Department of the Interior.

''(d) AUDIT REQUIREMENT.—

''(1) IN GENERAL.—The Inspector General of the Department of the Interior shall procure the performance of biennial audits, in accordance with generally accepted accounting principles, of expenditures and obligations of amounts used by the Secretary of the Interior for expenses for administration incurred in implementation of this Act.

''(2) AUDITOR.—

''(A) IN GENERAL.—An audit under this subsection shall be performed under a contract that is awarded under competitive procedures (as defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)) by a person or entity that is not associated in any way with the Department of the Interior (except by way of a contract for the performance of an audit or other review).

''(B) SUPERVISION OF AUDITOR.—The auditor selected under subparagraph (A) shall report to, and be supervised by, the Inspector General of the Department of the Interior, except that the auditor shall submit a copy of the biennial audit findings to the Secretary of the Interior at the time at which the findings are submitted to the Inspector General of the Department of the Interior.

''(3) REPORT TO CONGRESS.—The Inspector General of the Department of the Interior shall promptly submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate—

''(A) a report on the results of each audit under this subsection; and

''(B) a copy of each audit under this subsection.''.

(c) CONFORMING AMENDMENT.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended in the first sentence by striking ''section 4(b) of this Act'' and inserting ''section 4(c)''.

SEC. 112. FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.

The Pittman-Robertson Wildlife Restoration Act is amended—

(1) by redesignating section 10 (16 U.S.C. 669i) as section 12; and

(2) by inserting after section 9 (16 U.S.C. 669h) the following:

''SEC. 10. FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.

''(a) IN GENERAL.—

''(1) GRANTS.—Of the revenues covered into the fund, $7,500,000 for each of fiscal years 2001 and 2002, and $8,000,000 for fiscal year 2003 and each fiscal year thereafter, shall be apportioned among the States in the manner specified in section 4(c) by the Secretary of the Interior and used to make grants to the States to be used for—

''(A) in the case of a State that has not used all of the funds apportioned to the State under section 4(c) for the fiscal year in the manner described in section 8(b)—

''(i) the enhancement of hunter education programs, hunter and sporting firearm safety programs, and hunter development programs;

''(ii) the enhancement of interstate coordination and development of hunter education and shooting range programs;

''(iii) the enhancement of bow hunter and archery education, safety, and development programs; and

''(iv) the enhancement of construction or development of firearm shooting ranges and archery ranges, and the updating of safety features of firearm shooting ranges and archery ranges; and

''(B) in the case of a State that has used all of the funds apportioned to the State under section 4(c) for the fiscal year in the manner described in section 8(b), any use authorized by this Act (including hunter safety programs and the construction, operation, and maintenance of public target ranges).

''(2) LIMITATION ON USE.—Under paragraph (1), a State shall not be required to use more than the amount described in section 8(b) for hunter safety programs and the construction, operation, and maintenance of public target ranges.

''(b) COST SHARING.—The Federal share of the cost of any activity carried out with a grant under this section shall not exceed 75 percent of the total cost of the activity.

''(c) PERIOD OF AVAILABILITY; REAPPORTIONMENT.—

''(1) PERIOD OF AVAILABILITY.—Amounts made available and apportioned for grants under this section shall remain available only for the fiscal year for which the amounts are apportioned.

''(2) REAPPORTIONMENT.—At the end of the period of availability under paragraph (1), the Secretary of the Interior shall apportion amounts made available that have not been used to make grants under this section among the States described in subsection (a)(1)(B) for use by those States in accordance with this Act.''.

SEC. 113. MULTISTATE CONSERVATION GRANT PROGRAM.

The Pittman-Robertson Wildlife Restoration Act (as amended by section 112) is amended by inserting after section 10 the following:

''SEC. 11. MULTISTATE CONSERVATION GRANT PROGRAM.

''(a) IN GENERAL.—

''(1) AMOUNT FOR GRANTS.—Not more than $3,000,000 of the revenues covered into the fund for a fiscal year shall be available to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.

''(2) PERIOD OF AVAILABILITY; APPORTIONMENT.—

''(A) PERIOD OF AVAILABILITY.—Amounts made available under paragraph (1) shall remain available for making grants only for the first fiscal year for which the amount is made available and the following fiscal year.

''(B) APPORTIONMENT.—At the end of the period of availability under subparagraph (A), the Secretary of the Interior shall apportion any amounts that remain available among the States in the manner specified in section 4(b) for use by the States in the same manner as funds apportioned under section 4(b).

''(b) SELECTION OF PROJECTS.—

''(1) STATES OR ENTITIES TO BE BENEFITED.—A project shall not be eligible for a grant under this section unless the project will benefit—

''(A) at least 26 States;

''(B) a majority of the States in a region of the United States Fish and Wildlife Service; or

''(C) a regional association of State fish and game departments.

''(2) USE OF SUBMITTED PRIORITY LIST OF PROJECTS.—The Secretary of the Interior may make grants under this section only for projects identified on a priority list of wildlife restoration projects described in paragraph (3).

''(3) PRIORITY LIST OF PROJECTS.—A priority list referred to in paragraph (2) is a priority list of wildlife restoration projects that the International Association of Fish and Wildlife Agencies—

''(A) prepares through a committee comprised of the heads of State fish and game departments (or their designees), in consultation with—

''(i) nongovernmental organizations that represent conservation organizations;

''(ii) sportsmen organizations; and

''(iii) industries that support or promote hunting, trapping, recreational shooting, bow hunting, or archery;

''(B) approves by vote of a majority of the heads of State fish and game departments (or their designees); and

''(C) not later than October 1 of each fiscal year, submits to the Assistant Director for Wildlife and Sport Fish Restoration Programs.

''(4) PUBLICATION.—The Assistant Director for Wildlife and Sport Fish Restoration Programs shall publish in the Federal Register each priority list submitted under paragraph (3)(C).

''(c) ELIGIBLE GRANTEES.—

''(1) IN GENERAL.—The Secretary of the Interior may make a grant under this section only to—

''(A) a State or group of States;

''(B) the United States Fish and Wildlife Service, or a State or group of States, for the purpose of carrying out the National Survey of Fishing, Hunting, and Wildlife-Associated Recreation; and

''(C) subject to paragraph (2), a nongovernmental organization.

''(2) NONGOVERNMENTAL ORGANIZATIONS.—

''(A) IN GENERAL.—Any nongovernmental organization that applies for a grant under this section shall submit with the application to the International Association of Fish and Wildlife Agencies a certification that the organization—

''(i) will not use the grant funds to fund, in whole or in part, any activity of the organization that promotes or encourages opposition to the regulated hunting or trapping of wildlife; and

''(ii) will use the grant funds in compliance with subsection (d).

''(B) PENALTIES FOR CERTAIN ACTIVITIES.—Any nongovernmental organization that is found to use grant funds in violation of subparagraph (A) shall return all funds received under this section and be subject to any other applicable penalties under law.

''(d) USE OF GRANTS.—A grant under this section shall not be used, in whole or in part, for an activity, project, or program that promotes or encourages opposition to the regulated hunting or trapping of wildlife.

''(e) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any activity carried out under this section.''.

SEC. 114. MISCELLANEOUS PROVISION.

Section 5 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669d) is amended in the first sentence—

(1) by inserting '', at the time at which a deduction or apportionment is made,'' after ''certify''; and

(2) by striking ''and executing''.

Subtitle B—Sport Fish Restoration

SEC. 121. EXPENSES FOR ADMINISTRATION.

(a) SET-ASIDE FOR EXPENSES FOR ADMINISTRATION OF THE DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended by striking subsection (d) and inserting the following:

''(d) SET-ASIDE FOR EXPENSES FOR ADMINISTRATION OF THE DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—

''(1) IN GENERAL.—

''(A) SET-ASIDE.—For fiscal year 2001 and each fiscal year thereafter, of the balance of each such annual appropriation remaining after the distribution and use under subsections (a), (b), and (c) and section 14, the Secretary of the Interior may use not more than the available amount specified in subparagraph (B) for the fiscal year for expenses for administration incurred in implementation of this Act, in accordance with this subsection and section 9.

''(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

''(i) for each of fiscal years 2001 and 2002, $9,000,000;

''(ii) for fiscal year 2003, $8,212,000; and

''(iii) for fiscal year 2004 and each fiscal year thereafter, the sum of—

''(I) the available amount for the preceding fiscal year; and

''(II) the amount determined by multiplying—

''(aa) the available amount for the preceding fiscal year; and

''(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

''(2) PERIOD OF AVAILABILITY; APPORTIONMENT OF UNOBLIGATED AMOUNTS.—

''(A) PERIOD OF AVAILABILITY.—For each fiscal year, the available amount under paragraph (1) shall remain available for obligation for use under that paragraph until the end of the fiscal year.

''(B) APPORTIONMENT OF UNOBLIGATED AMOUNTS.—Not later than 60 days after the end of a fiscal year, the Secretary of the Interior shall apportion among the States any of the available amount under paragraph (1) that remains unobligated at the end of the fiscal year, on the same basis and in the same manner as other amounts made available under this Act are apportioned among the States under subsection (e) for the fiscal year.''.

(b) REQUIREMENTS AND RESTRICTIONS CONCERNING USE OF AMOUNTS FOR EXPENSES FOR ADMINISTRATION.—Section 9 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h) is amended to read as follows:

"SEC. 9. REQUIREMENTS AND RESTRICTIONS CONCERNING USE OF AMOUNTS FOR EXPENSES FOR ADMINISTRATION.

''(a) AUTHORIZED EXPENSES FOR ADMINISTRATION.—Except as provided in subsection (b), the Secretary of the Interior may use available amounts under section 4(d)(1) only for expenses for administration that directly support the implementation of this Act that consist of—

''(1) personnel costs of employees who directly administer this Act on a full-time basis;

''(2) personnel costs of employees who directly administer this Act on a part-time basis for at least 20 hours each week, not to exceed the portion of those costs incurred with respect to the work hours of the employee during which the employee directly administers this Act, as those hours are certified by the supervisor of the employee;

''(3) support costs directly associated with personnel costs authorized under paragraphs (1) and (2), excluding costs associated with staffing and operation of regional offices of the United States Fish and Wildlife Service and the Department of the Interior other than for the purposes of this Act;

''(4) costs of determining under section 6(a) whether State comprehensive plans and projects are substantial in character and design;

''(5) overhead costs, including the costs of general administrative services, that are directly attributable to administration of this Act and are based on—

''(A) actual costs, as determined by a direct cost allocation methodology approved by the Director of the Office of Management and Budget for use by Federal agencies; and

''(B) in the case of costs that are not determinable under subparagraph (A), an amount per full-time equivalent employee authorized under paragraphs (1) and (2) that does not exceed the amount charged or assessed for costs per full-time equivalent employee for any other division or program of the United States Fish and Wildlife Service;

''(6) costs incurred in auditing, every 5 years, the wildlife and sport fish activities of each State fish and game department and the use of funds under section 6 by each State fish and game department;

''(7) costs of audits under subsection (d);

''(8) costs of necessary training of Federal and State full-time personnel who administer this Act to improve administration of this Act;

''(9) costs of travel to States, territories, and Canada by personnel who—

''(A) administer this Act on a full-time basis for purposes directly related to administration of State programs or projects; or

''(B) administer grants under section 6 or 14;

''(10) costs of travel outside the United States (except travel to Canada), by personnel who administer this Act on a full-time basis, for purposes that directly relate to administration of this Act and that are approved directly by the Assistant Secretary for Fish and Wildlife and Parks;

''(11) relocation expenses for personnel who, after relocation, will administer this Act on a full-time basis for at least 1 year, as certified by the Director of the United States Fish and Wildlife Service at the time at which the relocation expenses are incurred; and

''(12) costs to audit, evaluate, approve, disapprove, and advise concerning grants under sections 6 and 14.

''(b) REPORTING OF OTHER USES.—

''(1) IN GENERAL.—Subject to paragraph (2), if the Secretary of the Interior determines that available amounts under section 4(d)(1) should be used for an expense for administration other than an expense for administration described in subsection (a), the Secretary—

''(A) shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives a report describing the expense for administration and stating the amount of the expense; and

''(B) may use any such available amounts for the expense for administration only after the end of the 30-day period beginning on the date of submission of the report under subparagraph (A).

''(2) MAXIMUM AMOUNT.—For any fiscal year, the Secretary of the Interior may use under paragraph (1) not more than $25,000.

''(c) RESTRICTION ON USE TO SUPPLEMENT GENERAL APPROPRIATIONS.—The Secretary of the Interior shall not use available amounts under subsection (b) to supplement the funding of any function for which general appropriations are made for the United States Fish and Wildlife Service or any other entity of the Department of the Interior.

''(d) AUDIT REQUIREMENT.—

''(1) IN GENERAL.—The Inspector General of the Department of the Interior shall procure the performance of biennial audits, in accordance with generally accepted accounting principles, of expenditures and obligations of amounts used by the Secretary of the Interior for expenses for administration incurred in implementation of this Act.

''(2) AUDITOR.—

''(A) IN GENERAL.—An audit under this subsection shall be performed under a contract that is awarded under competitive procedures (as defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)) by a person or entity that is not associated in any way with the Department of the Interior (except by way of a contract for the performance of an audit or other review).

''(B) SUPERVISION OF AUDITOR.—The auditor selected under subparagraph (A) shall report to, and be supervised by, the Inspector General of the Department of the Interior, except that the auditor shall submit a copy of the biennial audit findings to the Secretary of the Interior at the time at which the findings are submitted to the Inspector General of the Department of the Interior.

''(3) REPORT TO CONGRESS.—The Inspector General of the Department of the Interior shall promptly submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate—

''(A) a report on the results of each audit under this subsection; and

''(B) a copy of each audit under this subsection.''.

(c) EXPENSES FOR ADMINISTRATION OF CERTAIN PROGRAMS.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended by adding at the end the following:

''(g) EXPENSES FOR ADMINISTRATION OF CERTAIN PROGRAMS.—

''(1) IN GENERAL.—For each fiscal year, of the amounts appropriated under section 3, the Secretary of the Interior shall use only funds authorized for use under subsections (a), (b)(3)(A), (b)(3)(B), and (c) to pay the expenses for administration incurred in carrying out the provisions of law referred to in those subsections, respectively.

''(2) MAXIMUM AMOUNT.—For each fiscal year, the Secretary of the Interior may use not more than $900,000 in accordance with paragraph (1).''.

SEC. 122. MULTISTATE CONSERVATION GRANT PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—The Dingell-Johnson Sport Fish Restoration Act is amended—

(1) by striking the section 13 relating to effective date (16 U.S.C. 777 note) and inserting the following:

"SEC. 14. MULTISTATE CONSERVATION GRANT PROGRAM.

''(a) IN GENERAL.—

''(1) AMOUNT FOR GRANTS.—Of the balance of each annual appropriation made under section 3 remaining after the distribution and use under subsections (a), (b), and (c) of section 4 in a fiscal year, not more than $3,000,000 shall be available to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.

''(2) PERIOD OF AVAILABILITY; APPORTIONMENT.—

''(A) PERIOD OF AVAILABILITY.—Amounts made available under paragraph (1) shall remain available for making grants only for the first fiscal year for which the amount is made available and the following fiscal year.

''(B) APPORTIONMENT.—At the end of the period of availability under subparagraph (A), the Secretary of the Interior shall apportion any amounts that remain available among the States in the manner specified in section 4(e) for use by the States in the same manner as funds apportioned under section 4(e).

''(b) SELECTION OF PROJECTS.—

''(1) STATES OR ENTITIES TO BE BENEFITED.—A project shall not be eligible for a grant under this section unless the project will benefit—

''(A) at least 26 States;

''(B) a majority of the States in a region of the United States Fish and Wildlife Service; or

''(C) a regional association of State fish and game departments.

''(2) USE OF SUBMITTED PRIORITY LIST OF PROJECTS.—The Secretary of the Interior may make grants under this section only for projects

identified on a priority list of sport fish restoration projects described in paragraph (3).

''(3) PRIORITY LIST OF PROJECTS.—A priority list referred to in paragraph (2) is a priority list of sport fish restoration projects that the International Association of Fish and Wildlife Agencies—

''(A) prepares through a committee comprised of the heads of State fish and game departments (or their designees), in consultation with—

''(i) nongovernmental organizations that represent conservation organizations;

''(ii) sportsmen organizations; and

''(iii) industries that fund the sport fish restoration programs under this Act;

''(B) approves by vote of a majority of the heads of State fish and game departments (or their designees); and

''(C) not later than October 1 of each fiscal year, submits to the Assistant Director for Wildlife and Sport Fish Restoration Programs.

''(4) PUBLICATION.—The Assistant Director for Wildlife and Sport Fish Restoration Programs shall publish in the Federal Register each priority list submitted under paragraph (3)(C).

''(c) ELIGIBLE GRANTEES.—

''(1) IN GENERAL.—The Secretary of the Interior may make a grant under this section only to—

''(A) a State or group of States;

''(B) the United States Fish and Wildlife Service, or a State or group of States, for the purpose of carrying out the National Survey of Fishing, Hunting, and Wildlife-Associated Recreation; and

''(C) subject to paragraph (2), a nongovernmental organization.

''(2) NONGOVERNMENTAL ORGANIZATIONS.—

''(A) IN GENERAL.—Any nongovernmental organization that applies for a grant under this section shall submit with the application to the International Association of Fish and Wildlife Agencies a certification that the organization—

''(i) will not use the grant funds to fund, in whole or in part, any activity of the organization that promotes or encourages opposition to the regulated taking of fish; and

''(ii) will use the grant funds in compliance with subsection (d).

''(B) PENALTIES FOR CERTAIN ACTIVITIES.—Any nongovernmental organization that is found to use grant funds in violation of subparagraph (A) shall return all funds received under this section and be subject to any other applicable penalties under law.

''(d) USE OF GRANTS.—A grant under this section shall not be used, in whole or in part, for an activity, project, or program that promotes or encourages opposition to the regulated taking of fish.

''(e) FUNDING FOR OTHER ACTIVITIES.—Of the balance of each annual appropriation made under section 3 remaining after the distribution and use under subsections (a), (b), and (c) of section 4 for each fiscal year and after deducting amounts used for grants under subsection (a)—

''(1) $200,000 shall be made available for each of—

''(A) the Atlantic States Marine Fisheries Commission;

''(B) the Gulf States Marine Fisheries Commission;

''(C) the Pacific States Marine Fisheries Commission; and

''(D) the Great Lakes Fisheries Commission; and

''(2) $400,000 shall be made available for the Sport Fishing and Boating Partnership Council established by the United States Fish and Wildlife Service.

''(f) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any activity carried out under this section.''; and

(2) by moving that section to appear after the section 13 relating to State use of contributions (16 U.S.C. 777l).

(b) CONFORMING AMENDMENT.—Section 4(e) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(e)) is amended in the first sentence by inserting ''and after deducting amounts used for grants under section 14,'' after ''respectively,''.

SEC. 123. FUNDING OF THE COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT.

Section 4(a) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(a)) is amended in the second sentence by striking ''2000'' and inserting ''2009''.

SEC. 124. PERIOD OF AVAILABILITY.

Section 4(f) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(f)) is amended in the first sentence by striking '', and if'' and all that follows through ''recreation''.

SEC. 125. MISCELLANEOUS PROVISION.

Section 5 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777d) is amended—

(1) by inserting '', at the time at which a deduction or apportionment is made,'' after ''certify''; and

(2) by striking ''and executing''.

SEC. 126. CONFORMING AMENDMENT.

Section 9504(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''(as in effect on the date of the enactment of the TEA 21 Restoration Act)'' and inserting ''(as in effect on the date of enactment of the Wildlife and Sport Fish Restoration Programs Improvement Act of 2000)''.

Subtitle C—Wildlife and Sport Fish Restoration Programs

SEC. 131. DESIGNATION OF PROGRAMS.

The programs established under the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) and the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) shall be known as the ''Federal Assistance Program for State Wildlife and Sport Fish Restoration''.

SEC. 132. ASSISTANT DIRECTOR FOR WILDLIFE AND SPORT FISH RESTORATION PROGRAMS.

(a) ESTABLISHMENT.—There is established in the United States Fish and Wildlife Service of the Department of the Interior the position of Assistant Director for Wildlife and Sport Fish Restoration Programs.

(b) SUPERIOR.—The Assistant Director for Wildlife and Sport Fish Restoration Programs shall report directly to the Director of the United States Fish and Wildlife Service.

(c) RESPONSIBILITIES.—The Assistant Director for Wildlife and Sport Fish Restoration Programs shall be responsible for the administration, management, and oversight of the Federal Assistance Program for State Wildlife and Sport Fish Restoration under the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) and the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.).

SEC. 133. REPORTS AND CERTIFICATIONS.

(a) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—At the time at which the President submits to Congress a budget request for the Department of the Interior for fiscal year 2002, the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the steps that have been taken to comply with this title and the amendments made by this title.

(2) CONTENTS.—The report under paragraph (1) shall describe—

(A) the extent to which compliance with this title and the amendments made by this title has required a reduction in the number of personnel assigned to administer, manage, and oversee the Federal Assistance Program for State Wildlife and Sport Fish Restoration;

(B) any revisions to this title or the amendments made by this title that would be desirable in order for the Secretary of the Interior to adequately administer the Program and ensure that funds provided to State agencies are properly used; and

(C) any other information concerning the implementation of this title and the amendments made by this title that the Secretary of the Interior considers appropriate.

(b) PROJECTED SPENDING REPORT.—At the time at which the President submits a budget request for the Department of the Interior for fiscal year 2002 and each fiscal year thereafter, the Secretary of the Interior shall report in writing to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate the amounts, broken down by category, that are intended to be used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)) and section 4(d)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(1)).

(c) SPENDING CERTIFICATION AND REPORT.—Not later than 60 days after the end of each fiscal year, the Secretary of the Interior shall certify and report in writing to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate—

(1) the amounts, broken down by category, that were used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)) and section 4(d)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(1));

(2) the amounts apportioned to States for the fiscal year under section 4(a)(2) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(2)) and section 4(d)(2)(A) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(2)(A));

(3) the results of the audits performed under section 9(d) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h(d) and section 9(d) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(d));

(4) that all amounts used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)) and section 4(d)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(1)) were necessary for expenses for administration incurred in implementation of those Acts;

(5) that all amounts used for the fiscal year to administer those Acts by agency headquarters and by regional offices of the United States Fish and Wildlife Service were used in accordance with those Acts; and

(6) that the Secretary of the Interior, the Assistant Secretary for Fish and Wildlife and Parks, the Director of the United States Fish and Wildlife Service, and the Assistant Director for Wildlife and Sport Fish Restoration Programs each properly discharged their duties under those Acts.

(d) CERTIFICATIONS BY STATES.—

(1) IN GENERAL.—Not later than 60 days after the end of each fiscal year, each State that received amounts apportioned under the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) or the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) for the fiscal year shall certify to the Secretary of the Interior in writing that the amounts were expended by the State in accordance with each of those Acts.

(2) TRANSMISSION TO CONGRESS.—Not later than December 31 of a fiscal year, the Secretary of the Interior shall transmit all certifications under paragraph (1) for the previous fiscal year to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(e) LIMITATION ON DELEGATION.—The Secretary of the Interior shall not delegate the responsibility for making a certification under subsection (c) to any person except the Assistant Secretary for Fish and Wildlife and Parks.

TITLE II—NATIONAL FISH AND WILDLIFE FOUNDATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Fish and Wildlife Foundation Establishment Act Amendments of 2000''.

SEC. 202. PURPOSES.

Section 2(b) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701(b)) is amended by striking paragraph (1) and inserting the following:

''(1) to encourage, accept, and administer private gifts of property for the benefit of, or in connection with, the activities and services of the United States Fish and Wildlife Service and the National Oceanic and Atmospheric Administration, to further the conservation and management of fish, wildlife, plants, and other natural resources;''.

SEC. 203. BOARD OF DIRECTORS OF THE FOUNDATION.

(a) ESTABLISHMENT AND MEMBERSHIP.—Section 3 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702) is amended by striking subsection (a) and inserting the following:

''(a) ESTABLISHMENT AND MEMBERSHIP.—

''(1) IN GENERAL.—The Foundation shall have a governing Board of Directors (referred to in this Act as the 'Board'), which shall consist of 25 Directors appointed in accordance with subsection (b), each of whom shall be a United States citizen.

''(2) REPRESENTATION OF DIVERSE POINTS OF VIEW.—To the maximum extent practicable, the membership of the Board shall represent diverse points of view relating to conservation and management of fish, wildlife, plants, and other natural resources.

''(3) NOT FEDERAL EMPLOYEES.—Appointment as a Director of the Foundation shall not constitute employment by, or the holding of an office of, the United States for the purpose of any Federal law.''.

(b) APPOINTMENT AND TERMS.—Section 3 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702) is amended by striking subsection (b) and inserting the following:

''(b) APPOINTMENT AND TERMS.—

''(1) AGENCY HEADS.—The Director of the United States Fish and Wildlife Service and the Under Secretary of Commerce for Oceans and Atmosphere shall be Directors of the Foundation.

''(2) APPOINTMENTS BY THE SECRETARY OF THE INTERIOR.—

''(A) IN GENERAL.—Subject to subparagraph (B), after consulting with the Secretary of Commerce and considering the recommendations submitted by the Board, the Secretary of the Interior shall appoint 23 Directors who meet the criteria established by subsection (a), of whom—

''(i) at least 6 shall be educated or experienced in fish, wildlife, or other natural resource conservation;

''(ii) at least 4 shall be educated or experienced in the principles of fish, wildlife, or other natural resource management; and

''(iii) at least 4 shall be educated or experienced in ocean and coastal resource conservation.

''(B) TRANSITION PROVISION.—

''(i) CONTINUATION OF TERMS.—The 15 Directors serving on the Board as of the date of enactment of this paragraph shall continue to serve until the expiration of their terms.

''(ii) NEW DIRECTORS.—Subject to paragraph (3), the Secretary of the Interior shall appoint 8 new Directors.

''(3) TERMS.—

''(A) IN GENERAL.—Subject to subparagraph (B), each Director (other than a Director described in paragraph (1)) shall be appointed for a term of 6 years.

''(B) INITIAL APPOINTMENTS TO NEW MEMBER POSITIONS.—Of the Directors appointed by the Secretary of the Interior under paragraph (2)(B)(ii), the Secretary shall appoint, in fiscal year 2001, 3 Directors for a term of 6 years.

''(C) SUBSEQUENT APPOINTMENTS TO NEW MEMBER POSITIONS.—Of the Directors appointed by the Secretary of the Interior under paragraph (2)(B)(ii), the Secretary shall appoint, in fiscal year 2002—

''(i) 2 Directors for a term of 2 years; and

''(ii) 3 Directors for a term of 4 years.

''(4) VACANCIES.—

''(A) IN GENERAL.—The Secretary of the Interior shall fill a vacancy on the Board.

''(B) TERM OF APPOINTMENTS TO FILL UNEXPIRED TERMS.—An individual appointed to fill a vacancy that occurs before the expiration of the term of a Director shall be appointed for the remainder of the term.

''(5) REAPPOINTMENT.—An individual (other than an individual described in paragraph (1)) shall not serve more than 2 consecutive terms as a Director, excluding any term of less than 6 years.

''(6) REQUEST FOR REMOVAL.—The executive committee of the Board may submit to the Secretary of the Interior a letter describing the nonperformance of a Director and requesting the removal of the Director from the Board.

''(7) CONSULTATION BEFORE REMOVAL.—Before removing any Director from the Board, the Secretary of the Interior shall consult with the Secretary of Commerce.''.

(c) TECHNICAL AMENDMENTS.—

(1) Section 4(c)(5) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(c)(5)) is amended by striking ''Directors of the Board'' and inserting ''Directors of the Foundation''.

(2) Section 6 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3705) is amended—

(A) by striking ''Secretary'' and inserting ''Secretary of the Interior or the Secretary of Commerce''; and

(B) by inserting ''or the Department of Commerce'' after ''Department of the Interior''.

SEC. 204. RIGHTS AND OBLIGATIONS OF THE FOUNDATION.

(a) PRINCIPAL OFFICE OF THE FOUNDATION.—Section 4(a)(3) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(a)(3)) is amended by inserting after ''the District of Columbia'' the following: ''or in a county in the State of Maryland or Virginia that borders on the District of Columbia''.

(b) INVESTMENT AND DEPOSIT OF FEDERAL FUNDS.—Section 4(c) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(c)) is amended—

(1) by redesignating paragraphs (3) through (7) as paragraphs (7) through (11), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) to invest any funds provided to the Foundation by the Federal Government in obligations of the United States or in obligations or securities that are guaranteed or insured by the United States;

''(4) to deposit any funds provided to the Foundation by the Federal Government into accounts that are insured by an agency or instrumentality of the United States;

''(5) to make use of any interest or investment income that accrues as a consequence of actions taken under paragraph (3) or (4) to carry out the purposes of the Foundation;

''(6) to use Federal funds to make payments under cooperative agreements entered into with willing private landowners to provide substantial long-term benefits for the restoration or enhancement of fish, wildlife, plants, and other natural resources on private land;''.

(c) AGENCY APPROVAL OF ACQUISITIONS OF PROPERTY.—Section 4(e)(1) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(e)(1)) is amended by striking subparagraph (B) and inserting the following:

''(B) the Foundation notifies the Federal agency that administers the program under which the funds were provided of the proposed acquisition, and the agency does not object in writing to the proposed acquisition within 60 calendar days after the date of the notification.''.

(d) REPEAL.—Section 304 of Public Law 102–440 (16 U.S.C. 3703 note) is repealed.

(e) AGENCY APPROVAL OF CONVEYANCES AND GRANTS.—Section 4(e)(3)(B) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(e)(3)(B)) is amended by striking clause (ii) and inserting the following:

''(ii) the Foundation notifies the Federal agency that administers the Federal program under which the funds were provided of the proposed conveyance or provision of Federal funds, and the agency does not object in writing to the proposed conveyance or provision of Federal funds within 60 calendar days after the date of the notification.''.

(f) RECONVEYANCE OF REAL PROPERTY.—Section 4(e) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(e)) is amended by striking paragraph (5) and inserting the following:

''(5) RECONVEYANCE OF REAL PROPERTY.—The Foundation shall convey at not less than fair market value any real property acquired by the Foundation in whole or in part with Federal funds if the Foundation notifies the Federal agency that administers the Federal program under which the funds were provided, and the agency does not disagree within 60 calendar days after the date of the notification, that—

''(A) the property is no longer valuable for the purpose of conservation or management of fish, wildlife, plants, and other natural resources; and

''(B) the purposes of the Foundation would be better served by use of the proceeds of the conveyance for other authorized activities of the Foundation.''.

(g) EXPENDITURES FOR PRINTING SERVICES OR CAPITAL EQUIPMENT.—Section 4 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703) is amended by adding at the end the following:

''(h) EXPENDITURES FOR PRINTING SERVICES OR CAPITAL EQUIPMENT.—The Foundation shall not make any expenditure of Federal funds in connection with any 1 transaction for printing services or capital equipment that is greater than $10,000 unless the expenditure is approved by the Federal agency that administers the Federal program under which the funds were provided.''.

SEC. 205. ANNUAL REPORTING OF GRANT DETAILS.

Section 7(b) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3706(b)) is amended—

(1) by striking ''Congress'' and inserting ''the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate''; and

(2) by adding at the end the following: ''The report shall include a detailed statement of the recipient, amount, and purpose of each grant made by the Foundation in the fiscal year.''.

SEC. 206. NOTICE TO MEMBERS OF CONGRESS.

Section 4 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703) (as amended by section 204(g)) is amended by adding at the end the following:

''(i) NOTICE TO MEMBERS OF CONGRESS.—The Foundation shall not make a grant of funds unless, by not later than 30 days before the grant is made, the Foundation provides notice of the grant to the Member of Congress for the congressional district in which the project to be funded with the grant will be carried out.''.

SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

Section 10 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709) is amended by striking subsections (a), (b), and (c) and inserting the following:

''(a) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this Act for each of fiscal years 2001 through 2003—

''(A) $20,000,000 to the Department of the Interior; and

''(B) $5,000,000 to the Department of Commerce.

''(2) REQUIREMENT OF ADVANCE PAYMENT.—The amount made available for a fiscal year under paragraph (1) shall be provided to the Foundation in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, of the fiscal year.

''(3) USE OF APPROPRIATED FUNDS.—Subject to paragraph (4), amounts made available under paragraph (1) shall be provided to the Foundation for use for matching, on a 1-to-1 basis, contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local government agencies.

''(4) PROHIBITION ON USE FOR ADMINISTRATIVE EXPENSES.—No Federal funds made available under paragraph (1) shall be used by the Foundation for administrative expenses of the Foundation, including for salaries, travel and transportation expenses, and other overhead expenses.

''(b) ADDITIONAL AUTHORIZATION.—

''(1) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a), the Foundation may accept Federal funds from a Federal agency under any other Federal law for use by the Foundation to further the conservation and management of fish, wildlife, plants, and other natural resources in accordance with the requirements of this Act.

''(2) USE OF FUNDS ACCEPTED FROM FEDERAL AGENCIES.—Federal funds provided to the Foundation under paragraph (1) shall be used by the Foundation for matching, in whole or in part, contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local government agencies.

''(c) PROHIBITION ON USE OF GRANT AMOUNTS FOR LITIGATION AND LOBBYING EXPENSES.—Amounts provided as a grant by the Foundation shall not be used for—

''(1) any expense related to litigation; or

''(2) any activity the purpose of which is to influence legislation pending before Congress.''.

SEC. 208. LIMITATION ON AUTHORITY.

The National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.) is amended by adding at the end the following:

"SEC. 11. LIMITATION ON AUTHORITY.

''Nothing in this Act authorizes the Foundation to perform any function the authority for which is provided to the National Park Foundation by Public Law 90–209 (16 U.S.C. 19e et seq.).''.

TITLE III—NATIONAL WILDLIFE REFUGE SYSTEM CENTENNIAL

SEC. 301. SHORT TITLE.

This title may be cited as the ''National Wildlife Refuge System Centennial Act''.

SEC. 302. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) President Theodore Roosevelt began the National Wildlife Refuge System by establishing the first refuge at Pelican Island, Florida, on March 14, 1903;

(2) the National Wildlife Refuge System is comprised of more than 93,000,000 acres of Federal land managed by the United States Fish and Wildlife Service in more than 532 individual refuges and thousands of waterfowl production areas located in all 50 States and the territories of the United States;

(3) the System is the only network of Federal land dedicated singularly to wildlife conservation and where wildlife-dependent recreation and environmental education are priority public uses;

(4) the System serves a vital role in the conservation of millions of migratory birds, dozens of endangered species and threatened species, some of the premier fisheries of the United States, marine mammals, and the habitats on which such species of fish and wildlife depend;

(5) each year the System provides millions of Americans with opportunities to participate in wildlife-dependent recreation, including hunting, fishing, and wildlife observation;

(6)(A) public visitation to national wildlife refuges is growing, with more than 35,000,000 visitors annually; and

(B) it is essential that visitor centers and public use facilities be properly constructed, operated, and maintained;

(7) the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 (16 U.S.C. 742f note; Public Law 105–242), and the amendments made by that Act, significantly enhance the ability of the United States Fish and Wildlife Service to incorporate volunteers and partnerships in refuge management;

(8) as of the date of enactment of this Act, the System has an unacceptable backlog of critical operation and maintenance needs; and

(9) the occasion of the centennial of the System, in 2003, presents a historic opportunity to enhance natural resource stewardship and expand public enjoyment of the national wildlife refuges of the United States.

(b) PURPOSES.—The purposes of this title are—

(1) to establish a commission to promote awareness by the public of the National Wildlife Refuge System as the System celebrates its centennial in 2003;

(2) to develop a long-term plan to meet the priority operation, maintenance, and construction needs of the System;

(3) to require an annual report on the needs of the System prepared in the context of—

(A) the budget submission of the Department of the Interior to the President; and

(B) the President's budget request to Congress; and

(4) to improve public use programs and facilities of the System to meet the increasing needs of the public for wildlife-dependent recreation in the 21st century.

SEC. 303. NATIONAL WILDLIFE REFUGE SYSTEM CENTENNIAL COMMISSION.

(a) ESTABLISHMENT.—There is established the National Wildlife Refuge System Centennial Commission (referred to in this title as the ''Commission'').

(b) MEMBERS.—

(1) IN GENERAL.—The Commission shall be composed of—

(A) the Director of the United States Fish and Wildlife Service;

(B) up to 10 individuals appointed by the Secretary of the Interior;

(C) the chairman and ranking minority member of the Committee on Resources of the House of Representatives and of the Committee on Environment and Public Works of the Senate, who shall be nonvoting members; and

(D) the congressional representatives of the Migratory Bird Conservation Commission, who shall be nonvoting members.

(2) APPOINTMENTS.—

(A) DEADLINE.—The members of the Commission shall be appointed not later than 90 days after the effective date of this title.

(B) APPOINTMENTS BY THE SECRETARY OF THE INTERIOR.—

(i) IN GENERAL.—The members of the Commission appointed by the Secretary of the Interior under paragraph (1)(B)—

(I) shall not be officers or employees of the Federal Government; and

(II) shall, in the judgment of the Secretary—

(aa) represent the diverse beneficiaries of the System; and

(bb) have outstanding knowledge or appreciation of wildlife, natural resource management, or wildlife-dependent recreation.

(ii) REPRESENTATION OF VIEWS.—In making appointments under paragraph (1)(B), the Secretary of the Interior shall make every effort to ensure that the views of the hunting, fishing, and wildlife observation communities are represented on the Commission.

(3) VACANCIES.—Any vacancy in the Commission—

(A) shall not affect the power or duties of the Commission; and

(B) shall be expeditiously filled in the same manner as the original appointment was made.

(c) CHAIRPERSON.—The Secretary of the Interior shall appoint 1 of the members as the Chairperson of the Commission.

(d) COMPENSATION.—The members of the Commission shall receive no compensation for their service on the Commission.

(e) TRAVEL EXPENSES.—

(1) LEGISLATIVE BRANCH MEMBERS.—The members of the Commission from the legislative branch of the Federal Government shall be allowed necessary travel expenses, as authorized by other law for official travel, while away from their homes or regular places of business in the performance of services for the Commission.

(2) EXECUTIVE BRANCH MEMBERS.—The members of the Commission from the executive branch of the Federal Government shall be allowed necessary travel expenses in accordance with section 5702 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) OTHER MEMBERS AND STAFF.—The members of the Commission appointed by the Secretary of the Interior and staff of the Commission may be allowed necessary travel expenses as authorized by section 5702 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(f) DUTIES.—The Commission shall—

(1) prepare, in cooperation with Federal, State, local, and nongovernmental partners, a plan to commemorate the centennial of the National Wildlife Refuge System beginning on March 14, 2003;

(2) coordinate the activities of the partners under the plan; and

(3) plan and host, in cooperation with the partners, a conference on the National Wildlife Refuge System, and assist in the activities of the conference.

(g) STAFF.—Subject to the availability of appropriations, the Commission may employ such staff as are necessary to carry out the duties of the Commission.

(h) DONATIONS.—

(1) IN GENERAL.—The Commission may, in accordance with criteria established under paragraph (2), accept and use donations of money, personal property, or personal services.

(2) CRITERIA.—The Commission shall establish written criteria to be used in determining whether the acceptance of gifts or donations under paragraph (1) would—

(A) reflect unfavorably on the ability of the Commission or any employee of the Commission to carry out its responsibilities or official duties in a fair and objective manner; or

(B) compromise the integrity or the appearance of the integrity of any person involved in the activities of the Commission.

(i) ADMINISTRATIVE SUPPORT.—Upon the request of the Commission—

(1) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, may provide to the Commission such administrative support services as are necessary for the Commission to carry out the duties of the Commission under this title, including services relating to budgeting, accounting, financial reporting, personnel, and procurement; and

(2) the head of any other appropriate Federal agency may provide to the Commission such advice and assistance, with or without reimbursement, as are appropriate to assist the Commission in carrying out the duties of the Commission.

(j) REPORTS.—

(1) ANNUAL REPORTS.—Not later than 1 year after the effective date of this title, and annually thereafter, the Commission shall submit to

Congress a report on the activities and plans of the Commission.

(2) FINAL REPORT.—Not later than September 30, 2004, the Commission shall submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a final report on the activities of the Commission, including an accounting of all funds received and expended by the Commission.

(k) TERMINATION.—

(1) IN GENERAL.—The Commission shall terminate 90 days after the date on which the Commission submits the final report under subsection (j).

(2) DISPOSITION OF MATERIALS.—Upon termination of the Commission and after consultation with the Archivist of the United States and the Secretary of the Smithsonian Institution, the Secretary of the Interior may—

(A)(i) deposit all books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other similar materials of the Commission relating to the centennial of the National Wildlife Refuge System in Federal, State, or local libraries or museums; or

(ii) otherwise dispose of such materials; and

(B)(i) use other property acquired by the Commission for the purposes of the National Wildlife Refuge System; or

(ii) treat such property as excess property.

SEC. 304. LONG-TERM PLANNING AND ANNUAL REPORTING REQUIREMENTS REGARDING THE OPERATION AND MAINTENANCE BACKLOG.

(a) UNIFIED LONG-TERM PLAN.—Not later than March 1, 2002, the Secretary of the Interior shall prepare and submit to Congress and the President a unified long-term plan to address priority operation, maintenance, and construction needs of the National Wildlife Refuge System, including—

(1) priority staffing needs of the System; and

(2) operation, maintenance, and construction needs as identified in—

(A) the Refuge Operating Needs System;

(B) the Maintenance Management System;

(C) the 5-year deferred maintenance list;

(D) the 5-year construction list;

(E) the United States Fish and Wildlife Service report entitled ''Fulfilling the Promise of America's National Wildlife Refuge System''; and

(F) individual refuge comprehensive conservation plans.

(b) ANNUAL SUBMISSION.—Beginning with the submission to Congress of the budget for fiscal year 2003, the Secretary of the Interior shall prepare and submit to Congress, in the context of each annual budget submission, a report that contains—

(1) an assessment of expenditures in the prior, current, and upcoming fiscal years to meet the operation and maintenance backlog as identified in the long-term plan under subsection (a); and

(2) a specification of transition costs, in the prior, current, and upcoming fiscal years, as identified in the analysis of newly acquired refuge land prepared by the Department of the Interior, and a description of the method used to determine the priority status of the transition costs.

SEC. 305. YEAR OF THE NATIONAL WILDLIFE REFUGE.

(a) FINDING.—Congress finds that designation of the year 2003 as the ''Year of the National Wildlife Refuge'' would promote the goal of increasing public appreciation of the importance of the National Wildlife Refuge System.

(b) PROCLAMATION.—The President is requested to issue a proclamation calling on the people of the United States to conduct appropriate programs, ceremonies, and activities to accomplish the goal of such a year.

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the activities of the Commission under this title—

(1) $100,000 for fiscal year 2001; and

(2) $250,000 for each of fiscal years 2002 through 2004.

SEC. 307. EFFECTIVE DATE.

This title takes effect on January 20, 2001.

Amend the title so as to read: ''An Act to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, to commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes.''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. YOUNG of Alaska and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. UDALL of New Mexico objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 18, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶110.56 INDIAN SELF-DETERMINATION

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill (H.R. 4148) to make technical amendments to the provisions of the Indian Self-Determination and Education Assistance Act relating to contract support costs, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. YOUNG of Alaska and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. UDALL of New Mexico objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 18, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶110.57 CHEYENNE RIVER SIOUX TRIBE

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 964) to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. YOUNG of Alaska and Mr. UDALL of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. UDALL of New Mexico objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 18, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶110.58 HOUR OF MEETING

On motion of Mr. YOUNG of Alaska, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 4 p.m. on Wednesday, October 18, 2000.

¶110.59 COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

The SPEAKER pro tempore, Mr. PEASE, by unanimous consent, announced that the Speaker, pursuant to the provisions of section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 United States Code 5616), reappointed to the Coordinating Council on Juvenile Justice and Delinquency Prevention, Mr. Gordon A. Martin of Roxbury, Massachusetts, to a two-year term, from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶110.60 MESSAGE FROM THE PRESIDENT—RAILROAD RETIREMENT BOARD ANNUAL REPORT

The SPEAKER pro tempore, Mr. PEASE, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I transmit herewith the Annual Report of the Railroad Retirement Board for Fiscal Year 1999, pursuant to the provisions of section 7(b)(6) of the Railroad Retirement Act and section 12(l) of the Railroad Unemployment Insurance Act.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 17, 2000*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Transportation and Infrastructure and the Committee on Ways and Means.

¶110.61 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1848. An Act to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Denver Water Reuse project; to the Committee on Resources.

S. 2195. An Act to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Truckee watershed reclamation project for the reclamation and reuse of water; to the Committee on Resources.

S. 2301. An Act to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Lakehaven water reclamation project for the reclamation and reuse of water; to the Committee on Resources.

S. 2425. An Act to authorize the Bureau of Reclamation to participate in the design, planning, and construction of the Bend Feed Canal Pipeline Project, Oregon, and for other purposes; to the Committee on Resources.

S. 2594. An Act to authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of nonproject water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes; to the Committee on Resources.

S. 2688. An Act to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes; to the Committee on Education and the Workforce.

S. 2877. An Act to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon; to the Committee on Resources.

S. 2882. An Act to authorize the Bureau of Reclamation to conduct certain feasibility studies to augment water supplies for the Klamath Project, Oregon and California, and for other purposes; to the Committee on Resources.

S. 2951. An Act to authorize the Secretary of the Interior to conduct a study to investigate opportunities to better manage the water resources in the Salmon Creek watershed of the upper Columbia River, to the Committee on Resources.

¶110.62 JOINT RESOLUTION PRESENTED TO THE PRESIDENT

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

On October 13, 2000:

H.J. Res. 111. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

And then,

¶110.63 ADJOURNMENT

On motion of Mr. YOUNG of Alaska, pursuant to the special order heretofore agreed to, at 6 o'clock and 8 minutes p.m., the House adjourned until 4 p.m. on Wednesday, October 18, 2000.

¶110.64 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 2121. A bill to ensure that no alien is removed, denied a benefit under the Immigration and Nationality Act, or otherwise deprived of liberty, based on evidence that is kept secret from the alien; with an amendment (Rept. No. 106–981). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4548. A bill to establish a pilot program creating a system of registries of temporary agricultural workers to provide for a sufficient supply of such workers, to amend the Immigration and Nationality Act to streamline procedures for the temporary admission and extension of stay of nonimmigrant agricultural workers under the pilot program, and for other purposes; with an amendment (Rept. No. 106–982, Pt. 1). Ordered to be printed.

Mr. LEACH: Committee on Banking and Financial Services. H.R. 4209. A bill to amend the Federal Reserve Act to require the payment of interest on reserves maintained at Federal Reserve banks by insured depository institutions, and for other purposes; with amendments (Rept. No. 106–983). Referred to the Committee of the Whole House on the State of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 633. Resolution providing for consideration of motions to suspend the rules (Rept. No. 106–984). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 634. Resolution providing for consideration of the bill (H.R. 4656) to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site (Rept. No. 106–985). Referred to the House Calendar.

¶110.65 TIME LIMITATION OF REFERRED BILL

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

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 20, 2000.

¶110.66 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. MINK of Hawaii:

H.R. 5474. A bill to amend title 38, United States Code, to revise the effective date for an award of disability compensation by the Secretary of Veterans Affairs under section 1151 of such title for persons disabled by treatment or vocational rehabilitation; to the Committee on Veterans' Affairs.

By Ms. BALDWIN:

H.R. 5475. A bill to extend for 18 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

By Mr. BLILEY (for himself, Mr. KLINK, and Mr. UPTON):

H.R. 5476. A bill to amend the Federal Food, Drug, and Cosmetic Act to enhance consumer protection in the purchase of prescription drugs from interstate Internet sellers; to the Committee on Commerce.

By Mr. HUNTER (for himself, Mr. CUNNINGHAM, and Mr. FILNER):

H.R. 5477. A bill to provide that gaming shall not be allowed on certain Indian trust lands in California that were purchased with certain Federal grant funds; to the Committee on Resources.

By Mr. RANGEL:

H.R. 5478. A bill to authorize the Secretary of the Interior to acquire by donation suitable land to serve as the new location for the home of Alexander Hamilton, commonly known as the Hamilton Grange, and to authorize the relocation of the Hamilton Grange to the acquired land; to the Committee on Resources.

By Mr. THOMPSON of California (for himself, Mrs. CAPPS, and Mr. FILNER):

H.R. 5479. A bill to prohibit certain discriminatory pricing policies in wholesale motor fuel sales, and for other purposes; to the Committee on Commerce.

By Mr. YOUNG of Alaska:

H. Res. 630. A resolution providing for the concurrence by the House with an amendment in the Senate amendment to H.R. 1444; considered and agreed to.

By Mr. SPENCE (for himself and Mr. SKELTON):

H. Res. 631. A resolution honoring the members of the crew of the guided missile destroyer U.S.S. COLE (DDG–67) who were killed or wounded in the terrorist bombing attack on that vessel in Aden, Yemen, on October 12, 2000, expressing the sympathies of the House of Representatives to the families of those crew members, commending the ship's crew for their heroic damage control efforts, and condemning the bombing of that ship; to the Committee on Armed Services.

By Mr. BARRETT of Nebraska:

H. Res. 632. A resolution providing for the concurrence by the House with an amendment in the Senate amendment to H.R. 4788, the Grain Standards and Warehouse Improvement Act of 2000; considered and agreed to.

By Mr. MOLLOHAN (for himself, Mr. QUINN, Mr. WISE, Mr. NEY, Mr. KLINK, Mr. REGULA, Mr. HOLT, Mr. SHERWOOD, Mr. EVANS, Mr. LOBIONDO, Mr. HOEFFEL, Mr. LAZIO, Mr. MALONEY of Connecticut, Mr. MCHUGH, Mr. MURTHA, Mr. ENGLISH, Mr. VISCLOSKY, Mr. BUYER, Ms. CARSON, Mr. SMITH of New Jersey, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ADERHOLT, Mr. BARCIA, Mr. BARRETT of Wisconsin, Mr. BECERRA, Ms. BERKLEY, Mr. BERRY, Mr. BILIRAKIS, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BONIOR, Mr. BORSKI, Mr. BOSWELL, Mr. BOUCHER, Mr. BOYD, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. CALLAHAN, Mr. CANNON, Mr. CAPUANO, Mr. CARDIN, Mr. CLAY, Mr. CLYBURN, Mr. COSTELLO, Mr. COYNE, Mr. CRAMER, Mr. CROWLEY, Mr. CUMMINGS, Ms. DANNER, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DELAURO, Mr. DELAHUNT, Mr. DINGELL, Mr. DIXON, Mr. DOYLE, Mr. EDWARDS, Mr. EHRLICH, Mrs. EMERSON, Mr. EVERETT, Mr. FARR of California, Mr. FATTAH, Mr. FORBES, Mr. FORD, Mr. GEKAS, Mr. GEPHARDT, Mr. GILCHREST, Mr. GORDON, Mr. GREEN of Texas, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. GUTIERREZ, Mr. HALL of Texas, Mr. HASTINGS of Florida, Mr. HILL of Indiana, Mr. HILLIARD, Mr. HINCHEY, Mr. HOBSON, Mr. HOLDEN, Mr. HORN, Mr. HOSTETTLER, Mr. HOYER, Mr. HUNTER, Mr. INSLEE, Mr. JACKSON of Illinois, Mrs. JONES of Ohio, Mr. KANJORSKI, Ms. KAPTUR, Mrs. KELLY, Mr. KILDEE, Ms. KIL-

PATRICK, Mr. KLECZKA, Mr. KUCINICH, Mr. LAFALCE, Mr. LARSON, Mr. LATOURETTE, Mr. LEACH, Mr. LEVIN, Mr. LIPINSKI, Mr. LUCAS of Kentucky, Mr. MARKEY, Mr. MASCARA, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCGOVERN, Mr. MCINTOSH, Mr. MCINTYRE, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GARY MILLER of California, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MOORE, Mrs. MYRICK, Mr. NADLER, Ms. NORTON, Mr. NORWOOD, Mr. OBERSTAR, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PETERSON of Pennsylvania, Mr. PHELPS, Mr. PITTS, Mr. POMEROY, Mr. RAHALL, Mr. REYES, Mr. RILEY, Ms. RIVERS, Mr. RODRIGUEZ, Mr. ROEMER, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Mr. SANDERS, Mr. SANDLIN, Mr. SAXTON, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SHOWS, Mr. SKEEN, Ms. SLAUGHTER, Mr. SOUDER, Ms. STABENOW, Mr. STENHOLM, Mr. STRICKLAND, Mr. STUPAK, Mr. SWEENEY, Mrs. THURMAN, Mr. TIERNEY, Mr. THOMPSON of California, Mr. TRAFICANT, Mr. TURNER, Mr. UDALL of New Mexico, Mr. WALSH, Mr. WELDON of Pennsylvania, Mr. WEXLER, Mr. WEYGAND, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H. Res. 635. A resolution calling on the President to take all appropriate action within his power to provide relief from injury caused by steel imports and to immediately request the United States International Trade Commission to commence an expedited investigation for positive adjustment under section 201 of the Trade Act of 1974 of those steel imports; to the Committee on Ways and Means.

¶110.67 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT:

H.R. 5480. A bill for the relief of Michael and Julie Schindler; to the Committee on the Judiciary.

By Mr. COX:

H.R. 5481. A bill for the relief of Sarabeth M. Davis, Robert S. Borders, Victor Maron, Irving Berke, and Adele E. Conrad; to the Committee on the Judiciary.

By Mr. COX:

H. Res. 636. A resolution referring the bill (H.R. 5481), entitled ''A bill for the relief of Sarabeth M. Davis, Robert S. Borders, Victor Maron, Irving Berke, and Adele E. Conrad'', to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

¶110.68 ADDITIONAL SPONSORS

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

H.R. 218: Mr. THOMAS.
H.R. 220: Mr. FILNER.
H.R. 742: Mr. GEKAS.
H.R. 860: Mr. WELLER.
H.R. 920: Mr. FARR of California.
H.R. 1591: Ms. CARSON, Mr. RANGEL, and Mrs. LOWEY.
H.R. 1657: Mrs. NAPOLITANO and Ms. VELAZQUEZ.
H.R. 2000: Ms. CARSON.
H.R. 2273: Ms. VELAZQUEZ.
H.R. 2308: Mr. ORTIZ.
H.R. 2362: Mr. MCKEON.
H.R. 2457: Mr. KUYKENDALL and Mr. RUSH.
H.R. 2620: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2741: Mr. SERRANO.
H.R. 3321: Ms. BERKLEY.
H.R. 3463: Mrs. NAPOLITANO, Mr. BRADY of Pennsylvania, Mr. ENGEL, and Mr. ACKERMAN.
H.R. 3514: Mr. CLYBURN and Mr. DEAL of Georgia.
H.R. 3650: Mr. MCGOVERN.
H.R. 3677: Mr. GUTKNECHT.
H.R. 3700: Ms. PRYCE of Ohio and Mr. LAZIO.
H.R. 4333: Mr. JEFFERSON.
H.R. 4428: Mr. RUSH.
H.R. 4431: Mrs. THURMAN and Mr. WEXLER.
H.R. 4481: Mr. NADLER.
H.R. 4488: Mr. LATOURETTE.
H.R. 4634: Ms. CARSON.
H.R. 4707: Ms. CARSON, Mr. RANGEL, Mr. DAVIS of Florida, Mr. BRADY of Pennsylvania, Mr. LAFALCE, and Ms. MCKINNEY.
H.R. 4728: Mr. DIXON, Mr. BAKER, Mr. OLVER, and Mr. BAIRD.
H.R. 4740: Mr. WATT of North Carolina and Ms. BERKLEY.
H.R. 4778: Mr. CARDIN, Mr. CALVERT, and Ms. CARSON.
H.R. 4949: Mr. MCGOVERN.
H.R. 4950: Ms. DANNER and Ms. CARSON.
H.R. 4966: Mr. BLAGOJEVICH.
H.R. 5151: Mr. HILLIARD.
H.R. 5179: Ms. CARSON and Mr. DELAHUNT.
H.R. 5219: Mr. MCDERMOTT.
H.R. 5291: Mr. WHITFIELD, Mrs. CAPPS, Ms. DEGETTE, Mr. DEUTSCH, Mr. GREEN OF TEXAS, Mr. RUSH, Mr. SAWYER, and Mr. STRICKLAND.
H.R. 5309: Mr. BOYD, Mrs. FOWLER, Mr. STEARNS, Mr. MICA, Mr. YOUNG of Florida, Mr. DAVIS of Florida, Mr. MILLER of Florida, Mr. GOSS, Mr. FOLEY, Mrs. MEEK of Florida, Ms. ROS-LEHTINEN, Mr. WEXLER, Mr. DEUTSCH, Mr. DIAZ-BALART, and Mr. HASTINGS of Florida.
H.R. 5345: Mr. FROST and Ms. ESHOO.
H.R. 5385: Mr. WELDON of Florida and Mr. MCINTOSH.
H.R. 5472: Mr. MCDERMOTT.
H.J. Res. 48: Mr. BONIOR.
H.J. Res. 55: Mr. FILNER.
H.J. Res. 64: Mr. THOMPSON of California.
H. Con. Res. 159: Mr. SAXTON.
H. Con. Res. 177: Mr. CAMPBELL.
H. Con. Res. 338: Ms. WOOLSEY.
H. Con. Res. 341: Mr. WEXLER.
H. Con. Res. 398: Mrs. LOWEY.
H. Con. Res. 412: Mrs. LOWEY.
H. Con. Res. 418: Mrs. NORTHUP.
H. Con. Res. 426: Mr. BILBRAY, Mr. BORSKI, Mr. MATSUI, Mr. VISCLOSKY, Ms. WOOLSEY, Mr. WATTS of Oklahoma, Mr. SAXTON, Mr. CALVERT, Mr. EWING, Ms. BALDWIN, Mr. MEEHAN, Mr. HOLDEN, Mr. TAUZIN, Mr. TANCREDO, Mr. BRAYANT, Mr. BLILEY, Mr. COYNE, Mr. RAMSTAD, Mr. HANSEN, Mr. MCNULTY, Mr. BLAGOJEVICH, Mr. ANDREWS, Mr. FRELINGHUYSEN, Mr. UPTON, Mr. LOBIONDO, Mr. SWEENEY, Mr. SMITH of Washington, Mr. SHAYS, Mr. MCDERMOTT, Mrs. TAUSCHER, Mr. VITTER, Mr. FORD, Mr. WALDEN of Oregon, Mr. HORN, Mr. GREENWOOD, Mr. SHIMKUS, Mr. KING, and Mr. BENTSEN.
H. Res. 605: Mr. GREEN of Texas.

WEDNESDAY, OCTOBER 18, 2000 (111)

The House was called to order by the SPEAKER.

¶111.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, October 17, 2000.

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

¶111.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10611. A letter from the Multimedia Systems Manager, Communications and Information, Department of the Air Force, Department of Defense, transmitting the Department's final rule—Visual Information Documentation Program (RIN: 0701–AA–63) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10612. A letter from the Secretary of Defense, transmitting a Technology Control Assessment Plan pursuant to the National Defense Authorization Act for Fiscal Year 2001; to the Committee on Armed Services.

10613. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Regulations Requiring Manufacturers to Assess the Safety and Effectiveness of New Drugs and Biological Products in Pediatric Patients; Technical Amendment [Docket No. 97N–0165] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10614. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the San Diego Fairy Shrimp (Branchinecta sandiegoensis) (RIN: 1018–AF97) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10615. A letter from the Assistant Secretary for Land and Minerals Management, Department on the Interior, transmitting the Department's final rule—Amendments to Gas Valuation Regulations for Indian Leases (RIN: 1010–AC72) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10616. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Dealer and Vessel Reporting Requirements [Docket No. 991104295–0259–02; I.D. 100599D] (RIN: 0648–AM74) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10617. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Surf Clam and Ocean Quahog Fishery; Suspension of Minimum Surf Clam Size for 2001 [I.D. 100400C) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10618. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Winter II Period [Docket No. 000119014–0137–02; I.D. 100400D] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10619. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Special Management Zones [Docket No. 000616183–0278–02; I.D. 053000E] (RIN: 0648–AN35) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10620. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transporation, transmitting the Department's final rule—Traffic Separation Scheme: In the Approaches to Los Angeles—Long Beach, California [USCG–2000–7695] (RIN: 2115–AF99) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10621. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transporation, transmitting the Department's final rule—Safety Zone; Strategic Booming Exercise in the Cape May Harbor, Cape May, NJ [CGD05–00–047] (RIN: 2115–AA97) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10622. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Fees for FAA Services for Certain Flights; Extension of Comment Period [Docket No. FAA–00–7018; Admt. No. 187–11] (RIN: 2120–AG17) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10623. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Service Difficulty Reports [Docket No. 28293; Amendment No. 135–78] (RIN: 2120–AF71) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10624. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Commercial Air Tour Limitations in the Grand Canyon National Park Special Flight Rules Area; Modification of the Dimensions of the Grand Canyon National Park Flight Rules Area and Flight Free Zones—received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10625. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30205; Amdt. No. 2013] received October, 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10626. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30204; Amdt. No. 2012] received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10627. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–50 Series Turbofan Engines [Docket No. 2000–NE–38–AD; Amendment 39–11913; AD 2000–20–02] (RIN: 2120–AA64) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10628. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; CSX Railroad Bridge (South Fork of the New River), Ft. Lauderdale, Broward County, FL [CGD07–00–092] received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10629. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Florida East Coast Railway Bridge, across the Okeechobee Waterway, mile 7.4, at Stuart, Martin County, FL [CGD07–00–097] October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10630. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Technical Amendments; Organizational Changes; Miscellaneous Editorial Changes and Conforming Amendments [USCG–2000–7790] received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10631. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Allowing Alternatives to Incandescent Light in Private Aids to Navigation [USCG 2000–7466] (RIN: 2115–AF98) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10632. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Milford Haven, Virginia [CGD05–00–042] received October 16, 20000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10633. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone and Anchorage Regulations; Delaware Bay and River [CGD05–00–048] (RIN: 2115–AA98) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10634. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Thunderbird Air Show, Long Island Sound, Governor Alfred E. SMITH/Sunken Meadow State Park, Kings Park, NY [CGD01–00–224] (RIN: 2115–AA97) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10635. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low-Income Housing Credit—received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10636. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Preparer Due Diligence Requirements for Determining Earned Income Credit Eligibility (RIN: 1545–AW74) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶111.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1066. An Act to amend the National Agricultural Research, Extension and Teaching Policy Act of 1977 to encourage the use of and research into agricultural best practices to improve the environment, and for other purposes.

S. 1109. An Act to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1482. An Act to amend the National Marine Sanctuaries Act, and for other purposes.

The message also announced that pursuant to Public Law 106–65, the Chair, on behalf of the Majority Leader, and in consultation with the Chairman of the Senate Committee on Armed Services, announces the appointment of the following individuals to serve as members of the Commission on the National Military Museum:

John G. Campbell, of Virginia.

Henriette V. Warfield, of Virginia.

¶111.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 18, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 18, 2000, at 9:27 a.m.

That the Senate passed without amendment H.R. 2296.

That the Senate passed without amendment H.R. 5212.

That the Senate passed without amendment H. Con. Res. 428.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶111.5 CORRECT ENROLLMENT OF H.R. 2348

On motion of Mr. WALDEN, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 151):

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H.R. 2348) entitled ''An Act to authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins.'', the Clerk of the House of Representatives shall make the following correction:

Strike section 4 and insert:

''SEC. 4. EFFECT ON RECLAMATION LAW.

''Specifically with regard to the acreage limitation provisions of Federal reclamation law, any action taken pursuant to or in furtherance of this title will not—

''(1) be considered in determining whether a district as defined in section 202(2) of the Reclamation Reform Act of 1982 (43 U.S.C. 390bb) has discharged its obligation to repay the construction cost of project facilities used to make irrigation water available for delivery to land in the district;

''(2) serve as the basis for reinstating acreage limitation provisions in a district that has completed payment of its construction obligations; or

''(3) serve as the basis for increasing the construction repayment obligation of the district and thereby extending the period during which the acreage limitation provisions will apply.''.

When said concurrent resolution was considered.

After debate,

On motion of Mr. WALDEN, the previous question was ordered on the concurrent resolution to its adoption or

rejection and, under the operation thereof, the concurrent resolution was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶111.6 CLERK TO CORRECT ENGROSSMENT—H.R. 5308

On motion of Mr. WALDEN, by unanimous consent,

Ordered, That in the engrossment of the bill (H.R. 5308) to amend laws relating to the lands of the citizens of the Muscogee (Creek), Seminole, Cherokee, Chickasaw and Choctaw Nations, historically referred to as the Five Civilized Tribes, and for other purposes, the Clerk be authorized to make the following correction:

At the end of section 403, add the following new paragraph:

''(2) OTHER CONSTRUCTION NOT VALID.—Nothing in this subsection is intended to or shall be construed to create, affect, or imply the existence or nonexistence of authority of any federally recognized Indian tribe over—

''(A) any other federally recognized Indian tribe;

''(B) the members of any other federally recognized Indian tribe; or

''(C) any land in which any other federally recognized Indian tribe or any member of any other federally recognized Indian tribe has or is determined by the Secretary or a court of competent jurisdiction to have any interest.''.

¶111.7 ORDER OF BUSINESS—AMENDMENT CORRECTION TO S. 964

On motion of Mr. WALDEN, by unanimous consent,

Ordered, That it may be in order when proceedings resume on the unfinished business of the motion to suspend the rules and pass the bill of the Senate (S. 964) to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes, as amended, to include in the amendment to S. 964, the following correction:

Strike Title IV of the bill and insert instead—

''TITLE IV—CONVEYANCE OF KINIKLIK VILLAGE

"SEC. 401. CONVEYANCE OF KINIKLIK VILLAGE.

''(a) That portion of the property identified in United States Survey Number 628, Tract A, containing 0.34 acres and Tract B containing 0.63 acres located in Section 26, Township 9 North, Range 10 East, Seward Meridian, containing 0.97 acres, more or less, and further described as Tracts A and B Russian Creek Church Mission Reserve according to U.S. Survey 628 shall be offered for a period of one year for sale by quitclaim deed from the United States by and through the Forest Service to Chugach Alaska Corporation under the following terms:

''(1) Chugach Alaska Corporation shall pay consideration in the amount of $9,000.00;

''(2) In order to protect the historic values for which the Forest Service acquired the land, Chugach Alaska Corporation shall agree to and the conveyance shall contain the same reservations required by 43 CFR §§2653.5(a) and 2653.11(b) for protection of historic and cemetery sites conveyed to a Regional Corporation pursuant to section 14(h)(1) of the Alaska Native Claims Settlement Act.

''(b) Notwithstanding any other provision of law, the Forest Service shall deposit the proceeds from the sale to the Natural Resource Damage Assessment and Restoration Fund established by Public Law 102–154 and may be expended without further appropriation in accordance with Public Law 102–229.''.

¶111.8 RECESS—4:18 P.M.

The SPEAKER pro tempore, Mr. BLILEY, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 18 minutes p.m., until 5 o'clock p.m.

¶111.9 AFTER RECESS—5 P.M.

The SPEAKER pro tempore, Mr. BLILEY, called the House to order.

¶111.10 HONORING MEMBERS OF THE CREW OF U.S.S. COLE

On motion of Mr. SPENCE, by unanimous consent, the Committee on Armed Services was discharged from further consideration of the following resolution (H. Res. 631):

Whereas the guided missile destroyer U.S.S. COLE (DDG–67) was severely damaged on October 12, 2000, when a boat bomb exploded alongside that ship while on a refueling stop in Aden, Yemen;

Whereas the explosion resulted in a 40-by-45 foot hole in the port side of the ship at the waterline and left seven of the ship's crew dead, ten of who as of October 17, 2000, are missing and presumed dead, and over three dozen wounded;

Whereas the U.S.S. COLE had stopped in Aden for routine refueling while in transit from the Red Sea to the Persian Gulf to conduct forward maritime presence operations in the Persian Gulf region as part of the U.S.S. George Washington battle group;

Whereas the members of the United States Navy killed and wounded in the bombing were performing their duty in furtherance of the national security interests of the United States;

Whereas United States national security interests continue to require the forward deployment of elements of the Armed Forces;

Whereas the members of the Armed Forces are routinely called upon to perform duties that place their lives at risk;

Whereas the crew members of the U.S.S. COLE who lost their lives as a result of the bombing of their ship on October 12, 2000, died in the honorable service to the Nation and exemplified all that is best in the American people; and

Whereas the heroic efforts of the surviving crew members of the U.S.S. COLE after the attack to save their ship and rescue their wounded shipmates are in the highest tradition of the United States Navy: Now, therefore, be it

Resolved, That the House of Representatives, in response to the terrorist bombing attack on the U.S.S. COLE (DDG–67) on October 12, 2000, while on a refueling stop in Aden, Yemen, hereby—

(1) honors the members of the crew of the U.S.S. COLE who died as a result of that attack and sends heartfelt condolences to their families, friends, and loved ones.

(2) honors the members of the crew of the U.S.S. COLE who were wounded in the attack for their service and sacrifice, expresses its hopes for their rapid and complete recovery, and extends its sympathies to their families;

(3) commends the crew of the U.S.S. COLE for their heroic damage control efforts; and

(4) condemns the attack against the U.S.S. COLE as an unprovoked and cowardly act of terrorism.

When said resolution was considered.

After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. SPENCE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 386 / Nays 0

¶111.11 [Roll No. 531]

YEAS—386

Abercrombie	Costello	Hastings (FL)
Ackerman	Cox	Hastings (WA)
Aderholt	Coyne	Hayes
Allen	Cramer	Hayworth
Andrews	Crane	Hefley
Archer	Crowley	Herger
Armey	Cubin	Hill (IN)
Baca	Cummings	Hill (MT)
Bachus	Cunningham	Hilleary
Baird	Danner	Hilliard
Baker	Davis (FL)	Hinchey
Baldacci	Davis (IL)	Hinojosa
Baldwin	Davis (VA)	Hobson
Ballenger	Deal	Hoeffel
Barcia	DeFazio	Hoekstra
Barr	DeGette	Holden
Barrett (NE)	DeLauro	Holt
Bartlett	DeLay	Hooley
Barton	DeMint	Horn
Bass	Deutsch	Hoyer
Bentsen	Diaz-Balart	Hulshof
Bereuter	Dickey	Hunter
Berkley	Dicks	Hutchinson
Berman	Dingell	Hyde
Berry	Dixon	Inslee
Biggert	Doggett	Isakson
Bilbray	Doolittle	Istook
Bilirakis	Doyle	Jackson (IL)
Bishop	Dreier	Jackson-Lee (TX)
Blagojevich	Duncan	Jefferson
Bliley	Dunn	Jenkins
Blumenauer	Edwards	John
Blunt	Ehlers	Johnson (CT)
Boehlert	Ehrlich	Johnson, E.B.
Boehner	Emerson	Johnson, Sam
Bonilla	Engel	Jones (NC)
Bonior	Eshoo	Kanjorski
Bono	Etheridge	Kaptur
Borski	Evans	Kelly
Boswell	Everett	Kildee
Boucher	Ewing	Kilpatrick
Boyd	Farr	Kind (WI)
Brady (PA)	Filner	King (NY)
Brady (TX)	Fletcher	Kingston
Brown (OH)	Foley	Kleczka
Bryant	Ford	Knollenberg
Burr	Fossella	Kucinich
Burton	Fowler	Kuykendall
Buyer	Frank (MA)	LaFalce
Callahan	Frelinghuysen	LaHood
Calvert	Frost	Lampson
Camp	Gallegly	Lantos
Canady	Ganske	Largent
Cannon	Gejdenson	Larson
Capps	Gekas	Latham
Capuano	Gibbons	LaTourette
Carson	Gilchrest	Leach
Castle	Gillmor	Lee
Chabot	Gilman	Levin
Chambliss	Gonzalez	Lewis (CA)
Clay	Goodlatte	Lewis (GA)
Clayton	Goodling	Lewis (KY)
Clement	Gordon	Linder
Clyburn	Goss	LoBiondo
Coble	Granger	Lofgren
Coburn	Green (TX)	Lowey
Collins	Green (WI)	Lucas (KY)
Combest	Greenwood	Lucas (OK)
Condit	Gutknecht	Luther
Cook	Hall (OH)	Maloney (CT)
Cooksey	Hall (TX)	

Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—46

Barrett (WI)
Becerra
Brown (FL)
Campbell
Cardin
Chenoweth-Hage
Conyers
Delahunt
Dooley
English
Fattah
Forbes
Franks (NJ)
Gephardt
Goode
Graham
Gutierrez
Hansen
Hostettler
Houghton
Jones (OH)
Kasich
Kennedy
Klink
Kolbe
Lazio
Lipinski
McCollum
McIntosh
Miller (FL)
Nethercutt
Ney
Oxley
Pascrell
Pitts
Rodriguez
Ros-Lehtinen
Sanders
Shaw
Spratt
Stupak
Talent
Turner
Walsh
Weygand
Wise

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶111.12 H. CON. RES. 415—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 415) expressing the sense of the Congress that there should be established a National Children's Memorial Day.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 376 / Nays 0

¶111.13 [Roll No. 532]

YEAS—376

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—56

Barrett (WI)
Bilbray
Bonilla
Brown (FL)
Campbell
Cardin
Chenoweth-Hage
Conyers
Cubin
Delahunt
Dooley
English
Fattah
Forbes
Franks (NJ)
Gephardt
Goode
Graham
Gutierrez
Hansen
Herger
Hostettler
Houghton
Hoyer
Kasich
Kennedy
Klink
Kolbe
Lazio
Lipinski
Lucas (OK)
McCollum
McIntosh
Miller (FL)
Napolitano
Nethercutt
Ney
Oxley
Packard
Pascrell
Pitts
Radanovich
Rodriguez
Ros-Lehtinen
Sanders
Schakowsky
Shaw
Sherwood
Stearns
Stupak
Talent
Turner
Walsh
Watt (NC)
Weygand
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶111.14 H.R. 3218—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3218) to amend title 31, United States Code, to prohibit the appearance of Social Security account numbers on or through unopened mailings of checks or other drafts issued on public money in the Treasury.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 385 / Nays 0

¶111.15 [Roll No. 533]

YEAS—385

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—47

Barrett (WI)
Brown (FL)
Campbell
Cardin
Chenoweth-Hage
Conyers
Cubin
Cunningham
Delahunt
Dickey
Dooley
English
Fattah
Forbes
Franks (NJ)
Gephardt
Goode
Graham
Gutierrez
Hansen
Hostettler
Houghton
Jones (NC)
Kasich
Kennedy
Kleczka
Klink
Kolbe
Lazio
Lipinski
McCollum
McIntosh
Miller (FL)
Nethercutt
Ney
Oxley
Pascrell
Pitts
Rodriguez
Ros-Lehtinen
Sanders
Shaw
Stupak
Talent
Turner
Weygand
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶111.16 AMENDMENTS OF THE SENATE TO H.R. 3671—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 3671) to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, to commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Fish and Wildlife Programs Improvement and National Wildlife Refuge System Centennial Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—WILDLIFE AND SPORT FISH RESTORATION PROGRAMS

Sec. 101. Short titles.

Subtitle A—Wildlife Restoration

Sec. 111. Expenses for administration.
Sec. 112. Firearm and bow hunter education and safety program grants.
Sec. 113. Multistate conservation grant program.
Sec. 114. Miscellaneous provision.

Subtitle B—Sport Fish Restoration

Sec. 121. Expenses for administration.
Sec. 122. Multistate conservation grant program.
Sec. 123. Funding of the Coastal Wetlands Planning, Protection and Restoration Act.
Sec. 124. Period of availability.
Sec. 125. Miscellaneous provision.
Sec. 126. Conforming amendment.

Subtitle C—Wildlife and Sport Fish Restoration Programs

Sec. 131. Designation of programs.
Sec. 132. Assistant Director for Wildlife and Sport Fish Restoration Programs.
Sec. 133. Reports and certifications.

TITLE II—NATIONAL FISH AND WILDLIFE FOUNDATION

Sec. 201. Short title.
Sec. 202. Purposes.
Sec. 203. Board of Directors of the Foundation.
Sec. 204. Rights and obligations of the Foundation.
Sec. 205. Annual reporting of grant details.
Sec. 206. Notice to Members of Congress.
Sec. 207. Authorization of appropriations.
Sec. 208. Limitation on authority.

TITLE III—NATIONAL WILDLIFE REFUGE SYSTEM CENTENNIAL

Sec. 301. Short title.
Sec. 302. Findings and purposes.
Sec. 303. National Wildlife Refuge System Centennial Commission.
Sec. 304. Long-term planning and annual reporting requirements regarding the operation and maintenance backlog.
Sec. 305. Year of the National Wildlife Refuge.
Sec. 306. Authorization of appropriations.
Sec. 307. Effective date.

TITLE I—WILDLIFE AND SPORT FISH RESTORATION PROGRAMS

SEC. 101. SHORT TITLES.

(a) THIS TITLE.—This title may be cited as the ''Wildlife and Sport Fish Restoration Programs Improvement Act of 2000''.

(b) PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.—The Act of September 2, 1937 (16 U.S.C. 669 et seq.), is amended by adding at the end the following:

''SEC. 13. SHORT TITLE.

''This Act may be cited as the 'Pittman-Robertson Wildlife Restoration Act'.''.

(c) DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—The Act of August 9, 1950 (16 U.S.C. 777 et seq.), is amended by adding at the end the following:

''SEC. 15. SHORT TITLE.

''This Act may be cited as the 'Dingell-Johnson Sport Fish Restoration Act'.''.

Subtitle A—Wildlife Restoration

SEC. 111. EXPENSES FOR ADMINISTRATION.

(a) SET-ASIDE FOR EXPENSES FOR ADMINISTRATION OF THE PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.—Section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by striking ''SEC. 4.'' and all that follows through the end of the first sentence of subsection (a) and inserting the following:

"SEC. 4. ALLOCATION AND APPORTIONMENT OF AVAILABLE AMOUNTS.

''(a) SET-ASIDE FOR EXPENSES FOR ADMINISTRATION OF THE PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.—

''(1) IN GENERAL.—

''(A) SET-ASIDE.—For fiscal year 2001 and each fiscal year thereafter, of the revenues (excluding interest accruing under section 3(b)) covered into the fund for the fiscal year, the Secretary of the Interior may use not more than the available amount specified in subparagraph (B) for the fiscal year for expenses for administration incurred in implementation of this Act, in accordance with this subsection and section 9.

''(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

''(i) for each of fiscal years 2001 and 2002, $9,000,000;

''(ii) for fiscal year 2003, $8,212,000; and

''(iii) for fiscal year 2004 and each fiscal year thereafter, the sum of—

''(I) the available amount for the preceding fiscal year; and

''(II) the amount determined by multiplying—

''(aa) the available amount for the preceding fiscal year; and

''(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

''(2) PERIOD OF AVAILABILITY; APPORTIONMENT OF UNOBLIGATED AMOUNTS.—

''(A) PERIOD OF AVAILABILITY.—For each fiscal year, the available amount under paragraph (1) shall remain available for obligation for use under that paragraph until the end of the fiscal year.

''(B) APPORTIONMENT OF UNOBLIGATED AMOUNTS.—Not later than 60 days after the end of a fiscal year, the Secretary of the Interior shall apportion among the States any of the available amount under paragraph (1) that remains unobligated at the end of the fiscal year, on the same basis and in the same manner as other amounts made available under this Act are apportioned among the States for the fiscal year.

''(b) APPORTIONMENT TO STATES.—'';

(3) in subsection (b) (as designated by paragraph (2)), by striking ''after making the aforesaid deduction, shall apportion, except as provided in subsection (b) of this section,'' and inserting ''after deducting the available amount under subsection (a), the amount apportioned under subsection (c), any amount apportioned under section 8A, and amounts provided as grants under sections 10 and 11, shall apportion''; and

(4) in the first sentence of subsection (c) (as redesignated by paragraph (1)), by inserting ''Puerto Rico,'' after ''American Samoa,''.

(b) REQUIREMENTS AND RESTRICTIONS CONCERNING USE OF AMOUNTS FOR EXPENSES FOR ADMINISTRATION.—Section 9 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h) is amended to read as follows:

"SEC. 9. REQUIREMENTS AND RESTRICTIONS CONCERNING USE OF AMOUNTS FOR EXPENSES FOR ADMINISTRATION.

''(a) AUTHORIZED EXPENSES FOR ADMINISTRATION.—Except as provided in subsection (b), the Secretary of the Interior may use available amounts under section 4(a)(1) only for expenses for administration that directly support the implementation of this Act that consist of—

''(1) personnel costs of employees who directly administer this Act on a full-time basis;

''(2) personnel costs of employees who directly administer this Act on a part-time basis for at least 20 hours each week, not to exceed the portion of those costs incurred with respect to the work hours of the employee during which the employee directly administers this Act, as those hours are certified by the supervisor of the employee;

''(3) support costs directly associated with personnel costs authorized under paragraphs (1) and (2), excluding costs associated with staffing and operation of regional offices of the United States Fish and Wildlife Service and the Department of the Interior other than for the purposes of this Act;

''(4) costs of determining under section 6(a) whether State comprehensive plans and projects are substantial in character and design;

''(5) overhead costs, including the costs of general administrative services, that are directly attributable to administration of this Act and are based on—

''(A) actual costs, as determined by a direct cost allocation methodology approved by the Director of the Office of Management and Budget for use by Federal agencies; and

''(B) in the case of costs that are not determinable under subparagraph (A), an amount per full-time equivalent employee authorized under paragraphs (1) and (2) that does not exceed the amount charged or assessed for costs per full-time equivalent employee for any other division or program of the United States Fish and Wildlife Service;

''(6) costs incurred in auditing, every 5 years, the wildlife and sport fish activities of each State fish and game department and the use of funds under section 6 by each State fish and game department;

''(7) costs of audits under subsection (d);

''(8) costs of necessary training of Federal and State full-time personnel who administer this Act to improve administration of this Act;

''(9) costs of travel to States, territories, and Canada by personnel who—

''(A) administer this Act on a full-time basis for purposes directly related to administration of State programs or projects; or

''(B) administer grants under section 6, 10, or 11;

''(10) costs of travel outside the United States (except travel to Canada), by personnel who administer this Act on a full-time basis, for purposes that directly relate to administration of this Act and that are approved directly by the Assistant Secretary for Fish and Wildlife and Parks;

''(11) relocation expenses for personnel who, after relocation, will administer this Act on a full-time basis for at least 1 year, as certified by the Director of the United States Fish and Wildlife Service at the time at which the relocation expenses are incurred; and

''(12) costs to audit, evaluate, approve, disapprove, and advise concerning grants under sections 6, 10, and 11.

''(b) REPORTING OF OTHER USES.—

''(1) IN GENERAL.—Subject to paragraph (2), if the Secretary of the Interior determines that available amounts under section 4(a)(1) should be used for an expense for administration other than an expense for administration described in subsection (a), the Secretary—

''(A) shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives a report describing the expense for administration and stating the amount of the expense; and

''(B) may use any such available amounts for the expense for administration only after the end of the 30-day period beginning on the date of submission of the report under subparagraph (A).

''(2) MAXIMUM AMOUNT.—For any fiscal year, the Secretary of the Interior may use under paragraph (1) not more than $25,000.

''(c) RESTRICTION ON USE TO SUPPLEMENT GENERAL APPROPRIATIONS.—The Secretary of the Interior shall not use available amounts under subsection (b) to supplement the funding of any function for which general appropriations are made for the United States Fish and Wildlife Service or any other entity of the Department of the Interior.

''(d) AUDIT REQUIREMENT.—

''(1) IN GENERAL.—The Inspector General of the Department of the Interior shall procure the performance of biennial audits, in accordance with generally accepted accounting principles, of expenditures and obligations of amounts used by the Secretary of the Interior for expenses for administration incurred in implementation of this Act.

''(2) AUDITOR.—

''(A) IN GENERAL.—An audit under this subsection shall be performed under a contract that is awarded under competitive procedures (as defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)) by a person or entity that is not associated in any way with the Department of the Interior (except by way of a contract for the performance of an audit or other review).

''(B) SUPERVISION OF AUDITOR.—The auditor selected under subparagraph (A) shall report to, and be supervised by, the Inspector General of the Department of the Interior, except that the auditor shall submit a copy of the biennial audit findings to the Secretary of the Interior at the time at which the findings are submitted to the Inspector General of the Department of the Interior.

''(3) REPORT TO CONGRESS.—The Inspector General of the Department of the Interior shall promptly submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate—

''(A) a report on the results of each audit under this subsection; and

''(B) a copy of each audit under this subsection.''.

(c) CONFORMING AMENDMENT.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended in the first sentence by striking ''section 4(b) of this Act'' and inserting ''section 4(c)''.

SEC. 112. FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.

The Pittman-Robertson Wildlife Restoration Act is amended—

(1) by redesignating section 10 (16 U.S.C. 669i) as section 12; and

(2) by inserting after section 9 (16 U.S.C. 669h) the following:

"SEC. 10. FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.

''(a) IN GENERAL.—

''(1) GRANTS.—Of the revenues covered into the fund, $7,500,000 for each of fiscal years 2001 and 2002, and $8,000,000 for fiscal year 2003 and each fiscal year thereafter, shall be apportioned among the States in the manner specified in section 4(c) by the Secretary of the Interior and used to make grants to the States to be used for—

''(A) in the case of a State that has not used all of the funds apportioned to the State under section 4(c) for the fiscal year in the manner described in section 8(b)—

''(i) the enhancement of hunter education programs, hunter and sporting firearm safety programs, and hunter development programs;

''(ii) the enhancement of interstate coordination and development of hunter education and shooting range programs;

''(iii) the enhancement of bow hunter and archery education, safety, and development programs; and

''(iv) the enhancement of construction or development of firearm shooting ranges and archery ranges, and the updating of safety features of firearm shooting ranges and archery ranges; and

''(B) in the case of a State that has used all of the funds apportioned to the State under section 4(c) for the fiscal year in the manner described in section 8(b), any use authorized by this Act (including hunter safety programs and the construction, operation, and maintenance of public target ranges).

''(2) LIMITATION ON USE.—Under paragraph (1), a State shall not be required to use more than the amount described in section 8(b) for hunter safety programs and the construction,

operation, and maintenance of public target ranges.

''(b) COST SHARING.—The Federal share of the cost of any activity carried out with a grant under this section shall not exceed 75 percent of the total cost of the activity.

''(c) PERIOD OF AVAILABILITY; REAPPORTIONMENT.—

''(1) PERIOD OF AVAILABILITY.—Amounts made available and apportioned for grants under this section shall remain available only for the fiscal year for which the amounts are apportioned.

''(2) REAPPORTIONMENT.—At the end of the period of availability under paragraph (1), the Secretary of the Interior shall apportion amounts made available that have not been used to make grants under this section among the States described in subsection (a)(1)(B) for use by those States in accordance with this Act.''.

SEC. 113. MULTISTATE CONSERVATION GRANT PROGRAM.

The Pittman-Robertson Wildlife Restoration Act (as amended by section 112) is amended by inserting after section 10 the following:

''SEC. 11. MULTISTATE CONSERVATION GRANT PROGRAM.

''(a) IN GENERAL.—

''(1) AMOUNT FOR GRANTS.—Not more than $3,000,000 of the revenues covered into the fund for a fiscal year shall be available to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.

''(2) PERIOD OF AVAILABILITY; APPORTIONMENT.—

''(A) PERIOD OF AVAILABILITY.—Amounts made available under paragraph (1) shall remain available for making grants only for the first fiscal year for which the amount is made available and the following fiscal year.

''(B) APPORTIONMENT.—At the end of the period of availability under subparagraph (A), the Secretary of the Interior shall apportion any amounts that remain available among the States in the manner specified in section 4(b) for use by the States in the same manner as funds apportioned under section 4(b).

''(b) SELECTION OF PROJECTS.—

''(1) STATES OR ENTITIES TO BE BENEFITED.—A project shall not be eligible for a grant under this section unless the project will benefit—

''(A) at least 26 States;

''(B) a majority of the States in a region of the United States Fish and Wildlife Service; or

''(C) a regional association of State fish and game departments.

''(2) USE OF SUBMITTED PRIORITY LIST OF PROJECTS.—The Secretary of the Interior may make grants under this section only for projects identified on a priority list of wildlife restoration projects described in paragraph (3).

''(3) PRIORITY LIST OF PROJECTS.—A priority list referred to in paragraph (2) is a priority list of wildlife restoration projects that the International Association of Fish and Wildlife Agencies—

''(A) prepares through a committee comprised of the heads of State fish and game departments (or their designees), in consultation with—

''(i) nongovernmental organizations that represent conservation organizations;

''(ii) sportsmen organizations; and

''(iii) industries that support or promote hunting, trapping, recreational shooting, bow hunting, or archery;

''(B) approves by vote of a majority of the heads of State fish and game departments (or their designees); and

''(C) not later than October 1 of each fiscal year, submits to the Assistant Director for Wildlife and Sport Fish Restoration Programs.

''(4) PUBLICATION.—The Assistant Director for Wildlife and Sport Fish Restoration Programs shall publish in the Federal Register each priority list submitted under paragraph (3)(C).

''(c) ELIGIBLE GRANTEES.—

''(1) IN GENERAL.—The Secretary of the Interior may make a grant under this section only to—

''(A) a State or group of States;

''(B) the United States Fish and Wildlife Service, or a State or group of States, for the purpose of carrying out the National Survey of Fishing, Hunting, and Wildlife-Associated Recreation; and

''(C) subject to paragraph (2), a nongovernmental organization.

''(2) NONGOVERNMENTAL ORGANIZATIONS.—

''(A) IN GENERAL.—Any nongovernmental organization that applies for a grant under this section shall submit with the application to the International Association of Fish and Wildlife Agencies a certification that the organization—

''(i) will not use the grant funds to fund, in whole or in part, any activity of the organization that promotes or encourages opposition to the regulated hunting or trapping of wildlife; and

''(ii) will use the grant funds in compliance with subsection (d).

''(B) PENALTIES FOR CERTAIN ACTIVITIES.—Any nongovernmental organization that is found to use grant funds in violation of subparagraph (A) shall return all funds received under this section and be subject to any other applicable penalties under law.

''(d) USE OF GRANTS.—A grant under this section shall not be used, in whole or in part, for an activity, project, or program that promotes or encourages opposition to the regulated hunting or trapping of wildlife.

''(e) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any activity carried out under this section.''.

SEC. 114. MISCELLANEOUS PROVISION.

Section 5 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669d) is amended in the first sentence—

(1) by inserting '', at the time at which a deduction or apportionment is made,'' after ''certify''; and

(2) by striking ''and executing''.

Subtitle B—Sport Fish Restoration

SEC. 121. EXPENSES FOR ADMINISTRATION.

(a) SET-ASIDE FOR EXPENSES FOR ADMINISTRATION OF THE DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended by striking subsection (d) and inserting the following:

''(d) SET-ASIDE FOR EXPENSES FOR ADMINISTRATION OF THE DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—

''(1) IN GENERAL.—

''(A) SET-ASIDE.—For fiscal year 2001 and each fiscal year thereafter, of the balance of each such annual appropriation remaining after the distribution and use under subsections (a), (b), and (c) and section 14, the Secretary of the Interior may use not more than the available amount specified in subparagraph (B) for the fiscal year for expenses for administration incurred in implementation of this Act, in accordance with this subsection and section 9.

''(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

''(i) for each of fiscal years 2001 and 2002, $9,000,000;

''(ii) for fiscal year 2003, $8,212,000; and

''(iii) for fiscal year 2004 and each fiscal year thereafter, the sum of—

''(I) the available amount for the preceding fiscal year; and

''(II) the amount determined by multiplying—

''(aa) the available amount for the preceding fiscal year; and

''(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

''(2) PERIOD OF AVAILABILITY; APPORTIONMENT OF UNOBLIGATED AMOUNTS.—

''(A) PERIOD OF AVAILABILITY.—For each fiscal year, the available amount under paragraph (1) shall remain available for obligation for use under that paragraph until the end of the fiscal year.

''(B) APPORTIONMENT OF UNOBLIGATED AMOUNTS.—Not later than 60 days after the end of a fiscal year, the Secretary of the Interior shall apportion among the States any of the available amount under paragraph (1) that remains unobligated at the end of the fiscal year, on the same basis and in the same manner as other amounts made available under this Act are apportioned among the States under subsection (e) for the fiscal year.''.

(b) REQUIREMENTS AND RESTRICTIONS CONCERNING USE OF AMOUNTS FOR EXPENSES FOR ADMINISTRATION.—Section 9 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h) is amended to read as follows:

''SEC. 9. REQUIREMENTS AND RESTRICTIONS CONCERNING USE OF AMOUNTS FOR EXPENSES FOR ADMINISTRATION.

''(a) AUTHORIZED EXPENSES FOR ADMINISTRATION.—Except as provided in subsection (b), the Secretary of the Interior may use available amounts under section 4(d)(1) only for expenses for administration that directly support the implementation of this Act that consist of—

''(1) personnel costs of employees who directly administer this Act on a full-time basis;

''(2) personnel costs of employees who directly administer this Act on a part-time basis for at least 20 hours each week, not to exceed the portion of those costs incurred with respect to the work hours of the employee during which the employee directly administers this Act, as those hours are certified by the supervisor of the employee;

''(3) support costs directly associated with personnel costs authorized under paragraphs (1) and (2), excluding costs associated with staffing and operation of regional offices of the United States Fish and Wildlife Service and the Department of the Interior other than for the purposes of this Act;

''(4) costs of determining under section 6(a) whether State comprehensive plans and projects are substantial in character and design;

''(5) overhead costs, including the costs of general administrative services, that are directly attributable to administration of this Act and are based on—

''(A) actual costs, as determined by a direct cost allocation methodology approved by the Director of the Office of Management and Budget for use by Federal agencies; and

''(B) in the case of costs that are not determinable under subparagraph (A), an amount per full-time equivalent employee authorized under paragraphs (1) and (2) that does not exceed the amount charged or assessed for costs per full-time equivalent employee for any other division or program of the United States Fish and Wildlife Service;

''(6) costs incurred in auditing, every 5 years, the wildlife and sport fish activities of each State fish and game department and the use of funds under section 6 by each State fish and game department;

''(7) costs of audits under subsection (d);

''(8) costs of necessary training of Federal and State full-time personnel who administer this Act to improve administration of this Act;

''(9) costs of travel to States, territories, and Canada by personnel who—

''(A) administer this Act on a full-time basis for purposes directly related to administration of State programs or projects; or

''(B) administer grants under section 6 or 14;

''(10) costs of travel outside the United States (except travel to Canada), by personnel who administer this Act on a full-time basis, for purposes that directly relate to administration of this Act and that are approved directly by the Assistant Secretary for Fish and Wildlife and Parks;

''(11) relocation expenses for personnel who, after relocation, will administer this Act on a full-time basis for at least 1 year, as certified by the Director of the United States Fish and Wildlife Service at the time at which the relocation expenses are incurred; and

''(12) costs to audit, evaluate, approve, disapprove, and advise concerning grants under sections 6 and 14.

''(b) REPORTING OF OTHER USES.—

''(1) IN GENERAL.—Subject to paragraph (2), if the Secretary of the Interior determines that available amounts under section 4(d)(1) should be used for an expense for administration other than an expense for administration described in subsection (a), the Secretary—

''(A) shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives a report describing the expense for administration and stating the amount of the expense; and

''(B) may use any such available amounts for the expense for administration only after the end of the 30-day period beginning on the date of submission of the report under subparagraph (A).

''(2) MAXIMUM AMOUNT.—For any fiscal year, the Secretary of the Interior may use under paragraph (1) not more than $25,000.

''(c) RESTRICTION ON USE TO SUPPLEMENT GENERAL APPROPRIATIONS.—The Secretary of the Interior shall not use available amounts under subsection (b) to supplement the funding of any function for which general appropriations are made for the United States Fish and Wildlife Service or any other entity of the Department of the Interior.

''(d) AUDIT REQUIREMENT.—

''(1) IN GENERAL.—The Inspector General of the Department of the Interior shall procure the performance of biennial audits, in accordance with generally accepted accounting principles, of expenditures and obligations of amounts used by the Secretary of the Interior for expenses for administration incurred in implementation of this Act.

''(2) AUDITOR.—

''(A) IN GENERAL.—An audit under this subsection shall be performed under a contract that is awarded under competitive procedures (as defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)) by a person or entity that is not associated in any way with the Department of the Interior (except by way of a contract for the performance of an audit or other review).

''(B) SUPERVISION OF AUDITOR.—The auditor selected under subparagraph (A) shall report to, and be supervised by, the Inspector General of the Department of the Interior, except that the auditor shall submit a copy of the biennial audit findings to the Secretary of the Interior at the time at which the findings are submitted to the Inspector General of the Department of the Interior.

''(3) REPORT TO CONGRESS.—The Inspector General of the Department of the Interior shall promptly submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate—

''(A) a report on the results of each audit under this subsection; and

''(B) a copy of each audit under this subsection.''.

(c) EXPENSES FOR ADMINISTRATION OF CERTAIN PROGRAMS.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended by adding at the end the following:

''(g) EXPENSES FOR ADMINISTRATION OF CERTAIN PROGRAMS.—

''(1) IN GENERAL.—For each fiscal year, of the amounts appropriated under section 3, the Secretary of the Interior shall use only funds authorized for use under subsections (a), (b)(3)(A), (b)(3)(B), and (c) to pay the expenses for administration incurred in carrying out the provisions of law referred to in those subsections, respectively.

''(2) MAXIMUM AMOUNT.—For each fiscal year, the Secretary of the Interior may use not more than $900,000 in accordance with paragraph (1).''.

SEC. 122. MULTISTATE CONSERVATION GRANT PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—The Dingell-Johnson Sport Fish Restoration Act is amended—

(1) by striking the section 13 relating to effective date (16 U.S.C. 777 note) and inserting the following:

''SEC. 14. MULTISTATE CONSERVATION GRANT PROGRAM.

''(a) IN GENERAL.—

''(1) AMOUNT FOR GRANTS.—Of the balance of each annual appropriation made under section 3 remaining after the distribution and use under subsections (a), (b), and (c) of section 4 in a fiscal year, not more than $3,000,000 shall be available to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.

''(2) PERIOD OF AVAILABILITY; APPORTIONMENT.—

''(A) PERIOD OF AVAILABILITY.—Amounts made available under paragraph (1) shall remain available for making grants only for the first fiscal year for which the amount is made available and the following fiscal year.

''(B) APPORTIONMENT.—At the end of the period of availability under subparagraph (A), the Secretary of the Interior shall apportion any amounts that remain available among the States in the manner specified in section 4(e) for use by the States in the same manner as funds apportioned under section 4(e).

''(b) SELECTION OF PROJECTS.—

''(1) STATES OR ENTITIES TO BE BENEFITED.—A project shall not be eligible for a grant under this section unless the project will benefit—

''(A) at least 26 States;

''(B) a majority of the States in a region of the United States Fish and Wildlife Service; or

''(C) a regional association of State fish and game departments.

''(2) USE OF SUBMITTED PRIORITY LIST OF PROJECTS.—The Secretary of the Interior may make grants under this section only for projects identified on a priority list of sport fish restoration projects described in paragraph (3).

''(3) PRIORITY LIST OF PROJECTS.—A priority list referred to in paragraph (2) is a priority list of sport fish restoration projects that the International Association of Fish and Wildlife Agencies—

''(A) prepares through a committee comprised of the heads of State fish and game departments (or their designees), in consultation with—

''(i) nongovernmental organizations that represent conservation organizations;

''(ii) sportsmen organizations; and

''(iii) industries that fund the sport fish restoration programs under this Act;

''(B) approves by vote of a majority of the heads of State fish and game departments (or their designees); and

''(C) not later than October 1 of each fiscal year, submits to the Assistant Director for Wildlife and Sport Fish Restoration Programs.

''(4) PUBLICATION.—The Assistant Director for Wildlife and Sport Fish Restoration Programs shall publish in the Federal Register each priority list submitted under paragraph (3)(C).

''(c) ELIGIBLE GRANTEES.—

''(1) IN GENERAL.—The Secretary of the Interior may make a grant under this section only to—

''(A) a State or group of States;

''(B) the United States Fish and Wildlife Service, or a State or group of States, for the purpose of carrying out the National Survey of Fishing, Hunting, and Wildlife-Associated Recreation; and

''(C) subject to paragraph (2), a nongovernmental organization.

''(2) NONGOVERNMENTAL ORGANIZATIONS.—

''(A) IN GENERAL.—Any nongovernmental organization that applies for a grant under this section shall submit with the application to the International Association of Fish and Wildlife Agencies a certification that the organization—

''(i) will not use the grant funds to fund, in whole or in part, any activity of the organization that promotes or encourages opposition to the regulated taking of fish; and

''(ii) will use the grant funds in compliance with subsection (d).

''(B) PENALTIES FOR CERTAIN ACTIVITIES.—Any nongovernmental organization that is found to use grant funds in violation of subparagraph (A) shall return all funds received under this section and be subject to any other applicable penalties under law.

''(d) USE OF GRANTS.—A grant under this section shall not be used, in whole or in part, for an activity, project, or program that promotes or encourages opposition to the regulated taking of fish.

''(e) FUNDING FOR OTHER ACTIVITIES.—Of the balance of each annual appropriation made under section 3 remaining after the distribution and use under subsections (a), (b), and (c) of section 4 for each fiscal year and after deducting amounts used for grants under subsection (a)—

''(1) $200,000 shall be made available for each of—

''(A) the Atlantic States Marine Fisheries Commission;

''(B) the Gulf States Marine Fisheries Commission;

''(C) the Pacific States Marine Fisheries Commission; and

''(D) the Great Lakes Fisheries Commission; and

''(2) $400,000 shall be made available for the Sport Fishing and Boating Partnership Council established by the United States Fish and Wildlife Service.

''(f) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any activity carried out under this section.''; and

(2) by moving that section to appear after the section 13 relating to State use of contributions (16 U.S.C. 777l).

(b) CONFORMING AMENDMENT.—Section 4(e) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(e)) is amended in the first sentence by inserting ''and after deducting amounts used for grants under section 14,'' after ''respectively,''.

SEC. 123. FUNDING OF THE COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT.

Section 4(a) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(a)) is amended in the second sentence by striking ''2000'' and inserting ''2009''.

SEC. 124. PERIOD OF AVAILABILITY.

Section 4(f) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(f)) is amended in the first sentence by striking '', and if'' and all that follows through ''recreation''.

SEC. 125. MISCELLANEOUS PROVISION.

Section 5 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777d) is amended—

(1) by inserting '', at the time at which a deduction or apportionment is made,'' after ''certify''; and

(2) by striking ''and executing''.

SEC. 126. CONFORMING AMENDMENT.

Section 9504(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''(as in effect on the date of the enactment of the TEA 21 Restoration Act)'' and inserting ''(as in effect on the date of enactment of the Wildlife and Sport Fish Restoration Programs Improvement Act of 2000)''.

Subtitle C—Wildlife and Sport Fish Restoration Programs

SEC. 131. DESIGNATION OF PROGRAMS.

The programs established under the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) and the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) shall be known as the ''Federal Assistance Program for State Wildlife and Sport Fish Restoration''.

SEC. 132. ASSISTANT DIRECTOR FOR WILDLIFE AND SPORT FISH RESTORATION PROGRAMS.

(a) ESTABLISHMENT.—There is established in the United States Fish and Wildlife Service of the Department of the Interior the position of Assistant Director for Wildlife and Sport Fish Restoration Programs.

(b) SUPERIOR.—The Assistant Director for Wildlife and Sport Fish Restoration Programs shall report directly to the Director of the United States Fish and Wildlife Service.

(c) RESPONSIBILITIES.—The Assistant Director for Wildlife and Sport Fish Restoration Programs shall be responsible for the administration, management, and oversight of the Federal Assistance Program for State Wildlife and Sport Fish Restoration under the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) and the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.).

SEC. 133. REPORTS AND CERTIFICATIONS.

(a) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—At the time at which the President submits to Congress a budget request for the Department of the Interior for fiscal year 2002, the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the steps that have been taken to comply with this title and the amendments made by this title.

(2) CONTENTS.—The report under paragraph (1) shall describe—

(A) the extent to which compliance with this title and the amendments made by this title has required a reduction in the number of personnel assigned to administer, manage, and oversee the Federal Assistance Program for State Wildlife and Sport Fish Restoration;

(B) any revisions to this title or the amendments made by this title that would be desirable in order for the Secretary of the Interior to adequately administer the Program and ensure that funds provided to State agencies are properly used; and

(C) any other information concerning the implementation of this title and the amendments made by this title that the Secretary of the Interior considers appropriate.

(b) PROJECTED SPENDING REPORT.—At the time at which the President submits a budget request for the Department of the Interior for fiscal year 2002 and each fiscal year thereafter, the Secretary of the Interior shall report in writing to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate the amounts, broken down by category, that are intended to be used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)) and section 4(d)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(1)).

(c) SPENDING CERTIFICATION AND REPORT.—Not later than 60 days after the end of each fiscal year, the Secretary of the Interior shall certify and report in writing to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate—

(1) the amounts, broken down by category, that were used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)) and section 4(d)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(1));

(2) the amounts apportioned to States for the fiscal year under section 4(a)(2) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(2)) and section 4(d)(2)(A) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(2)(A));

(3) the results of the audits performed under section 9(d) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h(d) and section 9(d) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(d));

(4) that all amounts used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)) and section 4(d)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(1)) were necessary for expenses for administration incurred in implementation of those Acts;

(5) that all amounts used for the fiscal year to administer those Acts by agency headquarters and by regional offices of the United States Fish and Wildlife Service were used in accordance with those Acts; and

(6) that the Secretary of the Interior, the Assistant Secretary for Fish and Wildlife and Parks, the Director of the United States Fish and Wildlife Service, and the Assistant Director for Wildlife and Sport Fish Restoration Programs each properly discharged their duties under those Acts.

(d) CERTIFICATIONS BY STATES.—

(1) IN GENERAL.—Not later than 60 days after the end of each fiscal year, each State that received amounts apportioned under the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) or the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) for the fiscal year shall certify to the Secretary of the Interior in writing that the amounts were expended by the State in accordance with each of those Acts.

(2) TRANSMISSION TO CONGRESS.—Not later than December 31 of a fiscal year, the Secretary of the Interior shall transmit all certifications under paragraph (1) for the previous fiscal year to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(e) LIMITATION ON DELEGATION.—The Secretary of the Interior shall not delegate the responsibility for making a certification under subsection (c) to any person except the Assistant Secretary for Fish and Wildlife and Parks.

TITLE II—NATIONAL FISH AND WILDLIFE FOUNDATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Fish and Wildlife Foundation Establishment Act Amendments of 2000''.

SEC. 202. PURPOSES.

Section 2(b) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701(b)) is amended by striking paragraph (1) and inserting the following:

''(1) to encourage, accept, and administer private gifts of property for the benefit of, or in connection with, the activities and services of the United States Fish and Wildlife Service and the National Oceanic and Atmospheric Administration, to further the conservation and management of fish, wildlife, plants, and other natural resources;''.

SEC. 203. BOARD OF DIRECTORS OF THE FOUNDATION.

(a) ESTABLISHMENT AND MEMBERSHIP.—Section 3 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702) is amended by striking subsection (a) and inserting the following:

''(a) ESTABLISHMENT AND MEMBERSHIP.—

''(1) IN GENERAL.—The Foundation shall have a governing Board of Directors (referred to in this Act as the 'Board'), which shall consist of 25 Directors appointed in accordance with subsection (b), each of whom shall be a United States citizen.

''(2) REPRESENTATION OF DIVERSE POINTS OF VIEW.—To the maximum extent practicable, the membership of the Board shall represent diverse points of view relating to conservation and management of fish, wildlife, plants, and other natural resources.

''(3) NOT FEDERAL EMPLOYEES.—Appointment as a Director of the Foundation shall not constitute employment by, or the holding of an office of, the United States for the purpose of any Federal law.''.

(b) APPOINTMENT AND TERMS.—Section 3 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702) is amended by striking subsection (b) and inserting the following:

''(b) APPOINTMENT AND TERMS.—

''(1) AGENCY HEADS.—The Director of the United States Fish and Wildlife Service and the Under Secretary of Commerce for Oceans and Atmosphere shall be Directors of the Foundation.

''(2) APPOINTMENTS BY THE SECRETARY OF THE INTERIOR.—

''(A) IN GENERAL.—Subject to subparagraph (B), after consulting with the Secretary of Commerce and considering the recommendations submitted by the Board, the Secretary of the Interior shall appoint 23 Directors who meet the criteria established by subsection (a), of whom—

''(i) at least 6 shall be educated or experienced in fish, wildlife, or other natural resource conservation;

''(ii) at least 4 shall be educated or experienced in the principles of fish, wildlife, or other natural resource management; and

''(iii) at least 4 shall be educated or experienced in ocean and coastal resource conservation.

''(B) TRANSITION PROVISION.—

''(i) CONTINUATION OF TERMS.—The 15 Directors serving on the Board as of the date of enactment of this paragraph shall continue to serve until the expiration of their terms.

''(ii) NEW DIRECTORS.—Subject to paragraph (3), the Secretary of the Interior shall appoint 8 new Directors.

''(3) TERMS.—

''(A) IN GENERAL.—Subject to subparagraph (B), each Director (other than a Director described in paragraph (1)) shall be appointed for a term of 6 years.

''(B) INITIAL APPOINTMENTS TO NEW MEMBER POSITIONS.—Of the Directors appointed by the Secretary of the Interior under paragraph (2)(B)(ii), the Secretary shall appoint, in fiscal year 2001, 3 Directors for a term of 6 years.

''(C) SUBSEQUENT APPOINTMENTS TO NEW MEMBER POSITIONS.—Of the Directors appointed by the Secretary of the Interior under paragraph (2)(B)(ii), the Secretary shall appoint, in fiscal year 2002—

''(i) 2 Directors for a term of 2 years; and

''(ii) 3 Directors for a term of 4 years.

''(4) VACANCIES.—

''(A) IN GENERAL.—The Secretary of the Interior shall fill a vacancy on the Board.

''(B) TERM OF APPOINTMENTS TO FILL UNEXPIRED TERMS.—An individual appointed to fill a vacancy that occurs before the expiration of the term of a Director shall be appointed for the remainder of the term.

''(5) REAPPOINTMENT.—An individual (other than an individual described in paragraph (1)) shall not serve more than 2 consecutive terms as a Director, excluding any term of less than 6 years.

''(6) REQUEST FOR REMOVAL.—The executive committee of the Board may submit to the Secretary of the Interior a letter describing the nonperformance of a Director and requesting the removal of the Director from the Board.

''(7) CONSULTATION BEFORE REMOVAL.—Before removing any Director from the Board, the Secretary of the Interior shall consult with the Secretary of Commerce.''.

(c) TECHNICAL AMENDMENTS.—

(1) Section 4(c)(5) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(c)(5)) is amended by striking ''Directors of the Board'' and inserting ''Directors of the Foundation''.

(2) Section 6 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3705) is amended—

(A) by striking ''Secretary'' and inserting ''Secretary of the Interior or the Secretary of Commerce''; and

(B) by inserting ''or the Department of Commerce'' after ''Department of the Interior''.

SEC. 204. RIGHTS AND OBLIGATIONS OF THE FOUNDATION.

(a) PRINCIPAL OFFICE OF THE FOUNDATION.—Section 4(a)(3) of the National Fish and Wildlife

Foundation Establishment Act (16 U.S.C. 3703(a)(3)) is amended by inserting after ''the District of Columbia'' the following: ''or in a county in the State of Maryland or Virginia that borders on the District of Columbia''.

(b) INVESTMENT AND DEPOSIT OF FEDERAL FUNDS.—Section 4(c) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(c)) is amended—

(1) by redesignating paragraphs (3) through (7) as paragraphs (7) through (11), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) to invest any funds provided to the Foundation by the Federal Government in obligations of the United States or in obligations or securities that are guaranteed or insured by the United States;

''(4) to deposit any funds provided to the Foundation by the Federal Government into accounts that are insured by an agency or instrumentality of the United States;

''(5) to make use of any interest or investment income that accrues as a consequence of actions taken under paragraph (3) or (4) to carry out the purposes of the Foundation;

''(6) to use Federal funds to make payments under cooperative agreements entered into with willing private landowners to provide substantial long-term benefits for the restoration or enhancement of fish, wildlife, plants, and other natural resources on private land;''.

(c) AGENCY APPROVAL OF ACQUISITIONS OF PROPERTY.—Section 4(e)(1) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(e)(1)) is amended by striking subparagraph (B) and inserting the following:

''(B) the Foundation notifies the Federal agency that administers the program under which the funds were provided of the proposed acquisition, and the agency does not object in writing to the proposed acquisition within 60 calendar days after the date of the notification.''.

(d) REPEAL.—Section 304 of Public Law 102–440 (16 U.S.C. 3703 note) is repealed.

(e) AGENCY APPROVAL OF CONVEYANCES AND GRANTS.—Section 4(e)(3)(B) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(e)(3)(B)) is amended by striking clause (ii) and inserting the following:

''(ii) the Foundation notifies the Federal agency that administers the Federal program under which the funds were provided of the proposed conveyance or provision of Federal funds, and the agency does not object in writing to the proposed conveyance or provision of Federal funds within 60 calendar days after the date of the notification.''.

(f) RECONVEYANCE OF REAL PROPERTY.—Section 4(e) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(e)) is amended by striking paragraph (5) and inserting the following:

''(5) RECONVEYANCE OF REAL PROPERTY.—The Foundation shall convey at not less than fair market value any real property acquired by the Foundation in whole or in part with Federal funds if the Foundation notifies the Federal agency that administers the Federal program under which the funds were provided, and the agency does not disagree within 60 calendar days after the date of the notification, that—

''(A) the property is no longer valuable for the purpose of conservation or management of fish, wildlife, plants, and other natural resources; and

''(B) the purposes of the Foundation would be better served by use of the proceeds of the conveyance for other authorized activities of the Foundation.''.

(g) EXPENDITURES FOR PRINTING SERVICES OR CAPITAL EQUIPMENT.—Section 4 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703) is amended by adding at the end the following:

''(h) EXPENDITURES FOR PRINTING SERVICES OR CAPITAL EQUIPMENT.—The Foundation shall not make any expenditure of Federal funds in connection with any 1 transaction for printing services or capital equipment that is greater than $10,000 unless the expenditure is approved by the Federal agency that administers the Federal program under which the funds were provided.''.

SEC. 205. ANNUAL REPORTING OF GRANT DETAILS.

Section 7(b) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3706(b)) is amended—

(1) by striking ''Congress'' and inserting ''the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate''; and

(2) by adding at the end the following: ''The report shall include a detailed statement of the recipient, amount, and purpose of each grant made by the Foundation in the fiscal year.''.

SEC. 206. NOTICE TO MEMBERS OF CONGRESS.

Section 4 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703) (as amended by section 204(g)) is amended by adding at the end the following:

''(i) NOTICE TO MEMBERS OF CONGRESS.—The Foundation shall not make a grant of funds unless, by not later than 30 days before the grant is made, the Foundation provides notice of the grant to the Member of Congress for the congressional district in which the project to be funded with the grant will be carried out.''.

SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

Section 10 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709) is amended by striking subsections (a), (b), and (c) and inserting the following:

''(a) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this Act for each of fiscal years 2001 through 2003—

''(A) $20,000,000 to the Department of the Interior; and

''(B) $5,000,000 to the Department of Commerce.

''(2) REQUIREMENT OF ADVANCE PAYMENT.—The amount made available for a fiscal year under paragraph (1) shall be provided to the Foundation in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, of the fiscal year.

''(3) USE OF APPROPRIATED FUNDS.—Subject to paragraph (4), amounts made available under paragraph (1) shall be provided to the Foundation for use for matching, on a 1-to-1 basis, contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local government agencies.

''(4) PROHIBITION ON USE FOR ADMINISTRATIVE EXPENSES.—No Federal funds made available under paragraph (1) shall be used by the Foundation for administrative expenses of the Foundation, including for salaries, travel and transportation expenses, and other overhead expenses.

''(b) ADDITIONAL AUTHORIZATION.—

''(1) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a), the Foundation may accept Federal funds from a Federal agency under any other Federal law for use by the Foundation to further the conservation and management of fish, wildlife, plants, and other natural resources in accordance with the requirements of this Act.

''(2) USE OF FUNDS ACCEPTED FROM FEDERAL AGENCIES.—Federal funds provided to the Foundation under paragraph (1) shall be used by the Foundation for matching, in whole or in part, contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local government agencies.

''(c) PROHIBITION ON USE OF GRANT AMOUNTS FOR LITIGATION AND LOBBYING EXPENSES.—Amounts provided as a grant by the Foundation shall not be used for—

''(1) any expense related to litigation; or

''(2) any activity the purpose of which is to influence legislation pending before Congress.''.

SEC. 208. LIMITATION ON AUTHORITY.

The National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.) is amended by adding at the end the following:

"SEC. 11. LIMITATION ON AUTHORITY.

''Nothing in this Act authorizes the Foundation to perform any function the authority for which is provided to the National Park Foundation by Public Law 90–209 (16 U.S.C. 19e et seq.).''.

TITLE III—NATIONAL WILDLIFE REFUGE SYSTEM CENTENNIAL

SEC. 301. SHORT TITLE.

This title may be cited as the ''National Wildlife Refuge System Centennial Act''.

SEC. 302. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) President Theodore Roosevelt began the National Wildlife Refuge System by establishing the first refuge at Pelican Island, Florida, on March 14, 1903;

(2) the National Wildlife Refuge System is comprised of more than 93,000,000 acres of Federal land managed by the United States Fish and Wildlife Service in more than 532 individual refuges and thousands of waterfowl production areas located in all 50 States and the territories of the United States;

(3) the System is the only network of Federal land dedicated singularly to wildlife conservation and where wildlife-dependent recreation and environmental education are priority public uses;

(4) the System serves a vital role in the conservation of millions of migratory birds, dozens of endangered species and threatened species, some of the premier fisheries of the United States, marine mammals, and the habitats on which such species of fish and wildlife depend;

(5) each year the System provides millions of Americans with opportunities to participate in wildlife-dependent recreation, including hunting, fishing, and wildlife observation;

(6)(A) public visitation to national wildlife refuges is growing, with more than 35,000,000 visitors annually; and

(B) it is essential that visitor centers and public use facilities be properly constructed, operated, and maintained;

(7) the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 (16 U.S.C. 742f note; Public Law 105–242), and the amendments made by that Act, significantly enhance the ability of the United States Fish and Wildlife Service to incorporate volunteers and partnerships in refuge management;

(8) as of the date of enactment of this Act, the System has an unacceptable backlog of critical operation and maintenance needs; and

(9) the occasion of the centennial of the System, in 2003, presents a historic opportunity to enhance natural resource stewardship and expand public enjoyment of the national wildlife refuges of the United States.

(b) PURPOSES.—The purposes of this title are—

(1) to establish a commission to promote awareness by the public of the National Wildlife Refuge System as the System celebrates its centennial in 2003;

(2) to develop a long-term plan to meet the priority operation, maintenance, and construction needs of the System;

(3) to require an annual report on the needs of the System prepared in the context of—

(A) the budget submission of the Department of the Interior to the President; and

(B) the President's budget request to Congress; and

(4) to improve public use programs and facilities of the System to meet the increasing needs of the public for wildlife-dependent recreation in the 21st century.

SEC. 303. NATIONAL WILDLIFE REFUGE SYSTEM CENTENNIAL COMMISSION.

(a) ESTABLISHMENT.—There is established the National Wildlife Refuge System Centennial

Commission (referred to in this title as the ''Commission'').

(b) MEMBERS.—

(1) IN GENERAL.—The Commission shall be composed of—

(A) the Director of the United States Fish and Wildlife Service;

(B) up to 10 individuals appointed by the Secretary of the Interior;

(C) the chairman and ranking minority member of the Committee on Resources of the House of Representatives and of the Committee on Environment and Public Works of the Senate, who shall be nonvoting members; and

(D) the congressional representatives of the Migratory Bird Conservation Commission, who shall be nonvoting members.

(2) APPOINTMENTS.—

(A) DEADLINE.—The members of the Commission shall be appointed not later than 90 days after the effective date of this title.

(B) APPOINTMENTS BY THE SECRETARY OF THE INTERIOR.—

(i) IN GENERAL.—The members of the Commission appointed by the Secretary of the Interior under paragraph (1)(B)—

(I) shall not be officers or employees of the Federal Government; and

(II) shall, in the judgment of the Secretary—

(aa) represent the diverse beneficiaries of the System; and

(bb) have outstanding knowledge or appreciation of wildlife, natural resource management, or wildlife-dependent recreation.

(ii) REPRESENTATION OF VIEWS.—In making appointments under paragraph (1)(B), the Secretary of the Interior shall make every effort to ensure that the views of the hunting, fishing, and wildlife observation communities are represented on the Commission.

(3) VACANCIES.—Any vacancy in the Commission—

(A) shall not affect the power or duties of the Commission; and

(B) shall be expeditiously filled in the same manner as the original appointment was made.

(c) CHAIRPERSON.—The Secretary of the Interior shall appoint 1 of the members as the Chairperson of the Commission.

(d) COMPENSATION.—The members of the Commission shall receive no compensation for their service on the Commission.

(e) TRAVEL EXPENSES.—

(1) LEGISLATIVE BRANCH MEMBERS.—The members of the Commission from the legislative branch of the Federal Government shall be allowed necessary travel expenses, as authorized by other law for official travel, while away from their homes or regular places of business in the performance of services for the Commission.

(2) EXECUTIVE BRANCH MEMBERS.—The members of the Commission from the executive branch of the Federal Government shall be allowed necessary travel expenses in accordance with section 5702 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) OTHER MEMBERS AND STAFF.—The members of the Commission appointed by the Secretary of the Interior and staff of the Commission may be allowed necessary travel expenses as authorized by section 5702 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(f) DUTIES.—The Commission shall—

(1) prepare, in cooperation with Federal, State, local, and nongovernmental partners, a plan to commemorate the centennial of the National Wildlife Refuge System beginning on March 14, 2003;

(2) coordinate the activities of the partners under the plan; and

(3) plan and host, in cooperation with the partners, a conference on the National Wildlife Refuge System, and assist in the activities of the conference.

(g) STAFF.—Subject to the availability of appropriations, the Commission may employ such staff as are necessary to carry out the duties of the Commission.

(h) DONATIONS.—

(1) IN GENERAL.—The Commission may, in accordance with criteria established under paragraph (2), accept and use donations of money, personal property, or personal services.

(2) CRITERIA.—The Commission shall establish written criteria to be used in determining whether the acceptance of gifts or donations under paragraph (1) would—

(A) reflect unfavorably on the ability of the Commission or any employee of the Commission to carry out its responsibilities or official duties in a fair and objective manner; or

(B) compromise the integrity or the appearance of the integrity of any person involved in the activities of the Commission.

(i) ADMINISTRATIVE SUPPORT.—Upon the request of the Commission—

(1) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, may provide to the Commission such administrative support services as are necessary for the Commission to carry out the duties of the Commission under this title, including services relating to budgeting, accounting, financial reporting, personnel, and procurement; and

(2) the head of any other appropriate Federal agency may provide to the Commission such advice and assistance, with or without reimbursement, as are appropriate to assist the Commission in carrying out the duties of the Commission.

(j) REPORTS.—

(1) ANNUAL REPORTS.—Not later than 1 year after the effective date of this title, and annually thereafter, the Commission shall submit to Congress a report on the activities and plans of the Commission.

(2) FINAL REPORT.—Not later than September 30, 2004, the Commission shall submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a final report on the activities of the Commission, including an accounting of all funds received and expended by the Commission.

(k) TERMINATION.—

(1) IN GENERAL.—The Commission shall terminate 90 days after the date on which the Commission submits the final report under subsection (j).

(2) DISPOSITION OF MATERIALS.—Upon termination of the Commission and after consultation with the Archivist of the United States and the Secretary of the Smithsonian Institution, the Secretary of the Interior may—

(A)(i) deposit all books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other similar materials of the Commission relating to the centennial of the National Wildlife Refuge System in Federal, State, or local libraries or museums; or

(ii) otherwise dispose of such materials; and

(B)(i) use other property acquired by the Commission for the purposes of the National Wildlife Refuge System; or

(ii) treat such property as excess property.

SEC. 304. LONG-TERM PLANNING AND ANNUAL REPORTING REQUIREMENTS REGARDING THE OPERATION AND MAINTENANCE BACKLOG.

(a) UNIFIED LONG-TERM PLAN.—Not later than March 1, 2002, the Secretary of the Interior shall prepare and submit to Congress and the President a unified long-term plan to address priority operation, maintenance, and construction needs of the National Wildlife Refuge System, including—

(1) priority staffing needs of the System; and

(2) operation, maintenance, and construction needs as identified in—

(A) the Refuge Operating Needs System;

(B) the Maintenance Management System;

(C) the 5-year deferred maintenance list;

(D) the 5-year construction list;

(E) the United States Fish and Wildlife Service report entitled ''Fulfilling the Promise of America's National Wildlife Refuge System''; and

(F) individual refuge comprehensive conservation plans.

(b) ANNUAL SUBMISSION.—Beginning with the submission to Congress of the budget for fiscal year 2003, the Secretary of the Interior shall prepare and submit to Congress, in the context of each annual budget submission, a report that contains—

(1) an assessment of expenditures in the prior, current, and upcoming fiscal years to meet the operation and maintenance backlog as identified in the long-term plan under subsection (a); and

(2) a specification of transition costs, in the prior, current, and upcoming fiscal years, as identified in the analysis of newly acquired refuge land prepared by the Department of the Interior, and a description of the method used to determine the priority status of the transition costs.

SEC. 305. YEAR OF THE NATIONAL WILDLIFE REFUGE.

(a) FINDING.—Congress finds that designation of the year 2003 as the ''Year of the National Wildlife Refuge'' would promote the goal of increasing public appreciation of the importance of the National Wildlife Refuge System.

(b) PROCLAMATION.—The President is requested to issue a proclamation calling on the people of the United States to conduct appropriate programs, ceremonies, and activities to accomplish the goal of such a year.

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the activities of the Commission under this title—

(1) $100,000 for fiscal year 2001; and

(2) $250,000 for each of fiscal years 2002 through 2004.

SEC. 307. EFFECTIVE DATE.

This title takes effect on January 20, 2001.

Amend the title so as to read: ''An Act to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, to commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes.''.

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶111.17 H.R. 4148—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4148) to make technical amendments to the provisions of the Indian Self-Determination and Education Assistance Act relating to contract support costs, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶111.18 S. 964—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 964) to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶111.19 ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE

The SPEAKER pro tempore, Mr. PEASE, by unanimous consent, announced that the Speaker, pursuant to section 491 of the Higher Education Act (20 United State Code 1098(c)), reappointed to the Advisory Committee on Student Financial Assistance for a three-year term, Mr. Henry Givens of St. Louis, Missouri, from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶111.20 SUBMISSION OF CONFERENCE REPORT—H.R. 4635

Mr. WALSH submitted a conference report (Rept. No. 106–988) on the bill (H.R. 4625) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶111.21 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4461) ''An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.''.

¶111.22 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 114

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–989) the resolution (H. Res. 637) providing for consideration of the joint resolution (H. J. Res. 114) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶111.23 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4635

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–990) the resolution (H. Res. 638) waiving points of order against the conference report to accompany the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶111.24 PROVIDING FOR THE CONSIDERATION OF S. 2796

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–991) the resolution (H. Res. 639) providing for consideration of the bill (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶111.25 PROVIDING FOR THE CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–992) the resolution (H. Res. 640) providing for the consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶111.26 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 34. An Act to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

H.R. 208. An Act to amend title 5, United States Code, to allow for the contributions of certain rollover distributions to accounts in the Thrift Savings Plan, to eliminate certain waiting-period requirements for participating in the Thrift Savings Plan, and for other purposes.

H.R. 707. An Act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes.

H.R. 1654. An Act to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes.

H.R. 1715. An Act to extend and reauthorize the Defense Production Act of 1950.

H.R. 2389. An Act to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of pubic schools, roads, and other purposes.

H.R. 2842. An Act to amend chapter 89 of title 5, United States Code, concerning the Federal Employees Health Benefits (FEHB) Program, to enable the Federal Government to enroll an employee and his or her family in the FEHB Program when a State court orders the employee to provide health insurance coverage for a child of the employee but the employee fails to provide the coverage, and for other purposes.

H.R. 2879. An Act to provide for the placement at the Lincoln Memorial of a plague commemorating the speech of Martin Luther King, Jr., known as the ''I Have a Dream'' speech.

H.R. 2883. An Act to amend the Immigration and Nationality Act to modify the provisions governing acquisition of citizenship by children born outside of the United States, and for other purposes.

H.R. 2984. An Act to direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargant River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska.

H.R. 3235. An Act to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during nonschool hours.

H.R. 3236. An Act to authorize the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District, Utah, to use Weber Basin Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

H.R. 3292. An Act to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana.

H.R. 3468. An Act to direct the Secretary of the Interior to convey to certain water rights to Duchesne City, Utah.

H.R. 3577. An Act to increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho.

H.R. 3767. An Act to amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under section 217 of such Act.

H.R. 3986. An Act to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington.

H.R. 3995. An Act to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government.

H.R. 4002. An Act to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger.

H.R. 4259. An Act to require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

H.R. 4386. An Act to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes.

H.R. 4389. An Act to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

H.R. 4681. An Act to provide for the adjustment of status of certain Syrian nationals.

H.R. 4828. An Act to designate the Steens Mountain Wilderness Area and the Steens Mountain Cooperative Management and Protection Area in Harney County, Oregon, and for other purposes.

H.R. 5107. An Act to make certain corrections in copyright law.

H.R. 5417. An Act to rename the Stewart B. McKinney Homeless Assistance Act as the ''McKinney-Vento Homeless Assistance Act''.

¶111.27 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 624. An Act to authorize construction of the Fort Peck Reservation Rural Water System in the State of Montana, and for other purposes.

S. 1809. An Act to improve service systems for individuals with developmental disabilities, and for other purposes.

S. 2686. An Act to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes.

¶111.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HANSEN, for today and balance of the week;

To Mr. PASCRELL, for today; and

To Mr. STUPAK, for today.

And then,

¶111.29 ADJOURNMENT

On motion of Mrs. BIGGERT, at 10 o'clock and 38 minutes p.m., the House adjourned.

¶111.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BLILEY: Committee on Commerce. H.R. 3250. A bill to amend the Public Health Service Act to improve the health of minority individuals; with an amendment (Rept. No. 106–986). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on Science. H.R. 1552. A bill to authorize appropriations for fiscal year 2000 and fiscal year 2001 for the Marine Research and related environmental research and development program activities of the National Oceanic and Atmospheric Administration and the National Science Foundation, and for other purposes; with an amendment (Rept. No. 106–987 Pt. 1). Ordered to be printed.

Mr. WALSH: Committee of Conference. Conference report on H.R. 4635. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–988). Ordered to be printed.

Mr. LINDER: Committee on Rules. House Resolution 637. Resolution providing for consideration of the joint resolution (H.J. Res. 114) making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. No. 106–989). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 638. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4635) making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–990). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 639. Resolution providing for consideration of the bill (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes (Rept. No. 106–991). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 640. Resolution providing for the consideration of motions to suspend the rules (Rept. No. 106–992). Referred to the House Calendar.

¶111.31 TIME LIMITATION OF REFERRED BILL

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

H.R. 1552. Referral to the Committee on Resources extended for a period ending not later than October 20, 2000.

¶111.32 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WALSH:

H.R. 5482. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. PACKARD:

H.R. 5483. A bill making appropriations energy and water development for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. BILBRAY:

H.R. 5484. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profits tax on electricity sold in Orange and San Diego Counties in California during the summer of 2000; to the Committee on Ways and Means.

By Mr. BARTON of Texas:

H.R. 5485. A bill to temporarily exempt from restrictions on carriage in coastwise trade the transport of petroleum and petroleum products between ports designated by the President; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Mr. NEAL of Massachusetts, Mrs. JOHNSON of Connecticut, Mr. MATSUI, Ms. DUNN, Mr. CARDIN, Mr. RAMSTAD, and Mr. SAM JOHNSON of Texas):

H.R. 5486. A bill to amend the Internal Revenue Code of 1986 to include wireless telecommunications equipment in the definition of qualified technological equipment for purposes of determining the depreciation treatment of such equipment; to the Committee on Ways and Means.

By Mr. EHRLICH:

H.R. 5487. A bill to establish the W. John Child Memorial Foreign Language Award to recognize foreign language proficiency by members of the Foreign Service who are employees of the Department of Agriculture; to the Committee on International Relations.

By Mr. FRELINGHUYSEN (for himself and Mr. WELDON of Pennsylvania):

H.R. 5488. A bill to strengthen the National Defense Features program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GREEN of Texas:

H.R. 5489. A bill to provide Capitol-flown flags to the families of deceased law enforcement officers; to the Committee on the Judiciary.

By Mr. HALL of Ohio (for himself, Mr. BOEHLERT, Mr. RODRIGUEZ, Mr. HOBSON, Mr. BOYD, Mr. FRELINGHUYSEN, Ms. KAPTUR, Mr. GILMAN, Mrs. MEEK of Florida, Mr. TOWNS, and Mr. MCGOVERN):

H.R. 5490. A bill to amend title 10, United States Code, to provide for an Office of Air Force Research and enhance research functions of the Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. MARKEY (for himself, Mr. SPENCE, and Mr. NEAL of Massachusetts):

H.R. 5491. A bill to suspend until June 30, 2003, the duty on certain R-core transformers; to the Committee on Ways and Means.

By Ms. MCKINNEY:

H.R. 5492. A bill to require nationals of the United States that employ individuals in a foreign country to provide full transparency and disclosure in all their operations; to the Committee on International Relations.

By Mr. RADANOVICH:

H.R. 5493. A bill to improve the ability of local communities to participate in Federal land management planning conducted by the Forest Service and agencies of the Department of the Interior and to respond to the local impacts of the heavy public use of the

Federal lands administered by these agencies; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RILEY (for himself and Mr. EVERETT):

H.R. 5494. A bill to ensure that certain property which was taken into trust by the United States for the benefit of the Poarch Band of Creek Indians of Alabama to protect such land from development shall not be used for gaming; to the Committee on Resources.

By Mr. SIMPSON (for himself, Mr. KIND, Mr. SHERWOOD, and Mr. PETERSON of Minnesota):

H.R. 5495. A bill to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes; to the Committee on Agriculture.

By Mr. SOUDER:

H.R. 5496. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to authorize the Secretary of the Interior to provide for maintenace and repair of buildings and properties located on lands in the National Wildlife Refuge System by lessees of such facilities, and for other purposes; to the Committee on Resources.

By Mr. WELLER (for himself, Mr. FOLEY, Mr. BECERRA, Mr. MATSUI, Mr. RAMSTAD, Mr. ENGLISH, Mr. ROGAN, Mr. SESSIONS, Mr. SENSENBRENNER, Mr. LEWIS of Georgia, Mr. COYNE, Mrs. MALONEY of New York, Mrs. JONES of Ohio, Mr. WAXMAN, Mr. CONDIT, and Mr. BERMAN):

H.R. 5497. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for certain audio or video postproduction equipment; to the Committee on Ways and Means.

By Mr. EWING:

H.R. 5498. A bill to permit landowners to assert otherwise available State law defenses against real property claims by Indian tribes; to the Committee on Resources.

By Mr. YOUNG of Florida:

H.J. Res. 114. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. HOEKSTRA (for himself, Mr. FRANK of Massachusetts, Mr. COLLINS, and Mrs. MALONEY of New York):

H. Res. 641. A resolution expressing the sense of the House of Representatives that Federal Prison Industries, Inc., should immediately cease taking excess Federal computer equipment and selling such computer equipment and other excess Federal property in the commercial market; to the Committee on the Judiciary.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. RANGEL, and Mrs. MALONEY of New York):

H. Res. 642. A resolution to honor Drs. Eric R. Kandel and Paul Greengard for being awarded the Nobel Prize in Physiology or Medicine for 2000, and for other purposes; to the Committee on Commerce.

¶111.33 ADDITIONAL SPONSORS

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

H.R. 995: Mr. COX.

H.R. 1020: Mr. MURTHA and Mr. LATOURETTE.

H.R. 1396: Mr. BLAGOJEVICH and Mr. MCNULTY.

H.R. 1515: Mr. COYNE.

H.R. 1890: Mr. ANDREWS.

H.R. 2635: Mr. PALLONE.

H.R. 2720: Mr. STRICKLAND.

H.R. 3003: Mr. MCINTYRE.

H.R. 3052: Mr. COX.

H.R. 3202: Mr. ANDREWS.

H.R. 3218: Mr. EHLERS.

H.R. 3463: Mr. ANDREWS.

H.R. 3590: Mr. HEFLEY.

H.R. 3766: Mr. GUTKNECHT.

H.R. 4042: Mr. PALLONE.

H.R. 4127: Mr. COX.

H.R. 4272: Mr. KNOLLENBERG, Ms. BALDWIN, and Mrs. THURMAN.

H.R. 4273: Mr. KNOLLENBERG, Ms. BALDWIN, and Mrs. THURMAN.

H.R. 4277: Mrs. CAPPS and Mr. GEKAS.

H.R. 4412: Ms. CARSON and Ms. WATERS.

H.R. 4467: Mr. GOODLATTE.

H.R. 4471: Mr. PASTOR.

H.R. 4543: Mr. DINGELL, Mr. DEMINT, and Mrs. TAUSCHER.

H.R. 4547: Mr. GOODLATTE.

H.R. 4698: Mr. COX.

H.R. 4723: Mr. DEMINT.

H.R. 4728: Mr. EVANS and Mr. HALL of Texas.

H.R. 4740: Mr. BOEHLERT, Mr. WU, and Mr. HOEFFEL.

H.R. 4773: Mr. KENNEDY of Rhode Island.

H.R. 4825: Mr. SANDERS, Mr. ACKERMAN, Mr. ANDREWS, and Mr. BOUCHER.

H.R. 4887: Ms. VELAZQUEZ, Ms. CARSON and Mr. PAYNE.

H.R. 4971: Mr. WOLF, Mr. WEXLER, and Mrs. FOWLER.

H.R. 4976: Mr. NUSSLE, Ms. BROWN of Florida, Mrs. MCCARTHY of New York, Mr. FOLEY, Mr. TALENT, Mr. BRYANT, Mr. KINGSTON, and Mr. PASTOR.

H.R. 5079: Mr. MINGE.

H.R. 5080: Mrs. LOWEY.

H.R. 5090: Mr. COX.

H.R. 5091: Mr. NORWOOD.

H.R. 5095: Mr. BLUMENAUER.

H.R. 5137: Mr. KUCINICH, Ms. CARSON, and Mr. BLUMENAUER.

H.R. 5247: Mr. WEYGAND.

H.R. 5265: Mr. MCCRERY and Mr. SCARBOROUGH.

H.R. 5344: Mr. COX.

H.R. 5349: Mr. BURR of North Carolina, Mr. FRELINGHUYSEN, Mr. GOODE, Mr. LOBIONDO, Mr. MCINNIS, Mr. MCKEON, Mr. MILLER of Florida, Mr. STEARNS, and Mr. TIAHRT.

H.R. 5361: Mr. KENNEDY of Rhode Island.

H.R. 5401: Mr. GREEN of Texas.

H.R. 5423: Mr. HINOJOSA, Mr. VITTER, and Mr. WALDEN of Oregon.

H.R. 5475: Mr. NADLER.

H.R. 5479: Mr. STARK and Ms. WOOLSEY.

H. Con. Res. 321: Mr. RODRIGUEZ.

H. Con. Res. 337: Mr. PASCRELL, Ms. CARSON, Mr. GEORGE MILLER of California, Mr. GEJDENSON, Ms. RIVERS, and Mr. LATOURETTE.

H. Con. Res. 421: Mr. TANNER, Mr. JENKINS, Mr. DUNCAN, Mr. GORDON, and Mr. FORD.

H. Con. Res. 426: Mr. SIMPSON, Mr. OWENS, Mr. FOLEY, Ms. DEGETTE, Mr. UDALL of Colorado, Mr. SCARBOROUGH, Mr. CAMP, Mr. YOUNG of Alaska, Mr. HALL of Texas, Mr. LAMPSON, Mr. CHAMBLISS, Mr. WAMP, Mr. ADERHOLT, Mrs. MEEK of Florida, Mr. BOYD, Mr. SCHAFFER, Mr. FILNER, Mr. BARCIA, Ms. BROWN of Florida, Mr. TOWNS, Mr. PALLONE, Mr. REYNOLDS, Mrs. MYRICK, Mr. MCGOVERN, Mr. DICKS, Mr. WELDON of Florida, Mrs. NORTHUP, Ms. PRYCE of Ohio, Mr. SOUDER, Mr. BROWN of Ohio, Mr. BAKER, Mr. KLECZKA, Mr. TIERNEY, Mr. PORTER, Mr. LARGENT, and Mr. KASICH.

H. Res. 146: Ms. BALDWIN.

H. Res. 203: Mr. PICKERING.

H. Res. 631: Mr. GREENWOOD, Mr. KENNEDY of Rhode Island, and Mrs. MCCARTHY of New York.

H. Res. 635: Mrs. CAPPS, Mr. PETERSON of Minnesota, Mr. MINGE, Mr. GEORGE MILLER of California, Mrs. TAUSCHER, Mr. ORTIZ, Mr. SISISKY, Ms. WATERS, Ms. PELOSI, Mr. ENGEL, Mr. WEINER, Mr. BURTON of Indiana, Mr. DUNCAN, Mr. FRANKS of New Jersey, Mr. HOUGHTON, Mr. LEWIS of Kentucky, Mr. HALL of Ohio, Mr. PAYNE, Mr. SCOTT, Mr. SKELTON, Mr. ANDREWS, Mr. STARK, Mr. LEWIS of Georgia, Mr. FRANK of Massachusetts, Mr. BALLENGER, Mr. EWING, Mr. WAMP, Mr. CONYERS, Mr. OWENS, Mr. BACA, Mr. PICKETT, Mr. LUTHER, Mrs. MALONEY of New York, Ms. LEE, Mr. SHUSTER, Mr. MARTINEZ, Mr. WATT of North Carolina, Mr. BACHUS, Mr. THOMPSON of Mississippi, Mr. GILLMOR, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. DICKEY, Ms. BALDWIN, Mr. BALDACCI, Mr. CONDIT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOOMEY, Mr. CLEMENT, Ms. JACKSON-LEE of Texas, and Mr. TAYLOR of Mississippi.

THURSDAY, OCTOBER 19, 2000 (112)

¶112.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. OSE, who laid before the House the following communication:

WASHINGTON, DC,
October 19, 2000.

I hereby appoint the Honorable DOUG OSE to act as Speaker pro tempore on this day.

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

¶112.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. OSE, announced he had examined and approved the Journal of the proceedings of Wednesday, October 18, 2000.

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

¶112.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10637. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Citrus Canker; Payments for Commercial Citrus Tree Replacement [Docket No. 00–037–1] (RIN: 0579–AB15) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10638. A communication from the President of the United States, transmitting a request to make available previously appropriated emergency funds for the Department of Defense pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; (H. Doc. No. 106—302); to the Committee on Appropriations and ordered to be printed.

10639. A letter from the Multimedia Systems Manager, Department of the Air Force, Department of Defense, transmitting the Department's final rule—Release, Dissemination, and Sale of Visual Information Materials (RIN: 0701–AA–62) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10640. A letter from the Deputy Chief Counsel, Financial Management Service, Department of the Treasury, transmitting the Department's final rule—Depositaries and Financial Agents of the Government (RIN: 1510–AA75) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10641. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmit-

ting the Department's final rule—Increased Distributions to Owners of Certain HUD-Assisted Multifamily Rental Projects [Docket No. FR–4532–F–01] (RIN: 2502–AH46) received October 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10642. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Multiple Award Contracts (MAC); Governmentwide Agency Contracts (GWAC); and, Federal Supply Schedules (FSS)—received October 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10643. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Mail Services User's Manual—received October 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10644. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—National Environmental Policy Act; Food Contact Substance Notification System; Confirmation of Effective Date [Docket No. 00N–0085] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10645. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Dental Products Devices; Reclassification of Endosseous Dental Implant Accessories [Docket No. 98N–0753] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10646. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Sodium Stearoyl Lactylate [Docket No. 99F–3087] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10647. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Water Heaters, Small Boilers, and Process Heaters; Agreed Orders; Major Stationary Sources of Nitrogen Oxides in the Beaumont/Port Arthur Ozone Nonattainment Area [TX–119–1–7448a; FRL–6886–1] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10648. A letter from the Acting Secretary, Federal Trade Commission, transmitting the Commission's final rule—Rule Concerning Disclosures Reguarding Energy Consumption And Water Use Of Certain Home Appliances And Other Products Required Under The Energy Policy And Conservation Act (''Appliance Labeling Rule'')—received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10649. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued or released in August 2000, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

10650. A letter from the Executive Director, Committee For Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Proposed Additions to and Deletions from Procurement List—received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10651. A letter from the Executive Director, Federal Retirement Thrift Investment Board, transmitting a report on the Annual Inventory of Commercial Activities; to the Committee on Government Reform.

10652. A letter from the Acting Chairman, National Transportation Safety Board, transmitting the National Transportation Safety Board's Strategic Plan for September 2000; to the Committee on Government Reform.

10653. A letter from the Director, Office of Management and Budget, transmitting a copy of the report, ''Agency Compliance with Title II of the Unfunded Mandates Reform Act of 1995,'' pursuant to 2 U.S.C. 1538; to the Committee on Government Reform.

10654. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Managing Senior Executive Performance (RIN: 3206–AI57) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10655. A letter from the President, Republic of the Marshall Islands, transmitting a report Presented to the Congress of the United States of America Regarding Changed Circumstances Arising from the U.S. Nuclear Testing in the Marshall Islands, pursuant to 16 U.S.C. 3233(b); to the Committee on Resources.

10656. A letter from the Assistant Secretary for Policy, Management and Budget, Department of the Interior, transmitting the annual Report of Royalty Management and Delinquent Account Collection Activities FY 1999, pursuant to 30 U.S.C. 237; to the Committee on Resources.

10657. A letter from the Deputy Chief Counsel, Financial Management Service, Department of the Treasury, transmitting the Department's final rule—Acceptance of Bonds Secured by Government Obligations in Lieu of BONDS with Sureties (RIN: 1510–AA77) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10658. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Collateral Acceptability and Valuation (RIN: 1535–AA00) received September 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10659. A letter from the Director, United States Global Change Research Program, transmitting a copy of ''Our Changing Planet: the FY 2001 U.S. Global Change Research Program''; to the Committee on Science.

10660. A letter from the Commissioner, Social Security Administration, transmitting the report of Continuing Disability Reviews for the FY 1999, pursuant to Public Law 104–121, section 103(d)(2) (110 Stat. 850); to the Committee on Ways and Means.

10661. A letter from the Deputy Chief Counsel, Financial Management Service, Department of the Treasury, transmitting the Department's final rule—Payment of Federal Taxes and the Treasury Tax and Loan Program (RIN: 1510–AA76) received September 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10662. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled the ''Supplemental Subsistence Benefit for Certian Members of the Armed Forces''; jointly to the Committees on Armed Services, Ways and Means, and Agriculture.

¶112.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 4132. An Act to reauthorize grants for water resources research and technology institutes established under the Water Resources Research Act of 1984.

H. Con. Res. 404. Concurrent resolution calling for the immediate release of Mr. Edmond Pope from prison in the Russian Federation for humanitarian reasons, and for other purposes.

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

H.R. 1550. An Act to authorize appropriations for the United States Fire Administration for fiscal years 2000 and 2001, and for other purposes.

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

S. 1639. An Act to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977, for the National Weather Service Related Agencies, and for the United States Fire Administration for fiscal years 2000, 2001, and 2002.

S. Con. Res. 146. Concurrent resolution condemning the assassination of Father John Kaiser and others in Kenya, and calling for a thorough investigation to be conducted in those cases, a report on the progress made in such an investigation to be submitted to Congress by December 15, 2000, and a final report on such an investigation to be made public, and for other purposes.

¶112.5 PROVIDING FOR THE CONSIDERATION OF S. 2796

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 639):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes. The bill shall be considered as read for amendment. The amendment in the nature of a substitute printed in the Congressional Record and numbered 2 pursuant to clause 8 of rule XVIII shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit with or without instructions.

SEC. 2. If the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendment to S. 2796 and request a conference with the Senate thereon.

When said resolution was considered.

After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶112.6 WATER RESOURCES DEVELOPMENT

On motion of Mr. SHUSTER, by unanimous consent, the House considered the bill of the Senate (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various project for improvements to rivers and harbors of the United States, and for other purposes.

When said bill was considered and read twice.

Pursuant to House Resolution 639, the following amendment in the nature of a substitute printed in the Congressional Record and numbered 2, was considered as agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 2000''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorization.
Sec. 102. Small projects for flood damage reduction.
Sec. 103. Small project for bank stabilization.
Sec. 104. Small projects for navigation.
Sec. 105. Small project for improvement of the quality of the environment.
Sec. 106. Small projects for aquatic ecosystem restoration.
Sec. 107. Small project for shoreline protection.
Sec. 108. Small project for snagging and sediment removal.
Sec. 109. Petaluma River, Petaluma, California.

TITLE II—GENERAL PROVISIONS

Sec. 201. Cost sharing of certain flood damage reduction projects.
Sec. 202. Harbor cost sharing.
Sec. 203. Nonprofit entities.
Sec. 204. Rehabilitation of Federal flood control levees.
Sec. 205. Flood mitigation and riverine restoration program.
Sec. 206. Tribal partnership program.
Sec. 207. Native American reburial and transfer authority.
Sec. 208. Ability to pay.
Sec. 209. Interagency and international support authority.
Sec. 210. Property protection program.
Sec. 211. Engineering consulting services.
Sec. 212. Beach recreation.
Sec. 213. Performance of specialized or technical services.
Sec. 214. Design-build contracting.
Sec. 215. Independent review pilot program.
Sec. 216. Enhanced public participation.
Sec. 217. Monitoring.
Sec. 218. Reconnaissance studies.
Sec. 219. Fish and wildlife mitigation.
Sec. 220. Wetlands mitigation.
Sec. 221. Credit toward non-Federal share of navigation projects.
Sec. 222. Maximum program expenditures for small flood control projects.
Sec. 223. Feasibility studies and planning, engineering, and design.
Sec. 224. Administrative costs of land conveyances.
Sec. 225. Dam safety.

TITLE III—PROJECT-RELATED PROVISIONS

Sec. 301. Nogales Wash and Tributaries, Nogales, Arizona.
Sec. 302. John Paul Hammerschmidt Visitor Center, Fort Smith, Arkansas.
Sec. 303. Greers Ferry Lake, Arkansas.
Sec. 304. Ten- and Fifteen-Mile Bayous, Arkansas.
Sec. 305. Cache Creek basin, California.
Sec. 306. Larkspur Ferry Channel, Larkspur, California.
Sec. 307. Norco Bluffs, Riverside County, California.
Sec. 308. Sacramento deep water ship channel, California.
Sec. 309. Sacramento River, Glenn-Colusa, California.
Sec. 310. Upper Guadalupe River, California.
Sec. 311. Brevard County, Florida.
Sec. 312. Fernandina Harbor, Florida.
Sec. 313. Tampa Harbor, Florida.
Sec. 314. East Saint Louis and vicinity, Illinois.
Sec. 315. Kaskaskia River, Kaskaskia, Illinois.
Sec. 316. Waukegan Harbor, Illinois.
Sec. 317. Cumberland, Kentucky.
Sec. 318. Lock and Dam 10, Kentucky River, Kentucky.
Sec. 319. Saint Joseph River, South Bend, Indiana.
Sec. 320. Mayfield Creek and tributaries, Kentucky.
Sec. 321. Amite River and tributaries, East Baton Rouge Parish, Louisiana.
Sec. 322. Atchafalaya Basin Floodway System, Louisiana.
Sec. 323. Atchafalaya River, Bayous Chene, Boeuf, and Black Louisiana.
Sec. 324. Red River Waterway, Louisiana.
Sec. 325. Thomaston Harbor, Georges River, Maine.
Sec. 326. Breckenridge, Minnesota.
Sec. 327. Duluth Harbor, Minnesota.
Sec. 328. Little Falls, Minnesota.
Sec. 329. Poplar Island, Maryland.
Sec. 330. Green Brook Sub-Basin, Raritan River basin, New Jersey.
Sec. 331. New York Harbor and adjacent channels, Port Jersey, New Jersey.
Sec. 332. Passaic River basin flood management, New Jersey.
Sec. 333. Times Beach nature preserve, Buffalo, New York.
Sec. 334. Garrison Dam, North Dakota.
Sec. 335. Duck Creek, Ohio.
Sec. 336. Astoria, Columbia River, Oregon.
Sec. 337. Nonconnah Creek, Tennessee and Mississippi.
Sec. 338. Bowie County levee, Texas.
Sec. 339. San Antonio Channel, San Antonio, Texas.
Sec. 340. Buchanan and Dickenson Counties, Virginia.
Sec. 341. Buchanan, Dickenson, and Russell Counties, Virginia.
Sec. 342. Sandbridge Beach, Virginia Beach, Virginia.
Sec. 343. Wallops Island, Virginia.
Sec. 344. Columbia River, Washington.
Sec. 345. Mount St. Helens sediment control, Washington.
Sec. 346. Renton, Washington.
Sec. 347. Greenbrier Basin, West Virginia.
Sec. 348. Lower Mud River, Milton, West Virginia.
Sec. 349. Water quality projects.
Sec. 350. Project reauthorizations.
Sec. 351. Continuation of project authorizations.
Sec. 352. Declaration of nonnavigability for Lake Erie, New York.
Sec. 353. Project deauthorizations.
Sec. 354. Wyoming Valley, Pennsylvania.
Sec. 355. Rehoboth Beach and Dewey Beach, Delaware.

TITLE IV—STUDIES

Sec. 401. Studies of completed projects.
Sec. 402. Watershed and river basin assessments.
Sec. 403. Lower Mississippi River resource assessment.
Sec. 404. Upper Mississippi River basin sediment and nutrient study.
Sec. 405. Upper Mississippi River comprehensive plan.
Sec. 406. Ohio River System.
Sec. 407. Eastern Arkansas.
Sec. 408. Russell, Arkansas.
Sec. 409. Estudillo Canal, San Leandro, California.
Sec. 410. Laguna Creek, Fremont, California.
Sec. 411. Lake Merritt, Oakland, California.
Sec. 412. Lancaster, California.
Sec. 413. Napa County, California.
Sec. 414. Oceanside, California.
Sec. 415. Suisun Marsh, California.
Sec. 416. Lake Allatoona Watershed, Georgia.
Sec. 417. Chicago River, Chicago, Illinois.
Sec. 418. Chicago sanitary and ship canal system, Chicago, Illinois.
Sec. 419. Long Lake, Indiana.
Sec. 420. Brush and Rock Creeks, Mission Hills and Fairway, Kansas.
Sec. 421. Coastal areas of Louisiana.
Sec. 422. Iberia Port, Louisiana.
Sec. 423. Lake Pontchartrain seawall, Louisiana.
Sec. 424. Lower Atchafalaya basin, Louisiana.
Sec. 425. St. John the Baptist Parish, Louisiana.
Sec. 426. Las Vegas Valley, Nevada.
Sec. 427. Southwest Valley, Albuquerque, New Mexico.
Sec. 428. Buffalo Harbor, Buffalo, New York.
Sec. 429. Hudson River, Manhattan, New York.
Sec. 430. Jamesville Reservoir, Onondaga County, New York.
Sec. 431. Steubenviille, Ohio.
Sec. 432. Grand Lake, Oklahoma.
Sec. 433. Columbia Slough, Oregon.
Sec. 434. Reedy River, Greenville, South Carolina.
Sec. 435. Germantown, Tennessee.
Sec. 436. Houston ship channel, Galveston, Texas.
Sec. 437. Park City, Utah.
Sec. 438. Milwaukee, Wisconsin.
Sec. 439. Upper Des Plaines River and tributaries, Illinois and Wisconsin.
Sec. 440. Delaware River watershed.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Bridgeport, Alabama.
Sec. 502. Duck River, Cullman, Alabama.
Sec. 503. Seward, Alaska.
Sec. 504. Augusta and Devalls Bluff, Arkansas.
Sec. 505. Beaver Lake, Arkansas.
Sec. 506. McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma.
Sec. 507. Calfed Bay Delta program assistance, California.
Sec. 508. Clear Lake basin, California.
Sec. 509. Contra Costa Canal, Oakley and Knightsen, California.
Sec. 510. Huntington Beach, California.
Sec. 511. Mallard Slough, Pittsburg, California.
Sec. 512. Penn Mine, Calaveras County, California.
Sec. 513. Port of San Francisco, California.
Sec. 514. San Gabriel basin, California.
Sec. 515. Stockton, California.
Sec. 516. Port Everglades, Florida.
Sec. 517. Florida Keys water quality improvements.
Sec. 518. Ballard's Island, La Salle County, Illinois.
Sec. 519. Lake Michigan Diversion, Illinois.
Sec. 520. Koontz Lake, Indiana.
Sec. 521. Campbellsville Lake, Kentucky.
Sec. 522. West View Shores, Cecil County, Maryland.
Sec. 523. Conservation of fish and wildlife, Chesapeake Bay, Maryland and Virginia.

Sec. 524. Muddy River, Brookline and Boston, Massachusetts.
Sec. 525. Soo Locks, Sault Ste. Marie, Michigan.
Sec. 526. Duluth, Minnesota, alternative technology project.
Sec. 527. Minneapolis, Minnesota.
Sec. 528. St. Louis County, Minnesota.
Sec. 529. Wild Rice River, Minnesota.
Sec. 530. Coastal Mississippi wetlands restoration projects.
Sec. 531. Missouri River Valley improvements.
Sec. 532. New Madrid County, Missouri.
Sec. 533. Pemiscot County, Missouri.
Sec. 534. Las Vegas, Nevada.
Sec. 535. Newark, New Jersey.
Sec. 536. Urbanized peak flood management research, New Jersey.
Sec. 537. Black Rock Canal, Buffalo, New York.
Sec. 538. Hamburg, New York.
Sec. 539. Nepperhan River, Yonkers, New York.
Sec. 540. Rochester, New York.
Sec. 541. Upper Mohawk River basin, New York.
Sec. 542. Eastern North Carolina flood protection.
Sec. 543. Cuyahoga River, Ohio.
Sec. 544. Crowder Point, Crowder, Oklahoma.
Sec. 545. Oklahoma-tribal commission.
Sec. 546. Columbia River, Oregon and Washington.
Sec. 547. John Day Pool, Oregon and Washington.
Sec. 548. Lower Columbia River and Tillamook Bay estuary program, Oregon and Washington.
Sec. 549. Skinner Butte Park, Eugene, Oregon.
Sec. 550. Willamette River basin, Oregon.
Sec. 551. Lackawanna River, Pennsylvania.
Sec. 552. Philadelphia, Pennsylvania.
Sec. 553. Access improvements, Raystown Lake, Pennsylvania.
Sec. 554. Upper Susquehanna River basin, Pennsylvania and New York.
Sec. 555. Chickamauga Lock, Chattanooga, Tennessee.
Sec. 556. Joe Pool Lake, Texas.
Sec. 557. Benson Beach, Fort Canby State Park, Washington.
Sec. 558. Puget Sound and adjacent waters restoration, Washington.
Sec. 559. Shoalwater Bay Indian Tribe, Willapa Bay, Washington.
Sec. 560. Wynoochee Lake, Wynoochee River, Washington.
Sec. 561. Snohomish River, Washington.
Sec. 562. Bluestone, West Virginia.
Sec. 563. Lesage/Greenbottom Swamp, West Virginia.
Sec. 564. Tug Fork River, West Virginia.
Sec. 565. Virginia Point Riverfront Park, West Virginia.
Sec. 566. Southern West Virginia.
Sec. 567. Fox River system, Wisconsin.
Sec. 568. Surfside/Sunset and Newport Beach, California.
Sec. 569. Illinois River basin restoration.
Sec. 570. Great Lakes.
Sec. 571. Great Lakes remedial action plans and sediment remediation.
Sec. 572. Great Lakes dredging levels adjustment.
Sec. 573. Dredged material recyling.
Sec. 574. Watershed management, restoration, and development.
Sec. 575. Maintenance of navigation channels.
Sec. 576. Support of Army civil works program.
Sec. 577. National recreation reservation service.
Sec. 578. Hydrographic survey.
Sec. 579. Lakes program.
Sec. 580. Perchlorate.
Sec. 581. Abandoned and inactive noncoal mine restoration.
Sec. 582. Release of use restriction.
Sec. 583. Comprehensive environmental resources protection.
Sec. 584. Modification of authorizations for environmental projects.
Sec. 585. Land transfers.
Sec. 586. Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness, Minnesota.
Sec. 587. Waurika Lake, Oklahoma.
Sec. 588. Columbia River Treaty fishing access.
Sec. 589. Devils Lake, North Dakota.

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION

Sec. 601. Comprehensive Everglades restoration plan.
Sec. 602. Sense of Congress concerning Homestead Air Force Base.

TITLE VIII—MISSOURI RIVER RESTORATION

Sec. 701. Definitions.
Sec. 702. Missouri River Trust.
Sec. 703. Missouri River Task Force.
Sec. 704. Administration.
Sec. 705. Authorization of appropriations.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Army.

TITLE I—WATER RESOURCES PROJECTS

SEC. 101. PROJECT AUTHORIZATION.

(a) PROJECTS WITH CHIEF'S REPORTS.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this subsection:

(1) BARNEGAT INLET TO LITTLE EGG INLET, NEW JERSEY.—The project for hurricane and storm damage reduction, Barnegat Inlet to Little Egg Inlet, New Jersey: Report of the Chief of Engineers dated July 26, 2000, at a total cost of $51,203,000, with an estimated Federal cost of $33,282,000 and an estimated non-Federal cost of $17,921,000.

(2) PORT OF NEW YORK AND NEW JERSEY, NEW YORK AND NEW JERSEY.—

(A) IN GENERAL.—The project for navigation, Port of New York and New Jersey, New York and New Jersey: Report of the Chief of Engineers dated May 2, 2000, at a total cost of $1,781,235,000, with an estimated Federal cost of $738,631,000 and an estimated non-Federal cost of $1,042,604,000.

(B) CREDIT.—The Secretary may provide the non-Federal interests credit toward cash contributions required—

(i) before, during, and after construction for planning, engineering and design, and construction management work that is performed by the non-Federal interests and that the Secretary determines is necessary to implement the project; and

(ii) during and after construction for the costs of the construction that the non-Federal interests carry out on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

(b) PROJECTS SUBJECT TO FINAL REPORT.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject the conditions, recommended in a final report of the Chief of Engineers if a favorable report of the Chief is completed not later than December 31, 2000:

(1) FALSE PASS HARBOR, ALASKA.—The project for navigation, False Pass Harbor, Alaska, at a total cost of $15,164,000, with an estimated Federal cost of $8,238,000 and an estimated non-Federal cost of $6,926,000.

(2) UNALASKA HARBOR, ALASKA.—The project for navigation, Unalska Harbor, Alaska, at a total cost of $20,000,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $8,000,000.

(3) RIO DE FLAG, FLAGSTAFF, ARIZONA.—The project for flood damage reduction, Rio de Flag, Flagstaff, Arizona, at a total cost of $24,072,000, with an estimated Federal cost of $15,576,000 and an estimated non-Federal cost of $8,496,000.

(4) TRES RIOS, ARIZONA.—The project ecosystem restoration, Tres Rios, Arizona, at a total cost of $99,320,000, with an estimated Federal cost of $62,755,000 and an estimated non-Federal cost of $36,565,000.

(5) LOS ANGELES HARBOR, CALIFORNIA.—The project for navigation, Los Angeles Harbor, California, at a total cost of $153,313,000, with an estimated Federal cost of $43,735,000 and an estimated non-Federal cost of $109,578,000.

(6) MURRIETTA CREEK, CALIFORNIA.—The project for flood damage reduction and ecosystem restoration, Murrietta Creek, California, described as alternative 6, based on the District Engineer's Murrietta Creek feasibility report and environmental impact statement dated October 2000, at a total cost of $89,850,000, with an estimated Federal cost of $57,735,000 and an estimated non-Federal cost of $32,115,000. The locally preferred plan described as alternative 6 shall be treated as a final favorable report of the Chief Engineer's for purposes of this subsection.

(7) SANTA BARBARA STREAMS, LOWER MISSION CREEK, CALIFORNIA.—The project for flood damage reduction, Santa Barbara streams, Lower Mission Creek, California, at a total cost of $18,300,000, with an estimated Federal cost of $9,200,000 and an estimated non-Federal cost of $9,100,000.

(8) UPPER NEWPORT BAY, CALIFORNIA.—The project for ecosystem restoration, Upper Newport Bay, California, at a total cost of $32,475,000, with an estimated Federal cost of $21,109,000 and an estimated non-Federal cost of $11,366,000.

(9) WHITEWATER RIVER BASIN, CALIFORNIA.—The project for flood damage reduction, Whitewater River basin, California, at a total cost of $27,570,000, with an estimated Federal cost of $17,920,000 and an estimated non-Federal cost of $9,650,000.

(10) DELAWARE COAST FROM CAPE HENLOPEN TO FENWICK ISLAND.—The project for hurricane and storm damage reduction, Delaware Coast from Cape Henlopen to Fenwick Island, at a total cost of $5,633,000, with an estimated Federal cost of $3,661,000 and an estimated non-Federal cost of $1,972,000.

(11) PORT SUTTON, FLORIDA.—The project for navigation, Port Sutton, Florida, at a total cost of $6,000,000, with an estimated Federal cost of $4,000,000 and an estimated non-Federal cost of $2,000,000.

(12) BARBERS POINT HARBOR, HAWAII.—The project for navigation, Barbers Point Harbor, Hawaii, at a total cost of $30,003,000, with an estimated Federal cost of $18,524,000 and an estimated non-Federal cost of $11,479,000.

(13) JOHN MYERS LOCK AND DAM, INDIANA AND KENTUCKY.—The project for navigation, John Myers Lock and Dam, Indiana and Kentucky, at a total cost of $182,000,000. The costs of construction of the project shall be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(14) GREENUP LOCK AND DAM, KENTUCKY AND OHIO.—The project for navigation, Greenup Lock and Dam, Kentucky and Ohio, at a total cost of $175,000,000. The costs of construction of the project shall be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(15) OHIO RIVER MAINSTEM, KENTUCKY, ILLINOIS, INDIANA, OHIO, PENNSYLVANIA, AND WEST VIRGINIA.—Projects for ecosystem restora-

tion, Ohio River Mainstem, Kentucky, Illinois, Indiana, Ohio, Pennsylvania, and West Virginia, at a total cost of $307,700,000, with an estimated Federal cost of $200,000,000 and an estimated non-Federal cost of $107,700,000.

(16) MONARCH-CHESTERFIELD, MISSOURI.—The project for flood damage reduction, Monarch-Chesterfield, Missouri, at a total cost of $67,700,000, with an estimated Federal cost of $44,000,000 and an estimated non-Federal cost of $23,700,000.

(17) ANTELOPE CREEK, LINCOLN, NEBRASKA.—The project for flood damage reduction, Antelope Creek, Lincoln, Nebraska, at a total cost of $49,788,000, with an estimated Federal cost of $24,894,000 and an estimated non-Federal cost of $24,894,000.

(18) SAND CREEK WATERSHED, WAHOO, NEBRASKA.—The project for ecosystem restoration and flood damage reduction, Sand Creek watershed, Wahoo, Nebraska, at a total cost of $29,212,000, with an estimated Federal cost of $17,586,000 and an estimated non-Federal cost of $11,626,000.

(19) WESTERN SARPY AND CLEAR CREEK, NEBRASKA.—The project for flood damage reduction, Western Sarpy and Clear Creek, Nebraska, at a total cost of $20,600,000, with an estimated Federal cost of $13,390,000 and an estimated non-Federal cost of $7,210,000.

(20) RARITAN BAY AND SANDY HOOK BAY, CLIFFWOOD BEACH, NEW JERSEY.—The project for hurricane and storm damage reduction, Raritan Bay and Sandy Hook Bay, Cliffwood Beach, New Jersey, at a total cost of $5,219,000, with an estimated Federal cost of $3,392,000 and an estimated non-Federal cost of $1,827,000.

(21) RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NEW JERSEY.—The project for hurricane and storm damage reduction, Raritan Bay and Sandy Hook Bay, Port Monmouth, New Jersey, at a total cost of $32,064,000, with an estimated Federal cost of $20,842,000 and an estimated non-Federal cost of $11,222,000.

(22) DARE COUNTY BEACHES, NORTH CAROLINA.—The project for hurricane and storm damage reduction, Dare County beaches, North Carolina, at a total cost of $69,518,000, with an estimated Federal cost of $49,846,000 and an estimated non-Federal cost of $19,672,000.

(23) WOLF RIVER, TENNESSEE.—The project for ecosystem restoration, Wolf River, Tennessee, at a total cost of $10,933,000, with an estimated Federal cost of $7,106,000 and an estimated non-Federal cost of $3,827,000.

(24) DUWAMISH/GREEN, WASHINGTON.—The project for ecosystem restoration, Duwamish/Green, Washington, at a total cost of $115,879,000, with an estimated Federal cost of $75,322,000 and an estimated non-Federal cost of $40,557,000.

(25) STILLAGUMAISH RIVER BASIN, WASHINGTON.—The project for ecosystem restoration, Stillagumaish River basin, Washington, at a total cost of $24,223,000, with an estimated Federal cost of $16,097,000 and an estimated non-Federal cost of $8,126,000.

(26) JACKSON HOLE, WYOMING.—The project for ecosystem restoration, Jackson Hole, Wyoming, at a total cost of $52,242,000, with an estimated Federal cost of $33,957,000 and an estimated non-Federal cost of $18,285,000.

SEC. 102. SMALL PROJECTS FOR FLOOD DAMAGE REDUCTION.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s):

(1) BUFFALO ISLAND, ARKANSAS.—Project for flood damage reduction, Buffalo Island, Arkansas.

(2) ANAVERDE CREEK, PALMDALE, CALIFORNIA.—Project for flood damage reduction, Anaverde Creek, Palmdale, California.

(3) CASTAIC CREEK, OLD ROAD BRIDGE, SANTA CLARITA, CALIFORNIA.—Project for flood damage reduction, Castaic Creek, Old Road bridge, Santa Clarita, California.

(4) SANTA CLARA RIVER, OLD ROAD BRIDGE, SANTA CLARITA, CALIFORNIA.—Project for flood damage reduction, Santa Clara River, Old Road bridge, Santa Clarita, California.

(5) COLUMBIA LEVEE, COLUMBIA, ILLINOIS.—Project for flood damage reduction, Columbia Levee, Columbia, Illinois.

(6) EAST-WEST CREEK, RIVERTON, ILLINOIS.—Project for flood damage reduction, East-West Creek, Riverton, Illinois.

(7) PRAIRIE DU PONT, ILLINOIS.—Project for flood damage reduction, Prairie Du Pont, Illinois.

(8) MONROE COUNTY, ILLINOIS.—Project for flood damage reduction, Monroe County, Illinois.

(9) WILLOW CREEK, MEREDOSIA, ILLINOIS.—Project for flood damage reduction, Willow Creek, Meredosia, Illinois.

(10) DYKES BRANCH CHANNEL, LEAWOOD, KANSAS.—Project for flood damage reduction, Dykes Branch channel improvements, Leawood, Kansas.

(11) DYKES BRANCH TRIBUTARIES, LEAWOOD, KANSAS.—Project for flood damage reduction, Dykes Branch tributary improvements, Leawood, Kansas.

(12) KENTUCKY RIVER, FRANKFORT, KENTUCKY.—Project for flood damage reduction, Kentucky River, Frankfort, Kentucky.

(13) LAKES MAUREPAS AND PONTCHARTRAIN CANALS, ST. JOHN THE BAPTIST PARISH, LOUISIANA.—Project for flood damage reduction, Lakes Maurepas and Pontchartrain Canals, St. John the Baptist Parish, Louisiana.

(14) PENNSVILLE TOWNSHIP, SALEM COUNTY, NEW JERSEY.—The project for flood damage reduction, Pennsville Township, Salem County, New Jersey.

(15) HEMPSTEAD, NEW YORK.—Project for flood damage reduction, Hempstead, New York.

(16) HIGHLAND BROOK, HIGHLAND FALLS, NEW YORK.—Project for flood damage reduction, Highland Brook, Highland Falls, New York.

(17) LAFAYETTE TOWNSHIP, OHIO.—Project for flood damage reduction, Lafayette Township, Ohio.

(18) WEST LAFAYETTE, OHIO.—Project for flood damage reduction, West LaFayette, Ohio.

(19) BEAR CREEK AND TRIBUTARIES, MEDFORD, OREGON.—Project for flood damage reduction, Bear Creek and tributaries, Medford, Oregon.

(20) DELAWARE CANAL AND BROCK CREEK, YARDLEY BOROUGH, PENNSYLVANIA.—Project for flood damage reduction, Delaware Canal and Brock Creek, Yardley Borough, Pennsylvania.

(21) FIRST CREEK, FOUNTAIN CITY, KNOXVILLE, TENNESSEE.—Project for flood damage reduction, First Creek, Fountain City, Knoxville, Tennessee.

(22) MISSISSIPPI RIVER, RIDGELY, TENNESSEE.—Project for flood damage reduction, Mississippi River, Ridgely, Tennessee.

(b) MAGPIE CREEK, SACRAMENTO COUNTY, CALIFORNIA.—In formulating the project for Magpie Creek, California, authorized by section 102(a)(4) of the Water Resources Development Act of 1999 (113 Stat. 281) to be carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary shall consider benefits from the full utilization of existing improvements at McClellan Air Force Base that would result from the project after conversion of the base to civilian use.

SEC. 103. SMALL PROJECTS FOR BANK STABILIZATION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r):

(1) MAUMEE RIVER, FORT WAYNE, INDIANA.—Project for bank stabilization, Maumee River, Fort Wayne, Indiana.

(2) BAYOU SORRELL, IBERVILLE PARISH, LOUISIANA.—Project for bank stabilization, Bayou Sorrell, Iberville Parish, Louisiana.

SEC. 104. SMALL PROJECTS FOR NAVIGATION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577):

(1) WHITTIER, ALASKA.—Project for navigation, Whittier, Alaska.

(2) CAPE CORAL, FLORIDA.—Project for navigation, Cape Coral, Florida.

(3) EAST TWO LAKES, TOWER, MINNESOTA.—Project for navigation, East Two Lakes, Tower, Minnesota.

(4) ERIE BASIN MARINA, BUFFALO, NEW YORK.—Project for navigation, Erie Basin marina, Buffalo, New York.

(5) LAKE MICHIGAN, LAKESHORE STATE PARK, MILWAUKEE, WISCONSIN.—Project for navigation, Lake Michigan, Lakeshore State Park, Milwaukee, Wisconsin.

(6) SAXON HARBOR, FRANCIS, WISCONSIN.—Project for navigation, Saxon Harbor, Francis, Wisconsin.

SEC. 105. SMALL PROJECT FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

The Secretary shall conduct a study for a project for improvement of the quality of the environment, Nahant Marsh, Davenport, Iowa, and, if the Secretary determines that the project is appropriate, may carry out the project under section 1135(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(a)).

SEC. 106. SMALL PROJECTS FOR AQUATIC ECOSYSTEM RESTORATION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330):

(1) ARKANSAS RIVER, PUEBLO, COLORADO.—Project for aquatic ecosystem restoration, Arkansas River, Pueblo, Colorado.

(2) HAYDEN DIVERSION PROJECT, YAMPA RIVER, COLORADO.—Project for aquatic ecosystem restoration, Hayden Diversion Project, Yampa River, Colorado.

(3) LITTLE ECONLOCKHATCHEE RIVER BASIN, FLORIDA.—Project for aquatic ecosystem restoration, Little Econlockhatchee River basin, Florida.

(4) LOXAHATCHEE SLOUGH, PALM BEACH COUNTY, FLORIDA.—Project for aquatic ecosystem restoration, Loxahatchee Slough, Palm Beach County, Florida.

(5) STEVENSON CREEK ESTUARY, FLORIDA.—Project for aquatic ecosystem restoration, Stevenson Creek estuary, Florida.

(6) CHOUTEAU ISLAND, MADISON COUNTY, ILLINOIS.—Project for aquatic ecosystem restoration, Chouteau Island, Madison County, Illinois.

(7) SAGINAW BAY, BAY CITY, MICHIGAN.—Project for aquatic ecosystem restoration, Saginaw Bay, Bay City, Michigan.

(8) RAINWATER BASIN, NEBRASKA.—Project for aquatic ecosystem restoration, Rainwater Basin, Nebraska.

(9) CAZENOVIA LAKE, MADISON COUNTY, NEW YORK.—Project for aquatic ecosystem restoration, Cazenovia Lake, Madison County, New York, including efforts to address aquatic invasive plant species.

(10) CHENANGO LAKE, CHENANGO COUNTY, NEW YORK.—Project for aquatic ecosystem restoration, Chenango Lake, Chenango County, New York, including efforts to address aquatic invasive plant species.

(11) EAGLE LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Eagle Lake, New York.

(12) OSSINING, NEW YORK.—Project for aquatic ecosystem restoration, Ossining, New York.

(13) SARATOGA LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Saratoga Lake, New York.

(14) SCHROON LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Schroon Lake, New York.

(15) MIDDLE CUYAHOGA RIVER.—Project for aquatic ecosystem restoration, Middle Cuyahoga River, Kent, Ohio.

(16) CENTRAL AMAZON CREEK, EUGENE, OREGON.—Project for aquatic ecosystem restoration, Central Amazon Creek, Eugene, Oregon.

(17) EUGENE MILLRACE, EUGENE, OREGON.—Project for aquatic ecosystem restoration, Eugene Millrace, Eugene, Oregon.

(18) LONE PINE AND LAZY CREEKS, MEDFORD, OREGON.—Project for aquatic ecosystem restoration, Lone Pine and Lazy Creeks, Medford, Oregon.

(19) TULLYTOWN BOROUGH, PENNSYLVANIA.—Project for aquatic ecosystem restoration, Tullytown Borough, Pennsylvania.

SEC. 107. SMALL PROJECT FOR SHORELINE PROTECTION.

The Secretary shall conduct a study for a project for shoreline protection, Hudson River, Dutchess County, New York, and, if the Secretary determines that the project is feasible, may carry out the project under section 3 of the Act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property'', approved August 13, 1946 (33 U.S.C. 426g; 60 Stat. 1056).

SEC. 108. SMALL PROJECT FOR SNAGGING AND SEDIMENT REMOVAL.

The Secretary shall conduct a study for a project for clearing, snagging, and sediment removal, Sangamon River and tributaries, Riverton, Illinois. If the Secretary determines that the project is feasible, the Secretary may carry out the project under section 2 of the Flood Control Act of August 28, 1937 (50 Stat. 177).

SEC. 109. PETALUMA RIVER, PETALUMA, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall carry out the Petaluma River project, at the city of Petaluma, Sonoma County, California, to provide a 100-year level of flood protection to the city in accordance with the detailed project report of the San Francisco District Engineer, dated March 1995, at a total cost of $32,227,000.

(b) COST SHARING.—Cost sharing for the project shall be determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)), as in effect on October 11, 1996.

(c) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal sponsor for any project costs that the non-Federal sponsor has incurred in excess of the non-Federal share of project costs, regardless of the date such costs were incurred.

TITLE II—GENERAL PROVISIONS

SEC. 201. COST SHARING OF CERTAIN FLOOD DAMAGE REDUCTION PROJECTS.

Section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213) is amended by adding at the end the following:

''(n) LEVEL OF FLOOD PROTECTION.—If the Secretary determines that it is technically sound, environmentally acceptable, and economically justified, to construct a flood control project for an area using an alternative that will afford a level of flood protection sufficient for the area not to qualify as an area having special flood hazards for the purposes of the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Secretary, at the request of the non-Federal interest, shall recommend the project using the alternative. The non-Federal share of the cost of the project assigned to providing the minimum amount of flood protection required for the area not to qualify as an area having special flood hazards shall be determined under subsections (a) and (b).''.

SEC. 202. HARBOR COST SHARING.

(a) IN GENERAL.—Sections 101 and 214 of the Water Resources Development Act of 1986 (33 U.S.C. 2211 and 2241; 100 Stat. 4082–4084 and 4108–4109) are each amended by striking ''45 feet'' each place it appears and inserting ''53 feet''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply only to a project, or separable element of a project, on which a contract for physical construction has not been awarded before the date of enactment of this Act.

SEC. 203. NONPROFIT ENTITIES.

(a) ENVIRONMENTAL DREDGING.—Section 312 of the Water Resources Development Act of 1990 (33 U.S.C. 1272) is amended by adding at the end the following:

''(g) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal sponsor for any project carried out under this section may include a nonprofit entity, with the consent of the affected local government.''.

(b) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) is amended by redesignating subsection (e) as subsection (f) and by inserting after subsection (d) the following:

''(e) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal sponsor for any project carried out under this section may include a nonprofit entity, with the consent of the affected local government.''.

(c) LAKES PROGRAM.—Section 602 of the Water Resources Development Act of 1986 (100 Stat. 4148–4149) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following:

''(d) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal sponsor for any project carried out under this section may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 204. REHABILITATION OF FEDERAL FLOOD CONTROL LEVEES.

Section 110(e) of the Water Resources Development Act of 1990 (104 Stat. 4622) is amended by striking ''1992,'' and all that follows through ''1996'' and inserting ''2001 through 2005''.

SEC. 205. FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM.

Section 212(e) of the Water Resources Development Act of 1999 (33 U.S.C. 2332(e)) is amended—

(1) by striking ''and'' at the end of paragraph (22);

(2) by striking the period at end of paragraph (23) and inserting a semicolon;

(3) by adding at the end the following:

''(24) Lester, St. Louis, East Savanna, and Floodwood Rivers, Duluth, Minnesota;

''(25) Lower Hudson River and tributaries, New York;

''(26) Susquehanna River watershed, Bradford County, Pennsylvania; and

''(27) Clear Creek, Harris, Galveston, and Brazoria Counties, Texas.''.

SEC. 206. TRIBAL PARTNERSHIP PROGRAM.

(a) IN GENERAL.—The Secretary is authorized, in cooperation with Indian tribes and other Federal agencies, to study and determine the feasibility of implementing water resources development projects that will substantially benefit Indian tribes, and are located primarily within Indian country (as defined in section 1151 of title 18, United States Code), or in proximity to an Alaska Native village (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)).

(b) CONSULTATION AND COORDINATION.—The Secretary shall consult with the Secretary of the Interior on studies conducted under this section.

(c) CREDITS.—For any study conducted under this section, the Secretary may provide credit to the Indian tribe for services, studies, supplies, and other in-kind consideration where the Secretary determines that such services, studies, supplies, and other in-kind consideration will facilitate completion of the study. In no event shall such credit exceed the Indian tribe's required share of the cost of the study.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2002 through 2006. Not more than $1,000,000 appropriated to carry out this section for a fiscal year may be used to substantially benefit any one Indian tribe.

(e) INDIAN TRIBE DEFINED.—In this section, the term ''Indian tribe'' means any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

SEC. 207. NATIVE AMERICAN REBURIAL AND TRANSFER AUTHORITY.

(a) IN GENERAL.—The Secretary, in consultation with appropriate Indian tribes, may identify and set aside land at civil works projects managed by the Secretary for use as a cemetery for the remains of Native Americans that have been discovered on project lands and that have been rightfully claimed by a lineal descendant or Indian tribe in accordance with applicable Federal law. The Secretary, in consultation with and with the consent of the lineal descendant or Indian tribe, may recover and rebury the remains at such cemetery at Federal expense.

(b) TRANSFER AUTHORITY.—Notwithstanding any other provision of law, the Secretary may transfer to an Indian tribe land identified and set aside by the Secretary under subsection (a) for use as a cemetery. The Secretary shall retain any necessary rights-of-way, easements, or other property interests that the Secretary determines necessary to carry out the purpose of the project.

(c) DEFINITIONS.—In this section, the terms ''Indian tribe'' and ''Native American'' have the meaning such terms have under section 2 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001).

SEC. 208. ABILITY TO PAY.

Section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—Any cost-sharing agreement under this section for construction of an environmental protection and restoration, flood control, or agricultural water supply project shall be subject to the ability of a non-Federal interest to pay.

''(2) CRITERIA AND PROCEDURES.—The ability of a non-Federal interest to pay shall be determined by the Secretary in accordance with criteria and procedures in effect under paragraph (3) on the day before the date of enactment of the Water Resources Development Act of 2000; except that such criteria and procedures shall be revised, and new cri-

teria and procedures shall be developed, within 180 days after such date of enactment to reflect the requirements of such paragraph (3).''; and

(2) in paragraph (3)—

(A) by inserting ''and'' after the semicolon at the end of subparagraph (A)(ii);

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B).

SEC. 209. INTERAGENCY AND INTERNATIONAL SUPPORT AUTHORITY.

The first sentence of section 234(d) of the Water Resources Development Act of 1996 (33 U.S.C. 2323a(d)) is amended to read as follows: ''There is authorized to be appropriated to carry out this section $250,000 per fiscal year for fiscal years beginning after September 30, 2000.''.

SEC. 210. PROPERTY PROTECTION PROGRAM.

(a) IN GENERAL.—The Secretary is authorized to implement a program to reduce vandalism and destruction of property at water resources development projects under the jurisdiction of the Department of the Army. In carrying out the program, the Secretary may provide rewards to individuals who provide information or evidence leading to the arrest and prosecution of individuals causing damage to Federal property, including the payment of cash rewards.

(b) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the program.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000 per fiscal year for fiscal years beginning after September 30, 2000.

SEC. 211. ENGINEERING CONSULTING SERVICES.

In conducting a feasibility study for a water resources project, the Secretary, to the maximum extent practicable, should not employ a person for engineering and consulting services if the same person is also employed by the non-Federal interest for such services unless there is only 1 qualified and responsive bidder for such services.

SEC. 212. BEACH RECREATION.

(a) IN GENERAL.—In studying the feasibility of and making recommendations concerning potential beach restoration projects, the Secretary may not implement any policy that has the effect of disadvantaging any such project solely because 50 percent or more of its benefits are recreational in nature.

(b) PROCEDURES FOR CONSIDERATION AND REPORTING OF BENEFITS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop and implement procedures to ensure that all of the benefits of a beach restoration project, including those benefits attributable to recreation, hurricane and storm damage reduction, and environmental protection and restoration, are adequately considered and displayed in reports for such projects.

SEC. 213. PERFORMANCE OF SPECIALIZED OR TECHNICAL SERVICES.

(a) IN GENERAL.—Before entering into an agreement to perform specialized or technical services for a State (including the District of Columbia), a territory, or a local government of a State or territory under section 6505 of title 31, United States Code, the Secretary shall certify that—

(1) the services requested are not reasonably and expeditiously available through ordinary business channels; and

(2) the Corps of Engineers is especially equipped to perform such services.

(b) SUPPORTING MATERIALS.—The Secretary shall develop materials supporting such certification under subsection (a).

(c) ANNUAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than December 31 of each calendar year, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the requests described in subsection (a) that the Secretary received during such calendar year.

(2) CONTENTS.—With respect to each request, the report transmitted under paragraph (1) shall include a copy of the certification and supporting materials developed under this section and information on each of the following:

(A) The scope of services requested.

(B) The status of the request.

(C) The estimated and final cost of the requested services.

(D) Each district and division office of the Corps of Engineers that has supplied or will supply the requested services.

(E) The number of personnel of the Corps of Engineers that have performed or will perform any of the requested services.

(F) The status of any reimbursement.

SEC. 214. DESIGN-BUILD CONTRACTING.

(a) PILOT PROGRAM.—The Secretary may conduct a pilot program consisting of not more than 5 projects to test the design-build method of project delivery on various civil engineering projects of the Corps of Engineers, including levees, pumping plants, revetments, dikes, dredging, weirs, dams, retaining walls, generation facilities, mattress laying, recreation facilities, and other water resources facilities.

(b) DESIGN-BUILD DEFINED.—In this section, the term ''design-build'' means an agreement between the Federal Government and a contractor that provides for both the design and construction of a project by a single contract.

(c) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall report on the results of the pilot program.

SEC. 215. INDEPENDENT REVIEW PILOT PROGRAM.

Title IX of the Water Resources Development Act of 1986 (100 Stat. 4183 et seq.) is amended by adding at the end the following:

''SEC. 952. INDEPENDENT REVIEW PILOT PROGRAM.

''(a) PROJECTS SUBJECT TO INDEPENDENT REVIEW.—The Secretary shall undertake a pilot program in fiscal years 2001 through 2003 to determine the practicality and efficacy of having feasibility reports of the Corps of Engineers for eligible projects reviewed by an independent panel of experts. The pilot program shall be limited to the establishment of panels for not to exceed 5 eligible projects.

''(b) ESTABLISHMENT OF PANELS.—

''(1) IN GENERAL.—The Secretary shall establish a panel of experts for an eligible project under this section upon identification of a preferred alternative in the development of the feasibility report.

''(2) MEMBERSHIP.—A panel established under this section shall be composed of not less than 5 and not more than 9 independent experts who represent a balance of areas of expertise, including biologists, engineers, and economists.

''(3) LIMITATION ON APPOINTMENTS.—The Secretary shall not appoint an individual to serve on a panel of experts for a project under this section if the individual has a financial interest in the project or has with any organization a professional relationship that the Secretary determines may constitute a conflict of interest or the appearance of impropriety.

''(4) CONSULTATION.—The Secretary shall consult the National Academy of Sciences in developing lists of individuals to serve on panels of experts under this section.

''(5) COMPENSATION.—An individual serving on a panel of experts under this section may not be compensated but may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

''(c) DUTIES OF PANELS.—A panel of experts established for a project under this section shall—

''(1) review feasibility reports prepared for the project after the identification of a preferred alternative;

''(2) receive written and oral comments of a technical nature concerning the project from the public; and

''(3) transmit to the Secretary an evaluation containing the panel's economic, engineering, and environmental analyses of the project, including the panel's conclusions on the feasibility report, with particular emphasis on areas of public controversy.

''(d) DURATION OF PROJECT REVIEWS.—A panel of experts shall complete its review of a feasibility report for an eligible project and transmit a report containing its evaluation of the project to the Secretary not later than 180 days after the date of establishment of the panel.

''(e) RECOMMENDATIONS OF PANEL.—After receiving a timely report on a project from a panel of experts under this section, the Secretary shall—

''(1) consider any recommendations contained in the evaluation;

''(2) make the evaluation available for public review; and

''(3) include a copy of the evaluation in any report transmitted to Congress concerning the project.

''(f) COSTS.—The cost of conducting a review of a project under this section shall not exceed $250,000 and shall be a Federal expense.

''(g) REPORT.—Not later than December 31, 2003, the Secretary shall transmit to Congress a report on the results of the pilot program together with the recommendations of the Secretary regarding continuation, expansion, and modification of the pilot program, including an assessment of the impact that a peer review program would have on the overall cost and length of project analyses and reviews associated with feasibility reports and an assessment of the benefits of peer review.

''(h) ELIGIBLE PROJECT DEFINED.—In this section, the term 'eligible project' means—

''(1) a water resources project that has an estimated total cost of more than $25,000,000, including mitigation costs; and

''(2) a water resources project—

''(A) that has an estimated total cost of $25,000,000 or less, including mitigation costs; and

''(B)(i) that the Secretary determines is subject to a substantial degree of public controversy; or

''(ii) to which an affected State objects.''.

SEC. 216. ENHANCED PUBLIC PARTICIPATION.

(a) IN GENERAL.—Section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) is amended by adding at the end the following:

''(e) ENHANCED PUBLIC PARTICIPATION.—

''(1) IN GENERAL.—The Secretary shall establish procedures to enhance public participation in the development of each feasibility study under subsection (a), including, if appropriate, establishment of a stakeholder advisory group to assist the Secretary with the development of the study.

''(2) MEMBERSHIP.—If the Secretary provides for the establishment of a stakeholder advisory group under this subsection, the membership of the advisory group shall include balanced representation of social, economic, and environmental interest groups, and such members shall serve on a voluntary, uncompensated basis.

''(3) LIMITATION.—Procedures established under this subsection shall not delay devel-

opment of any feasibility study under subsection (a).''.

SEC. 217. MONITORING.

(a) IN GENERAL.—The Secretary shall conduct a monitoring program of the economic and environmental results of up to 5 eligible projects selected by the Secretary.

(b) DURATION.—The monitoring of a project selected by the Secretary under this section shall be for a period of not less than 12 years beginning on the date of its selection.

(c) REPORTS.—The Secretary shall transmit to Congress every 3 years a report on the performance of each project selected under this section.

(d) ELIGIBLE WATER RESOURCES PROJECT DEFINED.—In this section, the term ''eligible project'' means a water resources project, or separable element thereof—

(1) for which a contract for physical construction has not been awarded before the date of enactment of this Act;

(2) that has a total cost of more than $25,000,000; and

(3)(A) that has as a benefit-to-cost ratio of less than 1.5 to 1; or

(B) that has significant environmental benefits or significant environmental mitigation components.

(e) COSTS.—The cost of conducting monitoring under this section shall be a Federal expense.

SEC. 218. RECONNAISSANCE STUDIES.

Section 905(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(b)) is amended—

(1) in the second sentence by inserting after ''environmental impacts'' the following: ''(including whether a proposed project is likely to have environmental impacts that cannot be successfully or cost-effectively mitigated)''; and

(2) by inserting after the second sentence the following: ''The Secretary shall not recommend that a feasibility study be conducted for a project based on a reconnaissance study if the Secretary determines that the project is likely to have environmental impacts that cannot be successfully or cost-effectively mitigated.''.

SEC. 219. FISH AND WILDLIFE MITIGATION.

(a) DESIGN OF MITIGATION PROJECTS.—Section 906(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(a)) is amended—

(1) by striking ''(1)'' and inserting ''(A)''; and

(2) by striking ''(2)'' and inserting ''(B)'';

(3) by striking ''(d) After the date'' and inserting the following:

''(d) MITIGATION PLANS AS PART OF PROJECT PROPOSALS.—

''(1) IN GENERAL.—After the date'';

(4) by adding at the end the following:

''(2) DESIGN OF MITIGATION PROJECTS.—The Secretary shall design mitigation projects to reflect contemporary understanding of the science of mitigating the adverse environmental impacts of water resources projects.

''(3) RECOMMENDATION OF PROJECTS.—The Secretary shall not recommend a water resources project unless the Secretary determines that the adverse impacts of the project on aquatic resources and fish and wildlife can be cost-effectively and successfully mitigated.''; and

(5) by aligning the remainder of the text of paragraph (1) (as designated by paragraph (3) of this subsection) with paragraph (2) (as added by paragraph (4) of this subsection).

(b) CONCURRENT MITIGATION.—

(1) INVESTIGATION.—The Comptroller General shall conduct an investigation of the effectiveness of the concurrent mitigation requirements of section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283). In conducting the investigation, the Comptroller General shall determine whether or not there are instances in which less than 50 percent of required mitigation is completed before initiation of project construction and the number of such instances.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the results of the investigation.

SEC. 220. WETLANDS MITIGATION.

In carrying out a water resources project that involves wetlands mitigation and that has an impact that occurs within the service area of a mitigation bank, the Secretary, to the maximum extent practicable and where appropriate, shall give preference to the use of the mitigation bank if the bank contains sufficient available credits to offset the impact and the bank is approved in accordance with the Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Fed. Reg. 58605 (November 28, 1995)) or other applicable Federal law (including regulations).

SEC. 221. CREDIT TOWARD NON-FEDERAL SHARE OF NAVIGATION PROJECTS.

The second sentence of section 101(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(2)) is amended—

(1) by striking ''paragraph (3) and'' and inserting ''paragraph (3),''; and

(2) by striking ''paragraph (4)'' and inserting ''paragraph (4), and the costs borne by the non-Federal interests in providing additional capacity at dredged material disposal areas, providing community access to the project (including such disposal areas), and meeting applicable beautification requirements''.

SEC. 222. MAXIMUM PROGRAM EXPENDITURES FOR SMALL FLOOD CONTROL PROJECTS.

Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended by striking ''$40,000,000'' and inserting ''$50,000,000''.

SEC. 223. FEASIBILITY STUDIES AND PLANNING, ENGINEERING, AND DESIGN.

Section 105(a)(1)(E) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(E)) is amended by striking ''Not more than ½ of the'' and inserting ''The''.

SEC. 224. ADMINISTRATIVE COSTS OF LAND CONVEYANCES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the administrative costs associated with the conveyance of property to a non-Federal governmental or nonprofit entity shall be limited to not more than 5 percent of the value of the property to be conveyed to such entity if the Secretary determines, based on the entity's ability to pay, that such limitation is necessary to complete the conveyance. The Federal cost associated with such limitation shall not exceed $70,000 for any one conveyance.

(b) SPECIFIC CONVEYANCE.—In carrying out subsection (a), the Secretary shall give priority consideration to the conveyance of 10 acres of Wister Lake project land to the Summerfield Cemetery Association, Wister, Oklahoma, authorized by section 563(f) of the Water Resources Development Act of 1999 (113 Stat. 359–360).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $150,000 for fiscal years 2001 through 2003.

SEC. 225. DAM SAFETY.

(a) INVENTORY AND ASSESSMENT OF OTHER DAMS.—

(1) INVENTORY.—The Secretary shall establish an inventory of dams constructed by and using funds made available through the Works Progress Administration, the Works Projects Administration, and the Civilian Conservation Corps.

(2) ASSESSMENT OF REHABILITATION NEEDS.—In establishing the inventory required under paragraph (1), the Secretary shall also assess the condition of the dams on such inventory and the need for rehabilitation or modification of the dams.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the inventory and assessment required by this section.

(c) INTERIM ACTIONS.—

(1) IN GENERAL.—If the Secretary determines that a dam referred to in subsection (a) presents an imminent and substantial risk to public safety, the Secretary is authorized to carry out measures to prevent or mitigate against such risk.

(2) EXCLUSION.—The assistance authorized under paragraph (1) shall not be available to dams under the jurisdiction of the Department of the Interior.

(3) FEDERAL SHARE.—The Federal share of the cost of assistance provided under this subsection shall be 65 percent of such cost.

(d) COORDINATION.—In carrying out this section, the Secretary shall coordinate with the appropriate State dam safety officials and the Director of the Federal Emergency Management Agency.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section a total of $25,000,000 for fiscal years beginning after September 30, 1999, of which not more than $5,000,000 may be expended on any one dam.

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 301. NOGALES WASH AND TRIBUTARIES, NOGALES, ARIZONA.

The project for flood control, Nogales Wash and Tributaries, Nogales, Arizona, authorized by section 101(a)(4) of the Water Resources Development Act of 1990 (104 Stat. 4606), and modified by section 303 of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to provide that the Federal share of the costs associated with addressing flood control problems in Nogales, Arizona, arising from floodwater flows originating in Mexico shall be 100 percent.

SEC. 302. JOHN PAUL HAMMERSCHMIDT VISITOR CENTER, FORT SMITH, ARKANSAS.

Section 103(e) of the Water Resources Development Act of 1992 (106 Stat. 4813) is amended—

(1) in the subsection heading by striking ''LAKE'' and inserting ''VISITOR CENTER''; and

(2) in paragraph (1) by striking ''at the John Paul Hammerschmidt Lake, Arkansas River, Arkansas'' and inserting ''on property provided by the city of Fort Smith, Arkansas, in such city''.

SEC. 303. GREERS FERRY LAKE, ARKANSAS.

The project for flood control, Greers Ferry Lake, Arkansas, authorized by the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and other purposes'', approved June 28, 1938 (52 Stat. 1218), is modified to authorize the Secretary to construct water intake facilities for the benefit of Lonoke and White Counties, Arkansas.

SEC. 304. TEN- AND FIFTEEN-MILE BAYOUS, ARKANSAS.

The project for flood control, Saint Francis River Basin, Missouri and Arkansas, authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 172), is modified to expand the boundaries of the project to include Ten- and Fifteen-Mile Bayous near West Memphis, Arkansas. Notwithstanding section 103(f) of the Water Resources Development Act of 1986 (100 Stat. 4086), the flood control work at Ten- and Fifteen-Mile Bayous shall not be considered separable elements of the project.

SEC. 305. CACHE CREEK BASIN, CALIFORNIA.

The project for flood control, Cache Creek Basin, California, authorized by section

401(a) of the Water Resources Development Act of 1986 (100 Stat. 4112), is modified to direct the Secretary to evaluate the impacts of the new south levee of the Cache Creek settling basin on the city of Woodland's storm drainage system and to mitigate such impacts at Federal expense and a total cost of $2,800,000.

SEC. 306. LARKSPUR FERRY CHANNEL, LARKSPUR, CALIFORNIA.

The project for navigation, Larkspur Ferry Channel, Larkspur, California, authorized by section 601(d) of the Water Resources Development Act of 1986 (100 Stat. 4148), is modified to direct the Secretary to prepare a limited reevaluation report to determine whether maintenance of the project is technically sound, environmentally acceptable, and economically justified. If the Secretary determines that maintenance of the project is technically sound, environmentally acceptable, and economically justified, the Secretary shall carry out the maintenance.

SEC. 307. NORCO BLUFFS, RIVERSIDE COUNTY, CALIFORNIA.

Section 101(b)(4) of the Water Resources Development Act of 1996 (110 Stat. 3667) is amended by striking ''$8,600,000'' and all that follows through ''$2,150,000'' and inserting ''$15,000,000, with an estimated Federal cost of $11,250,000 and an estimated non-Federal cost of $3,750,000''.

SEC. 308. SACRAMENTO DEEP WATER SHIP CHANNEL, CALIFORNIA.

The project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), is modified to authorize the Secretary to provide credit to the non-Federal interest toward the non-Federal share of the cost of the project for the value of dredged material from the project that is purchased by public agencies or nonprofit entities for environmental restoration or other beneficial uses.

SEC. 309. SACRAMENTO RIVER, GLENN-COLUSA, CALIFORNIA.

The project for flood control, Sacramento River, California, authorized by section 2 of the Act entitled ''An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes'', approved March 1, 1917 (39 Stat. 949), and modified by section 102 of the Energy and Water Development Appropriations Act, 1990 (103 Stat. 649), section 301(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3110), title I of the Energy and Water Development Appropriations Act, 1999 (112 Stat. 1841), and section 305 of the Water Resources Development Act of 1999 (113 Stat. 299), is further modified to direct the Secretary to provide the non-Federal interest a credit of up to $4,000,000 toward the non-Federal share of the cost of the project for direct and indirect costs incurred by the non-Federal interest in carrying out activities (including the provision of lands, easements, rights-of-way, relocations, and dredged material disposal areas) associated with environmental compliance for the project if the Secretary determines that the activities are integral to the project. If any of such costs were incurred by the non-Federal interests before execution of the project cooperation agreement, the Secretary may reimburse the non-Federal interest for such pre-agreement costs instead of providing a credit for such pre-agreement costs to the extent that the amount of the credit exceeds the remaining non-Federal share of the cost of the project.

SEC. 310. UPPER GUADALUPE RIVER, CALIFORNIA.

The project for flood damage reduction and recreation, Upper Guadalupe River, California, authorized by section 101(a)(9) of the Water Resources Development Act of 1999 (113 Stat. 275), is modified to provide that the non-Federal share of the cost of the project shall be 50 percent, with an estimated Federal cost and non-Federal cost of $70,164,000 each.

SEC. 311. BREVARD COUNTY, FLORIDA.

(a) INCLUSION OF REACH.—The project for shoreline protection, Brevard County, Florida, authorized by section 101(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3667), is modified to provide that, notwithstanding section 902 of the Water Resources Development Act of 1986, the Secretary may incorporate in the project any or all of the 7.1-mile reach of the project that was deleted from the south reach of the project, as described in paragraph (5) of the Report of the Chief of Engineers, dated December 23, 1996, if the Secretary determines, in coordination with appropriate local, State, and Federal agencies, that the project as modified is technically sound, environmentally acceptable, and economically justified.

(b) CLARIFICATION.—Section 310(a) of the Water Resources Development Act of 1999 (113 Stat. 301) is amended by inserting ''shoreline associated with the'' after ''damage to the''.

SEC. 312. FERNANDINA HARBOR, FLORIDA.

The project for navigation, Fernandina Harbor, Florida, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 186), is modified to authorize the Secretary to realign the access channel in the vicinity of the Fernandina Beach Municipal Marina 100 feet to the west. The cost of the realignment, including acquisition of lands, easements, rights-of-way, and dredged material disposal areas and relocations, shall be a non-Federal expense.

SEC. 313. TAMPA HARBOR, FLORIDA.

The project for navigation, Tampa Harbor, Florida, authorized by section 4 of the Rivers and Harbors Act of September 22, 1922 (42 Stat. 1042), is modified to authorize the Secretary to deepen and widen the Alafia Channel in accordance with the plans described in the Draft Feasibility Report, Alafia River, Tampa Harbor, Florida, dated May 2000, at a total cost of $61,592,000, with an estimated Federal cost of $39,621,000 and an estimated non-Federal cost of $21,971,000.

SEC. 314. EAST SAINT LOUIS AND VICINITY, ILLINOIS.

The project for flood protection, East Saint Louis and vicinity, Illinois (East Side levee and sanitary district), authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1082), is modified to include ecosystem restoration as a project purpose.

SEC. 315. KASKASKIA RIVER, KASKASKIA, ILLINOIS.

The project for navigation, Kaskaskia River, Kaskaskia, Illinois, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1175), is modified to include recreation as a project purpose.

SEC. 316. WAUKEGAN HARBOR, ILLINOIS.

The project for navigation, Waukegan Harbor, Illinois, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 192), is modified to authorize the Secretary to extend the upstream limit of the project 275 feet to the north at a width of 375 feet if the Secretary determines that the extension is feasible.

SEC. 317. CUMBERLAND, KENTUCKY.

Using continuing contracts, the Secretary shall initiate construction of the flood control project, Cumberland, Kentucky, authorized by section 202(a) of the Energy and Water Development Appropriations Act, 1981 (94 Stat. 1339), in accordance with option 4 contained in the draft detailed project report of the Nashville District, dated September 1998, to provide flood protection from the 100-year frequency flood event and to share all costs in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 318. LOCK AND DAM 10, KENTUCKY RIVER, KENTUCKY.

(a) IN GENERAL.—The Secretary may take all necessary measures to further stabilize and renovate Lock and Dam 10 at Boonesborough, Kentucky, with the purpose of extending the design life of the structure by an additional 50 years, at a total cost of $24,000,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $12,000,000.

(b) DEFINITIONS.—For purposes of this section, the term ''stabilize and renovate'' includes the following activities: stabilization of the main dam, auxiliary dam and lock; renovation of all operational aspects of the lock; and elevation of the main and auxiliary dams.

SEC. 319. SAINT JOSEPH RIVER, SOUTH BEND, INDIANA.

Section 321(a) of the Water Resources Development Act of 1999 (113 Stat. 303) is amended—

(1) in the subsection heading by striking ''TOTAL'' and inserting ''FEDERAL''; and

(2) by striking ''total'' and inserting ''Federal''.

SEC. 320. MAYFIELD CREEK AND TRIBUTARIES, KENTUCKY.

The project for flood control, Mayfield Creek and tributaries, Kentucky, carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), is modified to provide that the non-Federal interest shall not be required to pay the unpaid balance, including interest, of the non-Federal share of the cost of the project.

SEC. 321. AMITE RIVER AND TRIBUTARIES, EAST BATON ROUGE PARISH, LOUISIANA.

The project for flood damage reduction and recreation, Amite River and Tributaries, East Baton Rouge Parish, Louisiana, authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (113 Stat. 277), is modified to provide that cost sharing for the project shall be determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213), as in effect on October 11, 1996.

SEC. 322. ATCHAFALAYA BASIN FLOODWAY SYSTEM, LOUISIANA.

The Atchafalaya Basin Floodway System project, authorized by section 601 of the Water Resources Development Act of 1986 (100 Stat. 4142), is modified to authorize the Secretary to construct the visitor center and other recreational features identified in the 1982 project feasibility report of the Corps of Engineers at or near the Lake End Park in Morgan City, Louisiana.

SEC. 323. ATCHAFALAYA RIVER, BAYOUS CHENE, BOEUF, AND BLACK, LOUISIANA.

The project for navigation Atchafalaya River and Bayous Chene, Boeuf, and Black, Louisiana, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731), is modified to direct the Secretary to investigate the problems associated with the mixture of freshwater, saltwater, and fine river silt in the channel and to develop and carry out a solution to the problem if the Secretary determines that the work is technically sound, environmentally acceptable, and economically justified.

SEC. 324. RED RIVER WATERWAY, LOUISIANA.

The project for mitigation of fish and wildlife loses, Red River Waterway, Louisiana,

authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142) and modified by section 4(h) of the Water Resources Development Act of 1988 (102 Stat. 4016), section 102(p) of the Water Resources Development Act of 1990 (104 Stat. 4613), and section 301(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3710), is further modified to authorize the Secretary to purchase mitigation lands in any of the 7 parishes that make up the Red River Waterway District, including the parishes of Caddo, Bossier, Red River, Natchitoches, Grant, Rapides, and Avoyelles.

SEC. 325. THOMASTON HARBOR, GEORGES RIVER, MAINE.

The project for navigation, Georges River, Maine (Thomaston Harbor), authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 3, 1896 (29 Stat. 215), is modified to redesignate the following portion of the project as an anchorage area: The portion lying northwesterly of a line commencing at point N86,946.770, E321,303.830 thence running northeasterly about 203.67 feet to a point N86,994.750, E321,501.770.

SEC. 326. BRECKENRIDGE, MINNESOTA.

(a) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for flood control, Breckenridge, Minnesota, carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), shall be $10,500,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project described in subsection (a) to take into account the change in the Federal participation in the project in accordance with this section.

SEC. 327. DULUTH HARBOR, MINNESOTA.

The project for navigation, Duluth Harbor, Minnesota, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to include the relocation of Scenic Highway 61, including any required bridge construction.

SEC. 328. LITTLE FALLS, MINNESOTA.

The project for clearing, snagging, and sediment removal, East Bank of the Mississippi River, Little Falls, Minnesota, authorized under section 3 of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 (33 U.S.C. 603a), is modified to direct the Secretary to construct the project substantially in accordance with the plans contained in the feasibility report of the District Engineer, dated June 2000.

SEC. 329. POPLAR ISLAND, MARYLAND.

(a) IN GENERAL.—The project for beneficial use of dredged material at Poplar Island, Maryland, authorized by section 537 of the Water Resources Development Act of 1996 (110 Stat. 3776), is modified to authorize the Secretary to provide the non-Federal interest credit toward cash contributions required—

(1) before and during construction of the project, for the costs of planning, engineering, and design and for construction management work that is performed by the non-Federal interest and that the Secretary determines is necessary to implement the project; and

(2) during construction of the project, for the costs of the construction that the non-Federal interest carries out on behalf of the Secretary and that the Secretary determines is necessary to carry out the project.

(b) REDUCTION.—The private sector performance goals for engineering work of the Baltimore District of the Corps of Engineers shall be reduced by the amount of the credit under paragraph (1).

SEC. 330. GREEN BROOK SUB-BASIN, RARITAN RIVER BASIN, NEW JERSEY.

The project for flood control, Green Brook Sub-Basin, Raritan River Basin, New Jersey, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4119), is modified to direct the Secretary to prepare a limited reevaluation report to determine the feasibility of carrying out a nonstructural flood damage reduction project at the Green Brook Sub-Basin. If the Secretary determines that the nonstructural project is feasible, the Secretary may carry out the nonstructural project.

SEC. 331. NEW YORK HARBOR AND ADJACENT CHANNELS, PORT JERSEY, NEW JERSEY.

The project for navigation, New York Harbor and adjacent channels, Port Jersey, New Jersey, authorized by section 202(b) of the Water Resources Development Act of 1986 (100 Stat. 4098) and modified by section 337 of the Water Resources Development Act of 1999 (113 Stat. 306–307), is further modified to authorize the Secretary to provide the non-Federal interests credit toward cash contributions required—

(1) before, during, and after construction for planning, engineering and design, and construction management work that is performed by the non-Federal interests and that the Secretary determines is necessary to implement the project; and

(2) during and after construction for the costs of construction that the non-Federal interests carry out on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

SEC. 332. PASSAIC RIVER BASIN FLOOD MANAGEMENT, NEW JERSEY.

(a) REEVALUATION OF FLOODWAY STUDY.—The Secretary shall review the Passaic River Floodway Buyout Study, dated October 1995, conducted as part of the project for flood control, Passaic River Main Stem, New Jersey and New York, authorized by section 101(a)(18) of the Water Resources Development Act of 1990 (104 Stat. 4607–4610), to calculate the benefits of a buyout and environmental restoration using the method used to calculate the benefits of structural projects under section 308(b) of the Water Resources Development Act of 1990 (33 U.S.C. 2318(b)).

(b) REEVALUATION OF 10-YEAR FLOODPLAIN STUDY.—The Secretary shall review the Passaic River Buyout Study of the 10-year floodplain beyond the floodway of the Central Passaic River Basin, dated September 1995, conducted as part of the Passaic River Main Stem project to calculate the benefits of a buyout and environmental restoration using the method used to calculate the benefits of structural projects under section 308(b) of the Water Resources Development Act of 1990 (33 U.S.C. 2318(b)).

(c) PRESERVATION OF NATURAL STORAGE AREAS.—

(1) IN GENERAL.—The Secretary shall reevaluate the acquisition of wetlands in the Central Passaic River Basin for flood protection purposes to supplement the wetland acquisition authorized by section 101(a)(18)(C)(vi) of the Water Resources Development Act of 1990 (104 Stat. 4609).

(2) PURCHASE.—If the Secretary determines that the acquisition of wetlands evaluated under paragraph (1) is cost-effective, the Secretary shall purchase the wetlands, with the goal of purchasing not more than 8,200 acres.

(d) STREAMBANK EROSION CONTROL STUDY.—The Secretary shall review relevant reports and conduct a study to determine the feasibility of carrying out a project for environmental restoration, erosion control, and streambank restoration along the Passaic River, from Dundee Dam to Kearny Point, New Jersey.

(e) PASSAIC RIVER FLOOD MANAGEMENT TASK FORCE.—

(1) ESTABLISHMENT.—The Secretary, in cooperation with the non-Federal interest, shall establish a task force, to be known as the ''Passaic River Flood Management Task Force'', to provide advice to the Secretary concerning reevaluation of the Passaic River Main Stem project.

(2) MEMBERSHIP.—The task force shall be composed of 22 members, appointed as follows:

(A) APPOINTMENT BY SECRETARY.—The Secretary shall appoint 1 member to represent the Corps of Engineers and to provide technical advice to the task force.

(B) APPOINTMENTS BY GOVERNOR OF NEW JERSEY.—The Governor of New Jersey shall appoint 20 members to the task force, as follows:

(i) 2 representatives of the New Jersey legislature who are members of different political parties.

(ii) 3 representatives of the State of New Jersey.

(iii) 1 representative of each of Bergen, Essex, Morris, and Passaic Counties, New Jersey.

(iv) 6 representatives of governments of municipalities affected by flooding within the Passaic River Basin.

(v) 1 representative of the Palisades Interstate Park Commission.

(vi) 1 representative of the North Jersey District Water Supply Commission.

(vii) 1 representative of each of—

(I) the Association of New Jersey Environmental Commissions;

(II) the Passaic River Coalition; and

(III) the Sierra Club.

(C) APPOINTMENT BY GOVERNOR OF NEW YORK.—The Governor of New York shall appoint 1 representative of the State of New York to the task force.

(3) MEETINGS.—

(A) REGULAR MEETINGS.—The task force shall hold regular meetings.

(B) OPEN MEETINGS.—The meetings of the task force shall be open to the public.

(4) ANNUAL REPORT.—The task force shall submit annually to the Secretary and to the non-Federal interest a report describing the achievements of the Passaic River flood management project in preventing flooding and any impediments to completion of the project.

(5) EXPENDITURE OF FUNDS.—The Secretary may use funds made available to carry out the Passaic River Basin flood management project to pay the administrative expenses of the task force.

(6) TERMINATION.—The task force shall terminate on the date on which the Passaic River flood management project is completed.

(f) ACQUISITION OF LANDS IN THE FLOODWAY.—Section 1148 of the Water Resources Development Act of 1986 (100 Stat. 4254; 110 Stat. 3718–3719), is amended by adding at the end the following:

''(e) CONSISTENCY WITH NEW JERSEY BLUE ACRES PROGRAM.—The Secretary shall carry out this section in a manner that is consistent with the Blue Acres Program of the State of New Jersey.''.

(g) STUDY OF HIGHLANDS LAND CONSERVATION.—The Secretary, in cooperation with the Secretary of Agriculture and the State of New Jersey, may study the feasibility of conserving land in the Highlands region of New Jersey and New York to provide additional flood protection for residents of the Passaic River Basin in accordance with section 212 of the Water Resources Development Act of 1999 (33 U.S.C. 2332).

(h) RESTRICTION ON USE OF FUNDS.—The Secretary shall not obligate any funds to

carry out design or construction of the tunnel element of the Passaic River Main Stem project.

SEC. 333. TIMES BEACH NATURE PRESERVE, BUFFALO, NEW YORK.

The project for improving the quality of the environment, Times Beach Nature Preserve, Buffalo, New York, carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), is modified to include recreation as a project purpose.

SEC. 334. GARRISON DAM, NORTH DAKOTA.

The Garrison Dam, North Dakota, feature of the project for flood control, Missouri River Basin, authorized by section 9(a) of the Flood Control Act of December 22, 1944 (58 Stat. 891), is modified to direct the Secretary to mitigate damage to the water transmission line for Williston, North Dakota, at Federal expense and a total cost of $3,900,000.

SEC. 335. DUCK CREEK, OHIO.

The project for flood control, Duck Creek, Ohio, authorized by section 101(a)(24) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to authorize the Secretary carry out the project at a total cost of $36,323,000, with an estimated Federal cost of $27,242,000 and an estimated non-Federal cost of $9,081,000.

SEC. 336. ASTORIA, OREGON.

The project for navigation, Columbia River, Astoria, Oregon, authorized by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved July 24, 1946 (60 Stat. 637), is modified to provide that the Federal share of the cost of relocating causeway and mooring facilities located at the Astoria East Boat Basin shall be 100 percent but shall not exceed $500,000.

SEC. 337. NONCONNAH CREEK, TENNESSEE AND MISSISSIPPI.

The project for flood control, Nonconnah Creek, Tennessee and Mississippi, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), is modified to authorize the Secretary, if the Secretary determines that it is feasible—

(1) to extend the area protected by the flood control element of the project upstream approximately 5 miles to Reynolds Road; and

(2) to extend the hiking and biking trails of the recreational element of the project from 8.8 to 27 miles.

SEC. 338. BOWIE COUNTY LEVEE, TEXAS.

The project for flood control, Red River below Denison Dam, Texas and Oklahoma, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647), is modified to direct the Secretary to implement the Bowie County levee feature of the project in accordance with the plan described as Alternative B in the draft document entitled ''Bowie County Local Flood Protection, Red River, Texas Project Design Memorandum No. 1, Bowie County Levee'', dated April 1997. In evaluating and implementing the modification, the Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation of the modification indicates that applying such section is necessary to implement the modification.

SEC. 339. SAN ANTONIO CHANNEL, SAN ANTONIO, TEXAS.

The project for flood control, San Antonio channel, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259) as part of the comprehensive plan for flood protection on the Guadalupe and San Antonio Rivers in Texas, and modified by section 103 of the Water Resources Development Act of 1976 (90 Stat. 2921), is further modified to include environmental restoration and recreation as project purposes.

SEC. 340. BUCHANAN AND DICKENSON COUNTIES, VIRGINIA.

The project for flood control, Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, authorized by section 202 of the Energy and Water Development Appropriations Act, 1981 (94 Stat. 1339), and modified by section 352 of the Water Resources Development Act of 1996 (110 Stat. 3724–3725), is further modified to direct the Secretary to determine the ability of Buchanan and Dickenson Counties, Virginia, to pay the non-Federal share of the cost of the project based solely on the criteria specified in section 103(m)(3)(A)(i) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)(3)(A)(i)).

SEC. 341. BUCHANAN, DICKENSON, AND RUSSELL COUNTIES, VIRGINIA.

At the request of the John Flannagan Water Authority, Dickenson County, Virginia, the Secretary may reallocate, under section 322 of the Water Resources Development Act of 1990 (104 Stat. 4643–4644), water supply storage space in the John Flannagan Reservoir, Dickenson County, Virginia, sufficient to yield water withdrawals in amounts not to exceed 3,000,000 gallons per day in order to provide water for the communities in Buchanan, Dickenson, and Russell Counties, Virginia, notwithstanding the limitation in section 322(b) of such Act.

SEC. 342. SANDBRIDGE BEACH, VIRGINIA BEACH, VIRGINIA.

The project for beach erosion control and hurricane protection, Sandbridge Beach, Virginia Beach, Virginia, authorized by section 101(22) of the Water Resources Development Act of 1992 (106 Stat. 4804), is modified to direct the Secretary to provide 50 years of periodic beach nourishment beginning on the date on which construction of the project was initiated in 1998.

SEC. 343. WALLOPS ISLAND, VIRGINIA.

Section 567(c) of the Water Resources Development Act of 1999 (113 Stat. 367) is amended by striking ''$8,000,000'' and inserting ''$20,000,000''.

SEC. 344. COLUMBIA RIVER, WASHINGTON.

(a) IN GENERAL.—The project for navigation, Columbia River, Washington, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 13, 1902 (32 Stat. 369), is modified to direct the Secretary, in the operation and maintenance of the project, to mitigate damages to the shoreline of Puget Island, at a total cost of $1,000,000.

(b) ALLOCATION.—The cost of the mitigation shall be allocated as an operation and maintenance cost of the Federal navigation project.

SEC. 345. MOUNT ST. HELENS, WASHINGTON.

The project for sediment control, Mount St. Helens, Washington, authorized by chapter IV of title I of the Supplemental Appropriations Act, 1985 (99 Stat. 318–319), is modified to authorize the Secretary to provide such cost-effective, environmentally acceptable measures as are necessary to maintain the flood protection levels for Longview, Kelso, Lexington, and Castle Rock on the Cowlitz River, Washington, identified in the October 1985 report of the Chief of Engineers entitled ''Mount St. Helens, Washington, Decision Document (Toutle, Cowlitz, and Columbia Rivers)'', printed as House Document number 99–135.

SEC. 346. RENTON, WASHINGTON.

(a) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for flood control, Renton, Washington, carried out under section 205 of the Flood Control Act of 1948, shall be $5,300,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project described in subsection (a) to take into account the change in the Federal participation in the project in accordance with this section.

(c) REIMBURSEMENT.—The Secretary may reimburse the non-Federal interest for the project described in subsection (a) for costs incurred to mitigate overdredging.

SEC. 347. GREENBRIER BASIN, WEST VIRGINIA.

Section 579(c) of the Water Resources Development Act of 1996 (110 Stat. 3790) is amended by striking ''$12,000,000'' and inserting ''$73,000,000''.

SEC. 348. LOWER MUD RIVER, MILTON, WEST VIRGINIA.

The project for flood damage reduction, Lower Mud River, Milton, West Virginia, authorized by section 580 of the Water Resources Development Act of 1996 (110 Stat. 3790), is modified to direct the Secretary to carry out the project substantially in accordance with the plans, and subject to the conditions, described in the watershed plan prepared by the Natural Resources Conservation Service for the project, dated 1992.

SEC. 349. WATER QUALITY PROJECTS.

Section 307(a) of the Water Resources Development Act of 1992 (106 Stat. 4841) is amended by striking ''Jefferson and Orleans Parishes'' and inserting ''Jefferson, Orleans, and St. Tammany Parishes''.

SEC. 350. PROJECT REAUTHORIZATIONS.

(a) IN GENERAL.—Each of the following projects may be carried out by the Secretary, and no construction on any such project may be initiated until the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, as appropriate:

(1) NARRAGUAGUS RIVER, MILBRIDGE, MAINE.—Only for the purpose of maintenance as anchorage, those portions of the project for navigation, Narraguagus River, Milbridge, Maine, authorized by section 2 of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 195), and deauthorized under section 101 of the River and Harbor Act of 1962 (75 Stat. 1173), lying adjacent to and outside the limits of the 11-foot and 9-foot channel authorized as part of the project for navigation, authorized by such section 101, as follows:

(A) An area located east of the 11-foot channel starting at a point with coordinates N248,060.52, E668,236.56, thence running south 36 degrees 20 minutes 52.3 seconds east 1567.242 feet to a point N246,798.21, E669,165.44, thence running north 51 degrees 30 minutes 06.2 seconds west 839.855 feet to a point N247,321.01, E668,508.15, thence running north 20 degrees 09 minutes 58.1 seconds west 787.801 feet to the point of origin.

(B) An area located west of the 9-foot channel starting at a point with coordinates N249,673.29, E667,537.73, thence running south 20 degrees 09 minutes 57.8 seconds east 1341.616 feet to a point N248,413.92, E668,000.24, thence running south 01 degrees 04 minutes 26.8 seconds east 371.688 feet to a point N248,042.30, E668,007.21, thence running north 22 degrees 21 minutes 20.8 seconds west 474.096 feet to a point N248,480.76, E667,826.88, thence running north 79 degrees 09 minutes 31.6 seconds east 100.872 feet to a point N248,499.73, E667,925.95, thence running north 13 degrees 47 minutes 27.6 seconds west 95.126 feet to a point N248,592.12, E667,903.28, thence running south 79 degrees 09 minutes 31.6 sec-

onds west 115.330 feet to a point N248,570.42, E667,790.01, thence running north 22 degrees 21 minutes 20.8 seconds west 816.885 feet to a point N249,325.91, E667,479.30, thence running north 07 degrees 03 minutes 00.3 seconds west 305.680 feet to a point N249,629.28, E667,441.78, thence running north 65 degrees 21 minutes 33.8 seconds east 105.561 feet to the point of origin.

(2) CEDAR BAYOU, TEXAS.—The project for navigation, Cedar Bayou, Texas, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved September 19, 1890 (26 Stat. 444), and modified by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved July 3, 1930 (46 Stat. 926), and deauthorized by section 1002 of the Water Resources Development Act of 1986 (100 Stat. 4219), except that the project is authorized only for construction of a navigation channel 12 feet deep by 125 feet wide from mile −2.5 (at the junction with the Houston Ship Channel) to mile 11.0 on Cedar Bayou.

(b) REDESIGNATION.—The following portion of the 11-foot channel of the project for navigation, Narraguagus River, Milbridge, Maine, referred to in subsection (a)(1) is redesignated as anchorage: starting at a point with coordinates N248,413.92, E668,000.24, thence running south 20 degrees 09 minutes 57.8 seconds east 1325.205 feet to a point N247,169.95, E668,457.09, thence running north 51 degrees 30 minutes 05.7 seconds west 562.33 feet to a point N247,520.00, E668,017.00, thence running north 01 degrees 04 minutes 26.8 seconds west 894.077 feet to the point of origin.

SEC. 351. CONTINUATION OF PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—Notwithstanding section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)), the following projects shall remain authorized to be carried out by the Secretary:

(1) The projects for flood control, Sacramento River, California, modified by section 10 of the Flood Control Act of December 22, 1944 (58 Stat. 900–901).

(2) The project for flood protection, Sacramento River from Chico Landing to Red Bluff, California, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 314).

(b) LIMITATION.—A project described in subsection (a) shall not be authorized for construction after the last day of the 7-year period beginning on the date of enactment of this Act, unless, during such period, funds have been obligated for the construction (including planning and design) of the project.

SEC. 352. DECLARATION OF NONNAVIGABILITY FOR LAKE ERIE, NEW YORK.

(a) AREA TO BE DECLARED NONNAVIGABLE; PUBLIC INTEREST.—Unless the Secretary finds, after consultation with local and regional public officials (including local and regional public planning organizations), that the proposed projects to be undertaken within the boundaries in the portions of Erie County, New York, described in subsection (b), are not in the public interest then, subject to subsection (c), those portions of such county that were once part of Lake Erie and are now filled are declared to be nonnavigable waters of the United States.

(b) BOUNDARIES.—The portion of Erie County, New York, referred to in subsection (a) are all that tract or parcel of land, situate in the Town of Hamburg and the City of Lackawanna, County of Erie, State of New York, being part of Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 of the Ogden Gore Tract and part of Lots 23, 24, and 36 of the Buffalo Creek Reservation, Township 10, Range 8 of the Holland Land Company's Survey and more particularly bounded and described as follows:

Beginning at a point on the westerly highway boundary of Hamburg Turnpike (66.0 feet wide), said point being 547.89 feet South 19°36′46″ East from the intersection of the westerly highway boundary of Hamburg Turnpike (66.0 feet wide) and the northerly line of the City of Lackawanna (also being the southerly line of the City of Buffalo); thence South 19°36′46″ East along the westerly highway boundary of Hamburg Turnpike (66.0 feet wide) a distance of 628.41 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 40–R2, Parcel No. 44 the following 20 courses and distances:

(1) South 10°00′07″ East a distance of 164.30 feet;

(2) South 18°40′45″ East a distance of 355.00 feet;

(3) South 71°23′35″ West a distance of 2.00 feet;

(4) South 18°40′45″ East a distance of 223.00 feet;

(5) South 22°29′36″ East a distance of 150.35 feet;

(6) South 18°40′45″ East a distance of 512.00 feet;

(7) South 16°49′53″ East a distance of 260.12 feet;

(8) South 18°34′20″ East a distance of 793.00 feet;

(9) South 71°23′35″ West a distance of 4.00 feet;

(10) South 18°13′24″ East a distance of 132.00 feet;

(11) North 71°23′35″ East a distance of 4.67 feet;

(12) South 18°30′00″ East a distance of 38.00 feet;

(13) South 71°23′35″ West a distance of 4.86 feet;

(14) South 18°13′24″ East a distance of 160.00 feet;

(15) South 71°23′35″ East a distance of 9.80 feet;

(16) South 18°36′25″ East a distance of 159.00 feet;

(17) South 71°23′35″ West a distance of 3.89 feet;

(18) South 18°34′20″ East a distance of 180.00 feet;

(19) South 20°56′05″ East a distance of 138.11 feet;

(20) South 22°53′55″ East a distance of 272.45 feet to a point on the westerly highway boundary of Hamburg Turnpike.

Thence southerly along the westerly highway boundary of Hamburg Turnpike, South 18°36′25″ East, a distance of 2228.31 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 27 Parcel No. 31 the following 2 courses and distances:

(1) South 16°17′25″ East a distance of 74.93 feet;

(2) along a curve to the right having a radius of 1004.74 feet; a chord distance of 228.48 feet along a chord bearing of South 08°12′16″ East, a distance of 228.97 feet to a point on the westerly highway boundary of Hamburg Turnpike.

Thence southerly along the westerly highway boundary of Hamburg Turnpike, South 4°35′35″ West a distance of 940.87 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 1 Parcel No. 1 and Map No. 5 Parcel No. 7 the following 18 courses and distances:

(1) North 85°24′25″ West a distance of 1.00 feet;

(2) South 7°01′17″ West a distance of 170.15 feet;

(3) South 5°02′54″ West a distance of 180.00 feet;

(4) North 85°24′25″ West a distance of 3.00 feet;

(5) South 5°02′54″ West a distance of 260.00 feet;

(6) South 5°09′11″ West a distance of 110.00 feet;

(7) South 0°34′35″ West a distance of 110.27 feet;

(8) South 4°50′37″ West a distance of 220.00 feet;

(9) South 4°50′37″ West a distance of 365.00 feet;

(10) South 85°24′25″ East a distance of 5.00 feet;

(11) South 4°06′20″ West a distance of 67.00 feet;

(12) South 6°04′35″ West a distance of 248.08 feet;

(13) South 3°18′27″ West a distance of 52.01 feet;

(14) South 4°55′58″ West a distance of 133.00 feet;

(15) North 85°24′25″ West a distance of 1.00 feet;

(16) South 4°55′58″ West a distance of 45.00 feet;

(17) North 85°24′25″ West a distance of 7.00 feet;

(18) South 4°56′12″ West a distance of 90.00 feet.

Thence continuing along the westerly highway boundary of Lake Shore Road as appropriated by the New York State Department of Public Works as shown on Map No. 7, Parcel No. 7 the following 2 courses and distances:

(1) South 4°55′58″ West a distance of 127.00 feet;

(2) South 2°29′25″ East a distance of 151.15 feet to a point on the westerly former highway boundary of Lake Shore Road.

Thence southerly along the westerly formerly highway boundary of Lake Shore Road, South 4°35′35″ West a distance of 148.90 feet; thence along the westerly highway boundary of Lake Shore Road as appropriated by the New York State Department of Public Works as shown on Map No. 7, Parcel No. 8 the following 3 courses and distances:

(1) South 55°34′35″ West a distance of 12.55 feet;

(2) South 4°35′35″ West a distance of 118.50 feet;

(3) South 3°04′00″ West a distance of 62.95 feet to a point on the south line of the lands of South Buffalo Railway Company.

Thence southerly and easterly along the lands of South Buffalo Railway Company the following 5 courses and distances:

(1) North 89°25′14″ West a distance of 697.64 feet;

(2) along a curve to the left having a radius of 645.0 feet; a chord distance of 214.38 feet along a chord bearing of South 40°16′48″ West, a distance of 215.38 feet;

(3) South 30°42′49″ West a distance of 76.96 feet;

(4) South 22°06′03″ West a distance of 689.43 feet;

(5) South 36°09′23″ West a distance of 30.93 feet to the northerly line of the lands of Buffalo Crushed Stone, Inc.

Thence North 87°13′38″ West a distance of 2452.08 feet to the shore line of Lake Erie; thence northerly along the shore of Lake Erie the following 43 courses and distances:

(1) North 16°29′53″ West a distance of 267.84 feet;

(2) North 24°25′00″ West a distance of 195.01 feet;

(3) North 26°45′00″ West a distance of 250.00 feet;

(4) North 31°15′00″ West a distance of 205.00 feet;

(5) North 21°35′00″ West a distance of 110.00 feet;

(6) North 44°00′53″ West a distance of 26.38 feet;
(7) North 33°49′18″ West a distance of 74.86 feet;
(8) North 34°26′26″ West a distance of 12.00 feet;
(9) North 31°06′16″ West a distance of 72.06 feet;
(10) North 22°35′00″ West a distance of 150.00 feet;
(11) North 16°35′00″ West a distance of 420.00 feet;
(12) North 21°10′00″ West a distance of 440.00 feet;
(13) North 17°55′00″ West a distance of 340.00 feet;
(14) North 28°05′00″ West a distance of 375.00 feet;
(15) North 16°25′00″ West a distance of 585.00 feet;
(16) North 22°10′00″ West a distance of 160.00 feet;
(17) North 2°46′36″ West a distance of 65.54 feet;
(18) North 16°01′08″ West a distance of 70.04 feet;
(19) North 49°07′00″ West a distance of 79.00 feet;
(20) North 19°16′00″ West a distance of 425.00 feet;
(21) North 16°37′00″ West a distance of 285.00 feet;
(22) North 25°20′00″ West a distance of 360.00 feet;
(23) North 33°00′00″ West a distance of 230.00 feet;
(24) North 32°40′00″ West a distance of 310.00 feet;
(25) North 27°10′00″ West a distance of 130.00 feet;
(26) North 23°20′00″ West a distance of 315.00 feet;
(27) North 18°20′04″ West a distance of 302.92 feet;
(28) North 20°15′48″ West a distance of 387.18 feet;
(29) North 14°20′00″ West a distance of 530.00 feet;
(30) North 16°40′00″ West a distance of 260.00 feet;
(31) North 28°35′00″ West a distance of 195.00 feet;
(32) North 18°30′00″ West a distance of 170.00 feet;
(33) North 26°30′00″ West a distance of 340.00 feet;
(34) North 32°07′52″ West a distance of 232.38 feet;
(35) North 30°04′26″ West a distance of 17.96 feet;
(36) North 23°19′13″ West a distance of 111.23 feet;
(37) North 7°07′58″ West a distance of 63.90 feet;
(38) North 8°11′02″ West a distance of 378.90 feet;
(39) North 15°01′02″ West a distance of 190.64 feet;
(40) North 2°55′00″ West a distance of 170.00 feet;
(41) North 6°45′00″ West a distance of 240.00 feet;
(42) North 0°10′00″ East a distance of 465.00 feet;
(43) North 2°00′38″ West a distance of 378.58 feet to the northerly line of Letters Patent dated February 21, 1968 and recorded in the Erie County Clerk's Office under Liber 7453 of Deeds at Page 45.

Thence North 71°23′35″ East along the north line of the aforementioned Letters Patent a distance of 154.95 feet to the shore line; thence along the shore line the following 6 courses and distances:
(1) South 80°14′01″ East a distance of 119.30 feet;
(2) North 46°15′13″ East a distance of 47.83 feet;
(3) North 59°53′02″ East a distance of 53.32 feet;
(4) North 38°20′43″ East a distance of 27.31 feet;
(5) North 68°12′46″ East a distance of 48.67 feet;
(6) North 26°11′47″ East a distance of 11.48 feet to the northerly line of the aforementioned Letters Patent.

Thence along the northerly line of said Letters Patent, North 71°23′35″ East a distance of 1755.19 feet; thence South 35°27′25″ East a distance of 35.83 feet to a point on the U.S. Harbor Line; thence, North 54°02′35″ East along the U.S. Harbor Line a distance of 200.00 feet; thence continuing along the U.S. Harbor Line, North 50°01′45″ East a distance of 379.54 feet to the westerly line of the lands of Gateway Trade Center, Inc.; thence along the lands of Gateway Trade Center, Inc. the following 27 courses and distances:
(1) South 18°44′53″ East a distance of 623.56 feet;
(2) South 34°33′00″ East a distance of 200.00 feet;
(3) South 26°18′55″ East a distance of 500.00 feet;
(4) South 19°06′40″ East a distance of 1074.29 feet;
(5) South 28°03′18″ East a distance of 242.44 feet;
(6) South 18°38′50″ East a distance of 1010.95 feet;
(7) North 71°20′51″ East a distance of 90.42 feet;
(8) South 18°49′20″ East a distance of 158.61 feet;
(9) South 80°55′10″ East a distance of 45.14 feet;
(10) South 18°04′45″ East a distance of 52.13 feet;
(11) North 71°07′23″ East a distance of 102.59 feet;
(12) South 18°41′40″ East a distance of 63.00 feet;
(13) South 71°07′23″ West a distance of 240.62 feet;
(14) South 18°38′50″ East a distance of 668.13 feet;
(15) North 71°28′46″ East a distance of 958.68 feet;
(16) North 18°42′31″ West a distance of 1001.28 feet;
(17) South 71°17′29″ West a distance of 168.48 feet;
(18) North 18°42′31″ West a distance of 642.00 feet;
(19) North 71°17′37″ East a distance of 17.30 feet;
(20) North 18°42′31″ West a distance of 574.67 feet;
(21) North 71°17′29″ East a distance of 151.18 feet;
(22) North 18°42′31″West a distance of 1156.43 feet;
(23) North 71°29′21″ East a distance of 569.24 feet;
(24) North 18°30′39″ West a distance of 314.71 feet;
(25) North 70°59′36″ East a distance of 386.47 feet;
(26) North 18°30′39″ West a distance of 70.00 feet;
(27) North 70°59′36″ East a distance of 400.00 feet to the place or point of beginning.

Containing 1,142.958 acres.

(c) LIMITS ON APPLICABILITY; REGULATORY REQUIREMENTS.—The declaration under subsection (a) shall apply to those parts of the areas described in subsection (b) which are filled portions of Lake Erie. Any work on these filled portions is subject to all applicable Federal statutes and regulations, including sections 9 and 10 of the Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 401 and 403), commonly known as the River and Harbors Appropriation Act of 1899, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and the National Environmental Policy Act of 1969.

(d) EXPIRATION DATE.—If, 20 years from the date of enactment of this Act, any area or part thereof described in subsection (a) of this section is not occupied by permanent structures in accordance with the requirements set out in subsection (c) of this section, or if work in connection with any activity permitted in subsection (c) is not commenced within 5 years after issuance of such permits, then the declaration of nonnavigability for such area or part thereof shall expire.

SEC. 353. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—The following projects or portions of projects are not authorized after the date of enactment of this Act:

(1) BLACK WARRIOR AND TOMBIGBEE RIVERS, JACKSON, ALABAMA.—The project for navigation, Black Warrior and Tombigbee Rivers, vicinity of Jackson, Alabama, authorized by section 106 of the Energy and Water Development Appropriations Act, 1987 (100 Stat. 3341–199).

(2) SACRAMENTO DEEP WATER SHIP CHANNEL, CALIFORNIA.—The portion of the project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), beginning from the confluence of the Sacramento River and the Barge Canal to a point 3,300 feet west of the William G. Stone Lock western gate (including the William G. Stone Lock and the Bascule Bridge and Barge Canal). All waters within such portion of the project are declared to be nonnavigable waters of the United States solely for purposes of the General Bridge Act of 1946 (33 U.S.C. 525 et seq.) and section 9 of the Act of March 3, 1899 (33 U.S.C. 401), commonly known as the Rivers and Harbors Appropriation Act of 1899.

(3) BAY ISLAND CHANNEL, QUINCY, ILLINOIS.—The access channel across Bay Island into Quincy Bay at Quincy, Illinois, constructed under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(4) WARSAW BOAT HARBOR, ILLINOIS.—The portion of the project for navigation, Illinois Waterway, Illinois and Indiana, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1175), known as the Warsaw Boat Harbor, Illinois.

(5) ROCKPORT HARBOR, ROCKPORT, MASSACHUSETTS.—The following portions of the project for navigation, Rockport Harbor, Massachusetts, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577):

(A) The portion of the 10-foot harbor channel the boundaries of which begin at a point with coordinates N605,741.948, E838,031.378, thence running north 36 degrees 04 minutes 40.9 seconds east 123.386 feet to a point N605,642.226, E838,104.039, thence running south 05 degrees 08 minutes 35.1 seconds east 24.223 feet to a point N605,618.100, E838,106.210, thence running north 41 degrees 05 minutes 10.9 seconds west 141.830 feet to a point N605,725.000, E838,013.000, thence running north 47 degrees 19 minutes 04.1 seconds east 25.000 feet to the point of origin.

(B) The portion of the 8-foot north basin entrance channel the boundaries of which begin at a point with coordinates N605,742.699, E837,977.129, thence running south 89 degrees 12 minutes 27.1 seconds east 54.255 feet to a point N605,741.948, E838,031.378, thence running south 47 degrees 19 minutes 04.1 seconds west 25.000 feet to a point N605,725.000, E838,013.000, thence running north 63 degrees 44 minutes 19.0 seconds west 40.000 feet to the point of origin.

(C) The portion of the 8-foot south basin anchorage the boundaries of which begin at a point with coordinates N605,563.770, E838,111.100, thence running south 05 degrees

08 minutes 35.1 seconds east 53.460 feet to a point N605,510.525, E838,115.892, thence running south 52 degrees 10 minutes 55.5 seconds west 145.000 feet to a point N605,421.618, E838,001.348, thence running north 37 degrees 49 minutes 04.5 seconds west feet to a point N605,480.960, E837,955.287, thence running south 64 degrees 52 minutes 33.9 seconds east 33.823 feet to a point N605,466.600, E837,985.910, thence running north 52 degrees 10 minutes 55.5 seconds east 158.476 feet to the point of origin.

(6) SCITUATE HARBOR, MASSACHUSETTS.—The portion of the project for navigation, Scituate Harbor, Massachusetts, authorized by section 101 of the River and Harbor Act of 1954 (68 Stat. 1249), consisting of an 8-foot anchorage basin and described as follows: Beginning at a point with coordinates N438,739.53, E810,354.75, thence running northwesterly about 200.00 feet to coordinates N438,874.02, E810,206.72, thence running northeasterly about 400.00 feet to coordinates N439,170.07, E810,475,70, thence running southwesterly about 447.21 feet to the point of origin.

(7) DULUTH-SUPERIOR HARBOR, MINNESOTA AND WISCONSIN.—The portion of the project for navigation, Duluth-Superior Harbor, Minnesota and Wisconsin, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 3, 1896 (29 Stat. 212), known as the 21st Avenue West Channel, beginning at the most southeasterly point of the channel N423074.09, E2871635.43 thence running north-northwest about 1854.83 feet along the easterly limit of the project to a point N424706.69, E2870755.48, thence running northwesterly about 111.07 feet to a point on the northerly limit of the project N424777.27, E2870669.46, thence west-southwest 157.88 feet along the north limit of the project to a point N424703.04, E2870530.38, thence south-southeast 1978.27 feet to the most southwesterly point N422961.45, E2871469.07, thence northeasterly 201.00 feet along the southern limit of the project to the point of origin.

(8) TREMLEY POINT, NEW JERSEY.—The portion of the Federal navigation channel, New York and New Jersey Channels, New York and New Jersey, authorized by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved August 30, 1935 (49 Stat. 1028), and modified by section 101 of the River and Harbor Act of 1950 (64 Stat. 164), that consists of a 35-foot deep channel beginning at a point along the western limit of the authorized project, N644100.411, E129256.91, thence running southeasterly about 38.25 feet to a point N644068.885, E129278.565, thence running southerly about 1,163.86 feet to a point N642912.127, E129150.209, thence running southwesterly about 56.89 feet to a point N642864.09, E2129119.725, thence running northerly along the existing western limit of the existing project to the point of origin.

(9) ANGOLA, NEW YORK.—The project for erosion protection, Angola Water Treatment Plant, Angola, New York, constructed under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r).

(10) WALLABOUT CHANNEL, BROOKLYN, NEW YORK.—The portion of the project for navigation, Wallabout Channel, Brooklyn, New York, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 3, 1899 (30 Stat. 1124), that is located at the northeast corner of the project and is described as follows:

Beginning at a point forming the northeast corner of the project and designated with the coordinate of North N 682,307.40; East 638,918.10; thence along the following 6 courses and distances:

(A) South 85 degrees, 44 minutes, 13 seconds East 87.94 feet (coordinate: N 682,300.86 E 639,005.80).

(B) North 74 degrees, 41 minutes, 30 seconds East 271.54 feet (coordinate: N 682,372.55 E 639,267.71).

(C) South 4 degrees, 46 minutes, 02 seconds West 170.95 feet (coordinate: N 682,202.20 E 639,253.50).

(D) South 4 degrees, 46 minutes, 02 seconds West 239.97 feet (coordinate: N 681,963.06 E 639,233.56).

(E) North 50 degrees, 48 minutes, 26 seconds West 305.48 feet (coordinate: N 682,156.10 E 638,996.80).

(F) North 3 degrees, 33 minutes, 25 seconds East 145.04 feet (coordinate: N 682,300.86 E 639,005.80).

(b) ROCKPORT HARBOR, MASSACHUSETTS.—The project for navigation, Rockport Harbor, Massachusetts, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified—

(1) to redesignate a portion of the 8-foot north outer anchorage as part of the 8-foot approach channel to the north inner basin described as follows: the perimeter of the area starts at a point with coordinates N605,792.110, E838,020.009, thence running south 89 degrees 12 minutes 27.1 seconds east 64.794 feet to a point N605,791.214, E838,084.797, thence running south 47 degrees 18 minutes 54.0 seconds west 40.495 feet to a point N605,763.760, E838,055.030, thence running north 68 degrees 26 minutes 49.0 seconds west 43.533 feet to a point N605,779.750, E838,014.540, thence running north 23 degrees 52 minutes 08.4 seconds east 13.514 feet to the point of origin; and

(2) to realign a portion of the 8-foot north inner basin approach channel by adding an area described as follows: the perimeter of the area starts at a point with coordinates N605,792.637, E837,981.920, thence running south 89 degrees 12 minutes 27.1 seconds east 38.093 feet to a point N605,792.110, E838,020.009, thence running south 23 degrees 52 minutes 08.4 seconds west 13.514 feet to a point N605,779.752, E838,014.541, thence running north 68 degrees 26 minutes 49.0 seconds west 35.074 feet to the point of origin.

SEC. 354. WYOMING VALLEY, PENNSYLVANIA.

(a) IN GENERAL.—The project for flood control, Wyoming Valley, Pennsylvania, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124) is modified as provided in this section.

(b) ADDITIONAL PROJECT ELEMENTS.—The Secretary shall construct each of the following additional elements of the project to the extent that the Secretary determines that the element is technically feasible, environmentally acceptable, and economically justified:

(1) The River Commons plan developed by the non-Federal sponsor for both sides of the Susquehanna River beside historic downtown Wilkes-Barre.

(2) Necessary portal modifications to the project to allow at grade access from Wilkes-Barre to the Susquehanna River to facilitate operation, maintenance, replacement, repair, and rehabilitation of the project and to restore access to the Susquehanna River for the public.

(3) A concrete capped sheet pile wall in lieu of raising an earthen embankment to reduce the disturbance to the Historic River Commons area.

(4) All necessary modifications to the Stormwater Pump Stations in Wyoming Valley.

(5) All necessary evaluations and modifications to all elements of the existing flood control projects to include Coal Creek, Toby Creek, Abrahams Creek, and various relief culverts and penetrations through the levee.

(c) CREDIT.—The Secretary shall credit the Luzerne County Flood Protection Authority toward the non-Federal share of the cost of the project for the value of the Forty-Fort ponding basin area purchased after June 1, 1972, by Luzerne County, Pennsylvania, for an estimated cost of $500,000 under section 102(w) of the Water Resources Development Act of 1992 (102 Stat. 508) to the extent that the Secretary determines that the area purchased is integral to the project.

(d) MODIFICATION OF MITIGATION PLAN AND PROJECT COOPERATION AGREEMENT.—

(1) MODIFICATION OF MITIGATION PLAN.—The Secretary shall provide for the deletion, from the Mitigation Plan for the Wyoming Valley Levees, approved by the Secretary on February 15, 1996, the proposal to remove the abandoned Bloomsburg Railroad Bridge.

(2) MODIFICATION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall modify the project cooperation agreement, executed in October 1996, to reflect removal of the railroad bridge and its $1,800,000 total cost from the mitigation plan under paragraph (1).

(e) MAXIMUM PROJECT COST.—The total cost of the project, as modified by this section, shall not exceed the amount authorized in section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), with increases authorized by section 902 of the Water Resources Development Act of 1986 (100 Stat. 4183).

SEC. 355. REHOBOTH BEACH AND DEWEY BEACH, DELAWARE.

The project for storm damage reduction and shoreline protection, Rehoboth Beach and Dewey Beach, Delaware, authorized by section 101(b)(6) of the Water Resources development Act of 1996, is modified to authorize the project at a total cost of $13,997,000, with an estimated Federal cost of $9,098,000 and an estimated non-Federal cost of $4,899,000, and an estimated average annual cost of $1,320,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $858,000 and an estimated annual non-Federal cost of $462,000.

TITLE IV—STUDIES

SEC. 401. STUDIES OF COMPLETED PROJECTS.

The Secretary shall conduct a study under section 216 of the Flood Control Act of 1970 (84 Stat. 1830) of each of the following completed projects:

(1) ESCAMBIA BAY AND RIVER, FLORIDA.—Project for navigation, Escambia Bay and River, Florida.

(2) ILLINOIS RIVER, HAVANA, ILLINOIS.—Project for flood control, Illinois River, Havana, Illinois, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1583).

(3) SPRING LAKE, ILLINOIS.—Project for flood control, Spring Lake, Illinois, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1584).

(4) PORT ORFORD, OREGON.—Project for flood control, Port Orford, Oregon, authorized by section 301 of River and Harbor Act of 1965 (79 Stat. 1092).

SEC. 402. WATERSHED AND RIVER BASIN ASSESSMENTS.

Section 729 of the Water Resources Development Act of 1986 (100 Stat. 4164) is amended to read as follows:

''SEC. 729. WATERSHED AND RIVER BASIN ASSESSMENTS.

''(a) IN GENERAL.—The Secretary may assess the water resources needs of interstate river basins and watersheds of the United States. The assessments shall be undertaken in cooperation and coordination with the Departments of the Interior, Agriculture, and Commerce, the Environmental Protection

Agency, and other appropriate agencies, and may include an evaluation of ecosystem protection and restoration, flood damage reduction, navigation and port needs, watershed protection, water supply, and drought preparedness.

''(b) CONSULTATION.—The Secretary shall consult with Federal, tribal, State, interstate, and local governmental entities in carrying out the assessments authorized by this section. In conducting the assessments, the Secretary may accept contributions of services, materials, supplies and cash from Federal, tribal, State, interstate, and local governmental entities where the Secretary determines that such contributions will facilitate completion of the assessments.

''(c) PRIORITY CONSIDERATION.—The Secretary shall give priority consideration to the following interstate river basins and watersheds:

''(1) Delaware River.

''(2) Potomac River.

''(3) Susquehanna River.

''(4) Kentucky River.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000.''.

SEC. 403. LOWER MISSISSIPPI RIVER RESOURCE ASSESSMENT.

(a) ASSESSMENTS.—The Secretary, in cooperation with the Secretary of the Interior and the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, shall undertake, at Federal expense, for the Lower Mississippi River system—

(1) an assessment of information needed for river-related management;

(2) an assessment of natural resource habitat needs; and

(3) an assessment of the need for river-related recreation and access.

(b) PERIOD.—Each assessment referred to in subsection (a) shall be carried out for 2 years.

(c) REPORTS.—Before the last day of the second year of an assessment under subsection (a), the Secretary, in cooperation with the Secretary of the Interior and the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, shall transmit to Congress a report on the results of the assessment to Congress. The report shall contain recommendations for—

(1) the collection, availability, and use of information needed for river-related management;

(2) the planning, construction, and evaluation of potential restoration, protection, and enhancement measures to meet identified habitat needs; and

(3) potential projects to meet identified river access and recreation needs.

(d) LOWER MISSISSIPPI RIVER SYSTEM DEFINED.—In this section, the term ''Lower Mississippi River system'' means those river reaches and adjacent floodplains within the Lower Mississippi River alluvial valley having commercial navigation channels on the Mississippi mainstem and tributaries south of Cairo, Illinois, and the Atchafalaya basin floodway system.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,750,000 to carry out this section.

SEC. 404. UPPER MISSISSIPPI RIVER BASIN SEDIMENT AND NUTRIENT STUDY.

(a) IN GENERAL.—The Secretary shall conduct, at Federal expense, a study—

(1) to identify significant sources of sediment and nutrients in the Upper Mississippi River basin; and

(2) to describe and evaluate the processes by which the sediments and nutrients move, on land and in water, from their sources to the Upper Mississippi River and its tributaries.

(b) CONSULTATION.—In conducting the study, the Secretary shall consult the Departments of Agriculture and the Interior.

(c) COMPONENTS OF THE STUDY.—

(1) COMPUTER MODELING.—As part of the study, the Secretary shall develop computer models at the subwatershed and basin level to identify and quantify the sources of sediment and nutrients and to examine the effectiveness of alternative management measures.

(2) RESEARCH.—As part of the study, the Secretary shall conduct research to improve understanding of—

(A) the processes affecting sediment and nutrient (with emphasis on nitrogen and phosphorus) movement;

(B) the influences of soil type, slope, climate, vegetation cover, and modifications to the stream drainage network on sediment and nutrient losses; and

(C) river hydrodynamics in relation to sediment and nutrient transformations, retention, and movement.

(d) USE OF INFORMATION.—Upon request of a Federal agency, the Secretary may provide information to the agency for use in sediment and nutrient reduction programs associated with land use and land management practices.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study, including findings and recommendations.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 405. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN.

Section 459(e) of the Water Resources Development Act of 1999 (113 Stat. 333) is amended by striking ''date of enactment of this Act'' and inserting ''first date on which funds are appropriated to carry out this section.''.

SEC. 406. OHIO RIVER SYSTEM.

The Secretary may conduct a study of commodity flows on the Ohio River system at Federal expense. The study shall include an analysis of the commodities transported on the Ohio River system, including information on the origins and destinations of these commodities and market trends, both national and international.

SEC. 407. EASTERN ARKANSAS.

(a) IN GENERAL.—The Secretary shall reevaluate the recommendations in the Eastern Arkansas Region Comprehensive Study of the Memphis District Engineer, dated August 1990, to determine whether the plans outlined in the study for agricultural water supply from the Little Red River, Arkansas, are feasible and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the reevaluation.

SEC. 408. RUSSELL, ARKANSAS.

(a) IN GENERAL.—The Secretary shall evaluate the preliminary investigation report for agricultural water supply, Russell, Arkansas, entitled ''Preliminary Investigation: Lone Star Management Project'', prepared for the Lone Star Water Irrigation District, to determine whether the plans contained in the report are feasible and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 409. ESTUDILLO CANAL, SAN LEANDRO, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction along the Estudillo Canal, San Leandro, California.

SEC. 410. LAGUNA CREEK, FREMONT, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction in the Laguna Creek watershed, Fremont, California.

SEC. 411. LAKE MERRITT, OAKLAND, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for ecosystem restoration, flood damage reduction, and recreation at Lake Merritt, Oakland, California.

SEC. 412. LANCASTER, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall evaluate the report of the city of Lancaster, California, entitled ''Master Plan of Drainage'', to determine whether the plans contained in the report are feasible and in the Federal interest, including plans relating to drainage corridors located at 52nd Street West, 35th Street West, North Armargosa, and 20th Street East.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 413. NAPA COUNTY, CALIFORNIA.

(a) STUDY.—The Secretary shall conduct a study to determine the feasibility of carrying out a project to address water supply, water quality, and groundwater problems at Miliken, Sarco, and Tulocay Creeks in Napa County, California.

(b) USE OF EXISTING DATA.—In conducting the study, the Secretary shall use data and information developed by the United States Geological Survey in the report entitled ''Geohydrologic Framework and Hydrologic Budget of the Lower Miliken-Sarco-Tulocay Creeks Area of Napa, California''.

SEC. 414. OCEANSIDE, CALIFORNIA.

The Secretary shall conduct a study, at Federal expense, to determine the feasibility of carrying out a project for shoreline protection at Oceanside, California. In conducting the study, the Secretary shall determine the portion of beach erosion that is the result of a Navy navigation project at Camp Pendleton Harbor, California.

SEC. 415. SUISUN MARSH, CALIFORNIA.

The investigation for Suisun Marsh, California, authorized under the Energy and Water Development Appropriations Act, 2000 (Public Law 106–60), shall be limited to evaluating the feasibility of the levee enhancement and managed wetlands protection program for Suisun Marsh, California.

SEC. 416. LAKE ALLATOONA WATERSHED, GEORGIA.

Section 413 of the Water Resources Development Act of 1999 (113 Stat. 324) is amended to read as follows:

''SEC. 413. LAKE ALLATOONA WATERSHED, GEORGIA.

''(a) IN GENERAL.—The Secretary shall conduct a comprehensive study of the Lake Allatoona watershed, Georgia, to determine the feasibility of undertaking ecosystem restoration and resource protection measures.

''(b) MATTERS TO BE ADDRESSED.—The study shall address streambank and shoreline erosion, sedimentation, water quality, fish and wildlife habitat degradation and other problems relating to ecosystem restoration and resource protection in the Lake Allatoona watershed.''.

SEC. 417. CHICAGO RIVER, CHICAGO, ILLINOIS.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for shoreline protection along the Chicago River, Chicago, Illinois.

(b) CONSULTATION.—In conducting the study, the Secretary shall consult, and incorporate information available from, appropriate Federal, State, and local government agencies.

SEC. 418. CHICAGO SANITARY AND SHIP CANAL SYSTEM, CHICAGO, ILLINOIS.

The Secretary shall conduct a study to determine the advisability of reducing the use of the waters of Lake Michigan to support navigation in the Chicago sanitary and ship canal system, Chicago, Illinois.

SEC. 419. LONG LAKE, INDIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration and protection, Long Lake, Indiana.

SEC. 420. BRUSH AND ROCK CREEKS, MISSION HILLS AND FAIRWAY, KANSAS.

(a) IN GENERAL.—The Secretary shall evaluate the preliminary engineering report for the project for flood control, Mission Hills and Fairway, Kansas, entitled ''Preliminary Engineering Report: Brush Creek/Rock Creek Drainage Improvements, 66th Street to State Line Road'', to determine whether the plans contained in the report are feasible and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 421. COASTAL AREAS OF LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of developing measures to floodproof major hurricane evacuation routes in the coastal areas of Louisiana.

SEC. 422. IBERIA PORT, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation, Iberia Port, Louisiana.

SEC. 423. LAKE PONTCHARTRAIN SEAWALL, LOUISIANA.

Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a post-authorization change report on the project for hurricane-flood protection, Lake Pontchartrain, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077), to incorporate and accomplish structural modifications to the seawall providing protection along the south shore of Lake Pontchartrain from the New Basin Canal on the west to the Inner Harbor Navigation Canal on the east.

SEC. 424. LOWER ATCHAFALAYA BASIN, LOUISIANA.

As part of the Lower Atchafalaya basin reevaluation study, the Secretary shall determine the feasibility of carrying out a project for flood damage reduction, Stephensville, Louisiana.

SEC. 425. ST. JOHN THE BAPTIST PARISH, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction on the east bank of the Mississippi River in St. John the Baptist Parish, Louisiana.

SEC. 426. LAS VEGAS VALLEY, NEVADA.

Section 432(b) of the Water Resources Development Act of 1999 (113 Stat. 327) is amended by inserting ''recreation,'' after ''runoff),''.

SEC. 427. SOUTHWEST VALLEY, ALBUQUERQUE, NEW MEXICO.

Section 433 of the Water Resources Development Act of 1999 (113 Stat. 327) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The''; and

(2) by adding at the end the following:

''(b) EVALUATION OF FLOOD DAMAGE REDUCTION MEASURES.—In conducting the study, the Secretary shall evaluate flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies of the Corps of Engineers concerning the frequency of flooding, the drainage area, and the amount of runoff.''.

SEC. 428. BUFFALO HARBOR, BUFFALO, NEW YORK.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the advisability and potential impacts of declaring as nonnavigable a portion of the channel at Control Point Draw, Buffalo Harbor, Buffalo New York.

(b) CONTENTS.—The study conducted under this section shall include an examination of other options to meet intermodal transportation needs in the area.

SEC. 429. HUDSON RIVER, MANHATTAN, NEW YORK.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of establishing a Hudson River Park in Manhattan, New York City, New York. The study shall address the issues of shoreline protection, environmental protection and restoration, recreation, waterfront access, and open space for the area between Battery Place and West 59th Street.

(b) CONSULTATION.—In conducting the study under subsection (a), the Secretary shall consult the Hudson River Park Trust.

(c) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall transmit to Congress a report on the result of the study, including a master plan for the park.

SEC. 430. JAMESVILLE RESERVOIR, ONONDAGA COUNTY, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration, flood damage reduction, and water quality, Jamesville Reservoir, Onondaga County, New York.

SEC. 431. STEUBENVIILLE, OHIO.

The Secretary shall conduct a study to determine the feasibility of developing a public port along the Ohio River in the vicinity of Steubenville, Ohio.

SEC. 432. GRAND LAKE, OKLAHOMA.

Section 560(a) of the Water Resources Development Act of 1996 (110 Stat. 3783) is amended—

(1) by striking ''date of enactment of this Act'' and inserting ''date of enactment of the Water Resources Development Act of 2000''; and

(2) by inserting ''and Miami'' after ''Pensacola Dam''.

SEC. 433. COLUMBIA SLOUGH, OREGON.

Not later than 180 days after the date of enactment of this Act, the Secretary shall complete under section 1135 of the Water Resource Development Act of 1986 (33 U.S.C. 2309a) a feasiblility study for the ecosystem restoration project at Columbia Slough, Oregon. If the Secretary determines that the project is feasible, the Secretary may carry out the project on an expedited basis under such section.

SEC. 434. REEDY RIVER, GREENVILLE, SOUTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration, flood damage reduction, and streambank stabilization on the Reedy River, Cleveland Park West, Greenville, South Carolina.

SEC. 435. GERMANTOWN, TENNESSEE.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood control and related purposes along Miller Farms Ditch, Howard Road Drainage, and Wolf River Lateral D, Germantown, Tennessee.

(b) COST SHARING.—The Secretary—

(1) shall credit toward the non-Federal share of the costs of the feasibility study the value of the in-kind services provided by the non-Federal interests relating to the planning, engineering, and design of the project, whether carried out before or after execution of the feasibility study cost-sharing agreement if the Secretary determines the work is necessary for completion of the study; and

(2) for the purposes of paragraph (1), shall consider the feasibility study to be conducted as part of the Memphis Metro Tennessee and Mississippi study authorized by resolution of the Committee on Transportation and Infrastructure, dated March 7, 1996.

(c) LIMITATION.—The Secretary may not reject the project under the feasibility study based solely on a minimum amount of stream runoff.

SEC. 436. HOUSTON SHIP CHANNEL, GALVESTON, TEXAS.

The Secretary shall conduct a study to determine the feasibility of constructing barge lanes adjacent to the Houston Ship Channel from Redfish Reef to Morgan Point in Galveston, Texas.

SEC. 437. PARK CITY, UTAH.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Park City, Utah.

SEC. 438. MILWAUKEE, WISCONSIN.

(a) IN GENERAL.—The Secretary shall evaluate the report for the project for flood damage reduction and environmental restoration, Milwaukee, Wisconsin, entitled ''Interim Executive Summary: Menominee River Flood Management Plan'', dated September 1999, to determine whether the plans contained in the report are cost-effective, technically sound, environmentally acceptable, and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 439. UPPER DES PLAINES RIVER AND TRIBUTARIES, ILLINOIS AND WISCONSIN.

Section 419 of the Water Resources Development Act of 1999 (113 Stat. 324–325) is amended by adding at the end the following:

''(d) CREDIT.—The Secretary shall provide the non-Federal interest credit toward the non-Federal share of the cost of the study for work performed by the non-Federal interest before the date of the study's feasibility cost-share agreement if the Secretary determines that the work is integral to the study.''.

SEC. 440. DELAWARE RIVER WATERSHED.

(a) STUDY.—The Secretary shall conduct studies and assessments to analyze the sources and impacts of sediment contamination in the Delaware River watershed.

(b) ACTIVITIES.—Activities authorized under this section shall be conducted by a university with expertise in research in contaminated sediment sciences.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $5,000,000. Such sums shall remain available until expended.

(2) CORPS OF ENGINEERS EXPENSES.—10 percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer and implement studies and assessments under this section.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. BRIDGEPORT, ALABAMA.

(a) DETERMINATION.—The Secretary shall review the construction of a channel performed by the non-Federal interest at the project for navigation, Tennessee River, Bridgeport, Alabama, to determine the Federal navigation interest in such work.

(b) REIMBURSEMENT.—If the Secretary determines under subsection (a) that the work performed by the non-Federal interest is consistent with the Federal navigation interest, the Secretary shall reimburse the non-

Federal interest an amount equal to the Federal share of the cost of construction of the channel.

SEC. 502. DUCK RIVER, CULLMAN, ALABAMA.

The Secretary shall provide technical assistance to the city of Cullman, Alabama, in the management of construction contracts for the reservoir project on the Duck River.

SEC. 503. SEWARD, ALASKA.

The Secretary shall carry out, on an emergency one-time basis, necessary repairs of the Lowell Creek Tunnel in Seward, Alaska, at Federal expense and a total cost of $3,000,000.

SEC. 504. AUGUSTA AND DEVALLS BLUFF, ARKANSAS.

(a) IN GENERAL.—The Secretary may operate, maintain, and rehabilitate 37 miles of levees in and around Augusta and Devalls Bluff, Arkansas.

(b) REIMBURSEMENT.—After incurring any cost for operation, maintenance, or rehabilitation under subsection (a), the Secretary may seek reimbursement from the Secretary of the Interior of an amount equal to the portion of such cost that the Secretary determines is a benefit to a Federal wildlife refuge.

SEC. 505. BEAVER LAKE, ARKANSAS.

The contract price for additional storage for the Carroll-Boone Water District beyond that which is provided for in section 521 of the Water Resources Development Act of 1999 (113 Stat. 345) shall be based on the original construction cost of Beaver Lake and adjusted to the 2000 price level net of inflation between the date of initiation of construction and the date of enactment of this Act.

SEC. 506. McCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM, ARKANSAS AND OKLAHOMA.

Taking into account the need to realize the total economic potential of the McClellan-Kerr Arkansas River navigation system, the Secretary shall expedite completion of the Arkansas River navigation study, including the feasibility of increasing the authorized channel from 9 feet to 12 feet and, if justified, proceed directly to project preconstruction engineering and design.±

SEC. 507. CALFED BAY DELTA PROGRAM ASSISTANCE, CALIFORNIA.

(a) IN GENERAL.—The Secretary may participate with appropriate Federal and State agencies in planning and management activities associated with the CALFED Bay Delta Program (in this section referred to as the ''Program'') and shall, to the maximum extent practicable and in accordance with all applicable laws, integrate the activities of the Corps of Engineers in the San Joaquin and Sacramento River basins with the long-term goals of the Program.

(b) COOPERATIVE ACTIVITIES.—In carrying out this section, the Secretary—

(1) may accept and expend funds from other Federal agencies and from public, private, and non-profit entities to carry out ecosystem restoration projects and activities associated with the Program; and

(2) may enter into contracts, cooperative research and development agreements, and cooperative agreements, with Federal and public, private, and non-profit entities to carry out such projects and activities.

(c) GEOGRAPHIC SCOPE.—For the purposes of the participation of the Secretary under this section, the geographic scope of the Program shall be the San Francisco Bay and the Sacramento-San Joaquin Delta Estuary and their watershed (also known as the ''Bay-Delta Estuary''), as identified in the agreement entitled the ''Framework Agreement Between the Governor's Water Policy Council of the State of California and the Federal Ecosystem Directorate''.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal years 2002 through 2005.

SEC. 508. CLEAR LAKE BASIN, CALIFORNIA.

Amounts made available to the Secretary by the Energy and Water Appropriations Act, 2000 (113 Stat. 483 et seq.) for the project for aquatic ecosystem restoration, Clear Lake basin, California, to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), may only be used for the wetlands restoration and creation elements of the project.

SEC. 509. CONTRA COSTA CANAL, OAKLEY AND KNIGHTSEN, CALIFORNIA.

The Secretary shall carry out a project for flood damage reduction under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) at the Contra Costa Canal, Oakley and Knightsen, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 510. HUNTINGTON BEACH, CALIFORNIA.

The Secretary shall carry out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) a project for flood damage reduction in Huntington Beach, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 511. MALLARD SLOUGH, PITTSBURG, CALIFORNIA.

The Secretary shall carry out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) a project for flood damage reduction in Mallard Slough, Pittsburg, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 512. PENN MINE, CALAVERAS COUNTY, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall reimburse the non-Federal interest for the project for aquatic ecosystem restoration, Penn Mine, Calaveras County, California, carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), $4,100,000 for the Federal share of costs incurred by the non-Federal interest for work carried out by the non-Federal interest for the project.

(b) SOURCE OF FUNDING.—Reimbursement under subsection (a) shall be from amounts appropriated before the date of enactment of this Act for the project described in subsection (a).

SEC. 513. PORT OF SAN FRANCISCO, CALIFORNIA.

(a) EMERGENCY MEASURES.—The Secretary shall carry out, on an emergency basis, measures to address health, safety, and environmental risks posed by floatables and floating debris originating from Piers 24 and 64 in the Port of San Francisco, California, by removing such floatables and debris.

(b) STUDY.—The Secretary shall conduct a study to determine the risk to navigation posed by floatables and floating debris originating from Piers 24 and 64 in the Port of San Francisco, California, and the cost of removing such floatables and debris.

(c) FUNDING.—There is authorized to be appropriated $3,000,000 to carry out this section.

SEC. 514. SAN GABRIEL BASIN, CALIFORNIA.

(a) SAN GABRIEL BASIN RESTORATION.—

(1) ESTABLISHMENT OF FUND.—There shall be established within the Treasury of the United States an interest bearing account to be known as the San Gabriel Basin Restoration Fund (in this section referred to as the ''Restoration Fund'').

(2) ADMINISTRATION OF FUND.—The Restoration Fund shall be administered by the Secretary, in cooperation with the San Gabriel Basin Water Quality Authority or its successor agency.

(3) PURPOSES OF FUND.—

(A) IN GENERAL.—Subject to subparagraph (B), the amounts in the Restoration Fund, including interest accrued, shall be utilized by the Secretary—

(i) to design and construct water quality projects to be administered by the San Gabriel Basin Water Quality Authority and the Central Basin Water Quality Project to be administered by the Central Basin Municipal Water District; and

(ii) to operate and maintain any project constructed under this section for such period as the Secretary determines, but not to exceed 10 years, following the initial date of operation of the project.

(B) COST-SHARING LIMITATION.—The Secretary may not obligate any funds appropriated to the Restoration Fund in a fiscal year until the Secretary has deposited in the Fund an amount provided by non-Federal interests sufficient to ensure that at least 35 percent of any funds obligated by the Secretary are from funds provided to the Secretary by the non-Federal interests. The San Gabriel Basin Water Quality Authority shall be responsible for providing the non-Federal amount required by the preceding sentence. The State of California, local government agencies, and private entities may provide all or any portion of such amount.

(b) COMPLIANCE WITH APPLICABLE LAW.—In carrying out the activities described in this section, the Secretary shall comply with any applicable Federal and State laws.

(c) RELATIONSHIP TO OTHER ACTIVITIES.—Nothing in this section shall be construed to affect other Federal or State authorities that are being used or may be used to facilitate the cleanup and protection of the San Gabriel and Central groundwater basins. In carrying out the activities described in this section, the Secretary shall integrate such activities with ongoing Federal and State projects and activities. None of the funds made available for such activities pursuant to this section shall be counted against any Federal authorization ceiling established for any previously authorized Federal projects or activities.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Restoration Fund established under subsection (a) $85,000,000. Such funds shall remain available until expended.

(2) SET-ASIDE.—Of the amounts appropriated under paragraph (1), no more than $10,000,000 shall be available to carry out the Central Basin Water Quality Project.

(e) ADJUSTMENT.—Of the $25,000,000 made available for San Gabriel Basin Groundwater Restoration, California, under the heading ''Construction, General'' in title I of the Energy and Water Development Appropriations Act, 2001—

(1) $2,000,000 shall be available only for studies and other investigative activities and planning and design of projects determined by the Secretary to offer a long-term solution to the problem of groundwater contamination caused by perchlorates at sites located in the city of Santa Clarita, California; and

(2) $23,000,000 shall be deposited in the Restoration Fund, of which $4,000,000 shall be used for remediation in the Central Basin, California.

SEC. 515. STOCKTON, CALIFORNIA.

The Secretary shall evaluate the feasibility of the Lower Mosher Slough element and the levee extensions on the Upper Calaveras River element of the project for flood control, Stockton Metropolitan Area, California, carried out under section 211(f)(3) of the Water Resources Development Act of 1996 (110 Stat. 3683), to determine the eligibility of such elements for reimbursement under section 211 of such Act (33 U.S.C. 701b–

13). If the Secretary determines that such elements are technically sound, environmentally acceptable, and economically justified, the Secretary shall reimburse under section 211 of such Act the non-Federal interest for the Federal share of the cost of such elements.

SEC. 516. PORT EVERGLADES, FLORIDA.

Notwithstanding the absence of a project cooperation agreement, the Secretary shall reimburse the non-Federal interest for the project for navigation, Port Everglades Harbor, Florida, $15,003,000 for the Federal share of costs incurred by the non-Federal interest in carrying out the project and determined by the Secretary to be eligible for reimbursement under the limited reevaluation report of the Corps of Engineers, dated April 1998.

SEC. 517. FLORIDA KEYS WATER QUALITY IMPROVEMENTS.

(a) IN GENERAL.—In coordination with the Florida Keys Aqueduct Authority, appropriate agencies of municipalities of Monroe County, Florida, and other appropriate public agencies of the State of Florida or Monroe County, the Secretary may provide technical and financial assistance to carry out projects for the planning, design, and construction of treatment works to improve water quality in the Florida Keys National Marine Sanctuary.

(b) CRITERIA FOR PROJECTS.—Before entering into a cooperation agreement to provide assistance with respect to a project under this section, the Secretary shall ensure that—

(1) the non-Federal sponsor has completed adequate planning and design activities, as applicable;

(2) the non-Federal sponsor has completed a financial plan identifying sources of non-Federal funding for the project;

(3) the project complies with—

(A) applicable growth management ordinances of Monroe County, Florida;

(B) applicable agreements between Monroe County, Florida, and the State of Florida to manage growth in Monroe County, Florida; and

(C) applicable water quality standards; and

(4) the project is consistent with the master wastewater and stormwater plans for Monroe County, Florida.

(c) CONSIDERATION.—In selecting projects under subsection (a), the Secretary shall consider whether a project will have substantial water quality benefits relative to other projects under consideration.

(d) CONSULTATION.—In carrying out this section, the Secretary shall consult with—

(1) the Water Quality Steering Committee established under section 8(d)(2)(A) of the Florida Keys National Marine Sanctuary and Protection Act (106 Stat. 5054);

(2) the South Florida Ecosystem Restoration Task Force established by section 528(f) of the Water Resources Development Act of 1996 (110 Stat. 3771–3773);

(3) the Commission on the Everglades established by executive order of the Governor of the State of Florida; and

(4) other appropriate State and local government officials.

(e) NON-FEDERAL SHARE.—

(1) IN GENERAL.—The non-Federal share of the cost of a project carried out under this section shall be 35 percent.

(2) CREDIT.—

(A) IN GENERAL.—The Secretary may provide the non-Federal interest credit toward cash contributions required—

(i) before and during the construction of the project, for the costs of planning, engineering, and design, and for the construction management work that is performed by the non-Federal interest and that the Secretary determines is necessary to implement the project; and

(ii) during the construction of the project, for the construction that the non-Federal interest carries out on behalf of the Secretary and that the Secretary determines is necessary to carry out the project.

(B) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this paragraph may be carried over between authorized projects.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000. Such sums shall remain available until expended.

SEC. 518. BALLARD'S ISLAND, LASALLE COUNTY, ILLINOIS.

The Secretary may provide the non-Federal interest for the project for the improvement of the quality of the environment, Ballard's Island, LaSalle County, Illinois, carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C 2309a), credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest after July 1, 1999, if the Secretary determines that the work is integral to the project.

SEC. 519. LAKE MICHIGAN DIVERSION, ILLINOIS.

Section 1142(b) of the Water Resources Development Act of 1986 (110 Stat. 4253; 113 Stat. 339) is amended by inserting after ''2003'' the following: ''and $800,000 for each fiscal year beginning after September 30, 2003,''.

SEC. 520. KOONTZ LAKE, INDIANA.

The Secretary shall provide the non-Federal interest for the project for aquatic ecosystem restoration, Koontz Lake, Indiana, carried out under section 206 of the Water Resources Development Act of 1996 (22 U.S.C. 2330), credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest before the date of execution of the project cooperation agreement if the Secretary determines that the work is integral to the project.

SEC. 521. CAMPBELLSVILLE LAKE, KENTUCKY.

The Secretary shall repair the retaining wall and dam at Campbellsville Lake, Kentucky, to protect the public road on top of the dam at Federal expense and a total cost of $200,000.

SEC. 522. WEST VIEW SHORES, CECIL COUNTY, MARYLAND.

Not later than 1 year after the date of enactment of this Act, the Secretary shall carry out an investigation of the contamination of the well system in West View Shores, Cecil County, Maryland. If the Secretary determines that a disposal site for a Federal navigation project has contributed to the contamination of the well system, the Secretary may provide alternative water supplies, including replacement of wells, at Federal expense.

SEC. 523. CONSERVATION OF FISH AND WILDLIFE, CHESAPEAKE BAY, MARYLAND AND VIRGINIA.

Section 704(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended by adding at the end the following: ''In addition, there is authorized to be appropriated $20,000,000 to carry out paragraph (4).''.

SEC. 524. MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS.

The Secretary shall carry out the project for flood damage reduction and environmental restoration, Muddy River, Brookline and Boston, Massachusetts, substantially in accordance with the plans, and subject to the conditions, described in the draft evaluation report of the New England District Engineer entitled ''Phase I Muddy River Master Plan'', dated June 2000.

SEC. 525. SOO LOCKS, SAULT STE. MARIE, MICHIGAN.

The Secretary may not require a cargo vessel equipped with bow thrusters and friction winches that is transiting the Soo Locks in Sault Ste. Marie, Michigan, to provide more than 2 crew members to serve as line handlers on the pier of a lock, except in adverse weather conditions or if there is a mechanical failure on the vessel.

SEC. 526. DULUTH, MINNESOTA, ALTERNATIVE TECHNOLOGY PROJECT.

(a) PROJECT AUTHORIZATION.—Section 541(a) of the Water Resources Development Act of 1996 (110 Stat. 3777) is amended—

(1) by striking ''implement'' and inserting ''conduct full scale demonstrations of''; and

(2) by inserting before the period the following: '', including technologies evaluated for the New York/New Jersey Harbor under section 405 of the Water Resources Development Act of 1992 (33 U.S.C. 2239 note; 106 Stat. 4863)''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 541(b) of such Act is amended by striking ''$1,000,000'' and inserting ''$3,000,000''.

SEC. 527. MINNEAPOLIS, MINNESOTA.

(a) IN GENERAL.—The Secretary, in cooperation with the State of Minnesota, shall design and construct the project for environmental restoration and recreation, Minneapolis, Minnesota, substantially in accordance with the plans described in the report entitled ''Feasibility Study for Mississippi Whitewater Park, Minneapolis, Minnesota'', prepared for the Minnesota department of natural resources, dated June 30, 1999.

(b) COST SHARING.—

(1) IN GENERAL.—The non-Federal share of the cost of the project shall be determined in accordance with title I of the Water Resources Development Act of 1986 (33 U.S.C. 2211 et seq.).

(2) LANDS, EASEMENTS, AND RIGHTS-OF-WAY.—The non-Federal interest shall provide all lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for construction of the project and shall receive credit for the cost of providing such lands, easements, rights-of-way, relocations, and dredged material disposal areas toward the non-Federal share of the cost of the project.

(3) OPERATION, MAINTENANCE, REPAIR, REHABILITATION, AND REPLACEMENT.—The operation, maintenance, repair, rehabilitation, and replacement of the project shall be a non-Federal responsibility.

(4) CREDIT FOR NON-FEDERAL WORK.—The non-Federal interest shall receive credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest before the date of execution of the project cooperation agreement if the Secretary determines that the work is integral to the project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SEC. 528. ST. LOUIS COUNTY, MINNESOTA.

The Secretary shall carry out under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) a project in St. Louis County, Minnesota, by making beneficial use of dredged material from a Federal navigation project.

SEC. 529. WILD RICE RIVER, MINNESOTA.

The Secretary shall prepare a general reevaluation report on the project for flood control, Wild Rice River, Minnesota, authorized by section 201 of the Flood Control Act of 1970 (84 Stat. 1825), and, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, shall carry out the project. In carrying out the reevaluation, the Secretary shall include river dredging as a component of the study.

SEC. 530. COASTAL MISSISSIPPI WETLANDS RESTORATION PROJECTS.

(a) IN GENERAL.—In order to further the purposes of section 204 of the Water Re-

sources Development Act of 1992 (33 U.S.C. 2326) and section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), the Secretary shall participate in restoration projects for critical coastal wetlands and coastal barrier islands in the State of Mississippi that will produce, consistent with existing Federal programs, projects, and activities, immediate and substantial restoration, preservation, and ecosystem protection benefits, including the beneficial use of dredged material if such use is a cost-effective means of disposal of such material.

(b) PROJECT SELECTION.—The Secretary, in coordination with other Federal, tribal, State, and local agencies, may identify and implement projects described in subsection (a) after entering into an agreement with an appropriate non-Federal interest in accordance with this section.

(c) COST SHARING.—Before implementing any project under this section, the Secretary shall enter into a binding agreement with the non-Federal interests. The agreement shall provide that the non-Federal responsibility for the project shall be as follows:

(1) To acquire any lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for implementation of the project.

(2) To hold and save harmless the United States free from claims or damages due to implementation of the project, except for the negligence of the Federal Government or its contractors.

(3) To pay 35 percent of project costs.

(d) NONPROFIT ENTITY.—For any project undertaken under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 531. MISSOURI RIVER VALLEY IMPROVEMENTS.

(a) MISSOURI RIVER MITIGATION PROJECT.—The project for mitigation of fish and wildlife losses, Missouri River Bank Stabilization and Navigation Project, Missouri, Kansas, Iowa, and Nebraska authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143) and modified by section 334 of the Water Resources Development Act of 1999 (113 Stat. 306), is further modified to authorize $200,000,000 for fiscal years 2001 through 2010 to be appropriated to the Secretary for acquisition of 118,650 acres of land and interests in land for the project.

(b) UPPER MISSOURI RIVER AQUATIC AND RIPARIAN HABITAT MITIGATION PROGRAM.—

(1) IN GENERAL.—

(A) STUDY.—The Secretary shall complete a study that analyzes the need for additional measures for mitigation of losses of aquatic and terrestrial habitat from Fort Peck Dam to Sioux City, Iowa, resulting from the operation of the Missouri River Mainstem Reservoir project in the States of Nebraska, South Dakota, North Dakota, and Montana.

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report describing the results of the study.

(2) PILOT PROGRAM.—The Secretary, in consultation with the Director of the United States Fish and Wildlife Service and the affected State fish and wildlife agencies, shall develop and administer a pilot mitigation program that—

(A) involves the experimental releases of warm water from the spillways at Fort Peck Dam during the appropriate spawning periods for native fish;

(B) involves the monitoring of the response of fish to, and the effectiveness toward the preservation of native fish and wildlife habitat as a result of, such releases; and

(C) requires the Secretary to provide compensation for any loss of hydropower at Fort Peck Dam resulting from implementation of the pilot program; and

(D) does not effect a change in the Missouri River Master Water Control Manual.

(3) RESERVOIR FISH LOSS STUDY.—

(A) IN GENERAL.—The Secretary, in consultation with the North Dakota Game and Fish Department and the South Dakota Department of Game, Fish and Parks, shall complete a study to analyze and recommend measures to avoid or reduce the loss of fish, including rainbow smelt, through Garrison Dam in North Dakota and Oahe Dam in South Dakota.

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report describing the results of the study.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated—

(A) to complete the study under paragraph (3) $200,000; and

(B) to carry out the other provisions of this subsection $1,000,000 for each of fiscal years 2001 through 2010.

(c) MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJECT.—Section 514(g) of the Water Resources Development Act of 1999 (113 Stat. 342) is amended to read as follows:

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to pay the Federal share of the cost of carrying out activities under this section $5,000,000 for each of fiscal years 2001 through 2010.''.

SEC. 532. NEW MADRID COUNTY, MISSOURI.

For purposes of determining the non-Federal share for the project for navigation, New Madrid County Harbor, Missouri, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), the Secretary shall consider Phases 1 and 2 as described in the report of the District Engineer, dated February 2000, as one project and provide credit to the non-Federal interest toward the non-Federal share of the combined project for work performed by the non-Federal interest on Phase 1 of the project.

SEC. 533. PEMISCOT COUNTY, MISSOURI.

The Secretary shall provide the non-Federal interest for the project for navigation, Caruthersville Harbor, Pemiscot County, Missouri, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), credit toward the non-Federal share of the cost of the project for in-kind work performed by the non-Federal interest after December 1, 1997, if the Secretary determines that the work is integral to the project.

SEC. 534. LAS VEGAS, NEVADA.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) COMMITTEE.—The term ''Committee'' means the Las Vegas Wash Coordinating Committee.

(2) PLAN.—The term ''Plan'' means the Las Vegas Wash comprehensive adaptive management plan, developed by the Committee and dated January 20, 2000.

(3) PROJECT.—The term ''Project'' means the Las Vegas Wash wetlands restoration and Lake Mead water quality improvement project and includes the programs, features, components, projects, and activities identified in the Plan.

(b) PARTICIPATION IN PROJECT.—

(1) IN GENERAL.—The Secretary, in conjunction with the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, and the Secretary of the Interior and in partnership with the Committee, shall participate in the implementation of the Project to restore wetlands at Las Vegas Wash and to improve water quality in Lake Mead in accordance with the Plan.

(2) COST SHARING REQUIREMENTS.—

(A) IN GENERAL.—The non-Federal interests shall pay 35 percent of the cost of any project carried out under this section.

(B) OPERATION AND MAINTENANCE.—The non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(C) FEDERAL LANDS.—Notwithstanding any other provision of this subsection, the Federal share of the cost of a project carried out under this section on Federal lands shall be 100 percent, including the costs of operation and maintenance.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SEC. 535. NEWARK, NEW JERSEY.

(a) IN GENERAL.—Using authorities under law in effect on the date of enactment of this Act, the Secretary, the Director of the Federal Emergency Management Agency, the Administrator of the Environmental Protection Agency, and the heads of other appropriate Federal agencies shall assist the State of New Jersey in developing and implementing a comprehensive basinwide strategy in the Passaic, Hackensack, Raritan, and Atlantic Coast floodplain areas for coordinated and integrated management of land and water resources to improve water quality, reduce flood hazards, and ensure sustainable economic activity.

(b) TECHNICAL ASSISTANCE, STAFF, AND FINANCIAL SUPPORT.—The heads of the Federal agencies referred to in subsection (a) may provide technical assistance, staff, and financial support for the development of the floodplain management strategy.

(c) FLEXIBILITY.—The heads of the Federal agencies referred to in subsection (a) shall exercise flexibility to reduce barriers to efficient and effective implementation of the floodplain management strategy.

(d) RESEARCH.—In coordination with academic and research institutions for support, the Secretary may conduct a study to carry out this section.

SEC. 536. URBANIZED PEAK FLOOD MANAGEMENT RESEARCH, NEW JERSEY.

(a) IN GENERAL.—The Secretary shall develop and implement a research program to evaluate opportunities to manage peak flood flows in urbanized watersheds located in the State of New Jersey.

(b) SCOPE OF RESEARCH.—The research program authorized by subsection (a) shall be accomplished through the New York District of Corps of Engineers. The research shall include the following:

(1) Identification of key factors in the development of an urbanized watershed that affect peak flows in the watershed and downstream.

(2) Development of peak flow management models for 4 to 6 watersheds in urbanized areas with widely differing geology, shapes, and soil types that can be used to determine optimal flow reduction factors for individual watersheds.

(c) LOCATION.—The activities authorized by this section shall be carried out at the facility authorized by section 103(d) of the Water Resources Development Act of 1992 106 Stat. 4812–4813, which may be located on the campus of the New Jersey Institute of Technology.

(d) REPORT TO CONGRESS.—The Secretary shall evaluate policy changes in the planning process for flood damage reduction projects based on the results of the research under this section and transmit to Congress a report on such results not later than 3 years after the date of enactment of this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $11,000,000 for fiscal years beginning after September 30, 2000.

SEC. 537. BLACK ROCK CANAL, BUFFALO, NEW YORK.

The Secretary shall provide technical assistance in support of activities of non-Federal interests related to the dredging of Black Rock Canal in the area between the Ferry Street Overpass and the Peace Bridge Overpass in Buffalo, New York.

SEC. 538. HAMBURG, NEW YORK.

The Secretary shall complete the study of a project for shoreline erosion, Old Lake Shore Road, Hamburg, New York, and, if the Secretary determines that the project is feasible, the Secretary shall carry out the project.

SEC. 539. NEPPERHAN RIVER, YONKERS, NEW YORK.

The Secretary shall provide technical assistance to the city of Yonkers, New York, in support of activities relating to the dredging of the Nepperhan River outlet, New York.

SEC. 540. ROCHESTER, NEW YORK.

The Secretary shall complete the study of a project for navigation, Rochester Harbor, Rochester, New York, and, if the Secretary determines that the project is feasible, the Secretary shall carry out the project.

SEC. 541. UPPER MOHAWK RIVER BASIN, NEW YORK.

(a) IN GENERAL.—The Secretary, in cooperation with the Secretary of Agriculture and the State of New York, shall conduct a study, develop a strategy, and implement a project to reduce flood damages, improve water quality, and create wildlife habitat through wetlands restoration, soil and water conservation practices, nonstructural measures, and other appropriate means in the Upper Mohawk River Basin, at an estimated Federal cost of $10,000,000.

(b) IMPLEMENTATION OF STRATEGY.—The Secretary shall implement the strategy under this section in cooperation with local landowners and local government. Projects to implement the strategy shall be designed to take advantage of ongoing or planned actions by other agencies, local municipalities, or nonprofit, nongovernmental organizations with expertise in wetlands restoration that would increase the effectiveness or decrease the overall cost of implementing recommended projects and may include the acquisition of wetlands, from willing sellers, that contribute to the Upper Mohawk River basin ecosystem.

(c) COOPERATION AGREEMENTS.—In carrying out activities under this section, the Secretary shall enter into cooperation agreements to provide financial assistance to appropriate Federal, State, and local government agencies as well as appropriate nonprofit, nongovernmental organizations with expertise in wetlands restoration, with the consent of the affected local government. Financial assistance provided may include activities for the implementation of wetlands restoration projects and soil and water conservation measures.

(d) NON-FEDERAL SHARE.—The non-Federal share of the cost of activities carried out under this section shall be 25 percent and may be provided through in-kind services and materials.

(e) UPPER MOHAWK RIVER BASIN DEFINED.—In this section, the term ''Upper Mohawk River basin'' means the Mohawk River, its tributaries, and associated lands upstream of the confluence of the Mohawk River and Canajoharie Creek, and including Canajoharie Creek, New York.

SEC. 542. EASTERN NORTH CAROLINA FLOOD PROTECTION.

(a) IN GENERAL.—In order to assist the State of North Carolina and local governments in mitigating damages resulting from a major disaster, the Secretary shall carry out flood damage reduction projects in eastern North Carolina by protecting, clearing, and restoring channel dimensions (including removing accumulated snags and other debris) in the following rivers and tributaries:

(1) New River and tributaries.

(2) White Oak River and tributaries.

(3) Neuse River and tributaries.

(4) Pamlico River and tributaries.

(b) COST SHARE.—The non-Federal interest for a project under this section shall—

(1) pay 35 percent of the cost of the project; and

(2) provide any lands, easements, rights-of-way, relocations, and material disposal areas necessary for implementation of the project.

(c) CONDITIONS.—The Secretary may not reject a project based solely on a minimum amount of stream runoff.

(d) MAJOR DISASTER DEFINED.—In this section, the term ''major disaster'' means a major disaster declared under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) and includes any major disaster declared before the date of enactment of this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,000,000 for fiscal years 2001 through 2003.

SEC. 543. CUYAHOGA RIVER, OHIO.

(a) IN GENERAL.—The Secretary shall provide technical assistance to non-Federal interests for an evaluation of the structural integrity of the bulkhead system located along the Cuyahoga River in the vicinity of Cleveland, Ohio, at a total cost of $500,000.

(b) EVALUATION.—The evaluation described in subsection (a) shall include design analysis, plans and specifications, and cost estimates for repair or replacement of the bulkhead system.

SEC. 544. CROWDER POINT, CROWDER, OKLAHOMA.

At the request of the city of Crowder, Oklahoma, the Secretary shall enter into a long-term lease, not to exceed 99 years, with the city under which the city may develop, operate, and maintain as a public park all or a portion of approximately 260 acres of land known as Crowder Point on Lake Eufaula, Oklahoma. The lease shall include such terms and conditions as the Secretary determines are necessary to protect the interest of the United States and project purposes and shall be made without consideration to the United States.

SEC. 545. OKLAHOMA-TRIBAL COMMISSION.

(a) FINDINGS.—The House of Representatives makes the following findings:

(1) The unemployment rate in southeastern Oklahoma is 23 percent greater than the national average.

(2) The per capita income in southeastern Oklahoma is 62 percent of the national average.

(3) Reflecting the inadequate job opportunities and dwindling resources in poor rural communities, southeastern Oklahoma is experiencing an out-migration of people.

(4) Water represents a vitally important resource in southeastern Oklahoma. Its abundance offers an opportunity for the residents to benefit from their natural resources.

(5) Trends as described in paragraphs (1), (2), and (3) are not conducive to local economic development, and efforts to improve the management of water in the region would have a positive outside influence on the local economy, help reverse these trends, and improve the lives of local residents.

(b) SENSE OF HOUSE OF REPRESENTATIVES.—In view of the findings described in subsection (a), and in order to assist communities in southeastern Oklahoma in benefiting from their local resources, it is the sense of the House of Representatives that—

(1) the State of Oklahoma and the Choctaw Nation of Oklahoma and the Chickasaw Nation, Oklahoma, should establish a State-tribal commission composed equally of representatives of such Nations and residents of the water basins within the boundaries of such Nations for the purpose of administering and distributing from the sale of water any benefits and net revenues to the tribes and local entities within the respective basins;

(2) any sale of water to entities outside the basins should be consistent with the procedures and requirements established by the commission; and

(3) if requested, the Secretary should provide technical assistance, as appropriate, to facilitate the efforts of the commission.

SEC. 546. COLUMBIA RIVER, OREGON AND WASHINGTON.

(a) MODELING AND FORECASTING SYSTEM.—The Secretary shall develop and implement a modeling and forecasting system for the Columbia River estuary, Oregon and Washington, to provide real-time information on existing and future wave, current, tide, and wind conditions.

(b) USE OF CONTRACTS AND GRANTS.—In carrying out this section, the Secretary is encouraged to use contracts, cooperative agreements, and grants with colleges and universities and other non-Federal entities.

SEC. 547. JOHN DAY POOL, OREGON AND WASHINGTON.

(a) EXTINGUISHMENT OF REVERSIONARY INTERESTS AND USE RESTRICTIONS.—With respect to the lands described in each deed listed in subsection (b)—

(1) the reversionary interests and the use restrictions relating to port or industrial purposes are extinguished;

(2) the human habitation or other building structure use restriction is extinguished in each area where the elevation is above the standard project flood elevation; and

(3) the use of fill material to raise areas above the standard project flood elevation, without increasing the risk of flooding in or outside of the floodplain, is authorized, except in any area constituting wetland for which a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) would be required.

(b) AFFECTED DEEDS.—The following deeds are referred to in subsection (a):

(1) The deeds executed by the United States and bearing Morrow County, Oregon, Auditor's Microfilm Numbers 229 and 16226.

(2) The deed executed by the United States and bearing Benton County, Washington, Auditor's File Number 601766, but only as that deed applies to the following portion of lands conveyed by that deed:

A tract of land lying in Section 7, Township 5 north, Range 28 east of the Willamette meridian, Benton County, Washington, said tract being more particularly described as follows:

Commencing at the point of intersection of the centerlines of Plymouth Street and Third Avenue in the First Addition to the Town of Plymouth (according to the duly recorded Plat thereof);

thence westerly along the said centerline of Third Avenue, a distance of 565 feet;

thence south 54° 10′ west, to a point on the west line of Tract 18 of said Addition and the true point of beginning;

thence north, parallel with the west line of said Section 7, to a point on the north line of said Section 7;

thence west along the north line thereof to the northwest corner of said Section 7;

thence south along the west line of said Section 7 to a point on the ordinary high water line of the Columbia River;

thence northeasterly along said high water line to a point on the north and south coordinate line of the Oregon Coordinate System, North Zone, said coordinate line being east 2,291,000 feet;

thence north along said line to a point on the south line of First Avenue of said Addition;

thence westerly along First Avenue to a point on southerly extension of the west line of Tract 18;

thence northerly along said west line of Tract 18 to the point of beginning.

(3) The deed recorded October 17, 1967, in book 291, page 148, Deed of Records of Umatilla County, Oregon, executed by the United States.

(c) NO EFFECT ON OTHER NEEDS.—Nothing in this section affects the remaining rights and interests of the Corps of Engineers for authorized project purposes.

SEC. 548. LOWER COLUMBIA RIVER AND TILLAMOOK BAY ESTUARY PROGRAM, OREGON AND WASHINGTON.

(a) IN GENERAL.—The Secretary shall conduct studies and ecosystem restoration projects for the lower Columbia River and Tillamook Bay estuaries, Oregon and Washington.

(b) USE OF MANAGEMENT PLANS.—

(1) LOWER COLUMBIA RIVER ESTUARY.—

(A) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall use as a guide the Lower Columbia River estuary program's comprehensive conservation and management plan developed under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330).

(B) CONSULTATION.—The Secretary shall carry out ecosystem restoration projects under this section for the lower Columbia River estuary in consultation with the States of Oregon and Washington, the Environmental Protection Agency, the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the Forest Service.

(2) TILLAMOOK BAY ESTUARY.—

(A) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall use as a guide the Tillamook Bay national estuary project's comprehensive conservation and management plan developed under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330).

(B) CONSULTATION.—The Secretary shall carry out ecosystem restoration projects under this section for the Tillamook Bay estuary in consultation with the State of Oregon, the Environmental Protection Agency, the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the Forest Service.

(c) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall undertake activities necessary to protect, monitor, and restore fish and wildlife habitat.

(2) LIMITATIONS.—The Secretary may not carry out any activity under this section that adversely affects—

(A) the water-related needs of the lower Columbia River estuary or the Tillamook Bay estuary, including navigation, recreation, and water supply needs; or

(B) private property rights.

(d) PRIORITY.—In determining the priority of projects to be carried out under this section, the Secretary shall consult with the Implementation Committee of the Lower Columbia River Estuary Program and the Performance Partnership Council of the Tillamook Bay National Estuary Project, and shall consider the recommendations of such entities.

(e) COST-SHARING REQUIREMENTS.—

(1) STUDIES.—Studies conducted under this section shall be subject to cost sharing in accordance with section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215).

(2) ECOSYSTEM RESTORATION PROJECTS.—

(A) IN GENERAL.—Non-Federal interests shall pay 35 percent of the cost of any ecosystem restoration project carried out under this section.

(B) ITEMS PROVIDED BY NON-FEDERAL INTERESTS.—Non-Federal interests shall provide all land, easements, rights-of-way, dredged material disposal areas, and relocations necessary for ecosystem restoration projects to be carried out under this section. The value of such land, easements, rights-of-way, dredged material disposal areas, and relocations shall be credited toward the payment required under this paragraph.

(C) IN-KIND CONTRIBUTIONS.—Not more than 50 percent of the non-Federal share required under this subsection may be satisfied by the provision of in-kind services.

(3) OPERATION AND MAINTENANCE.—Non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(4) FEDERAL LANDS.—Notwithstanding any other provision of this subsection, the Federal share of the cost of a project carried out under this section on Federal lands shall be 100 percent, including costs of operation and maintenance.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) LOWER COLUMBIA RIVER ESTUARY.—The term ''lower Columbia River estuary'' means those river reaches having navigation channels on the mainstem of the Columbia River in Oregon and Washington west of Bonneville Dam, and the tributaries of such reaches to the extent such tributaries are tidally influenced.

(2) TILLAMOOK BAY ESTUARY.—The term ''Tillamook Bay estuary'' means those waters of Tillamook Bay in Oregon and its tributaries that are tidally influenced.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000.

SEC. 549. SKINNER BUTTE PARK, EUGENE, OREGON.

Section 546(b) of the Water Resources Development Act of 1999 (113 Stat. 351) is amended by adding at the end the following: ''If the Secretary participates in the project, the Secretary shall carry out a monitoring program for 3 years after construction to evaluate the ecological and engineering effectiveness of the project and its applicability to other sites in the Willamette Valley.''

SEC. 550. WILLAMETTE RIVER BASIN, OREGON.

Section 547 of the Water Resources Development Act of 1999 (113 Stat. 351–352) is amended by adding at the end the following:

''(d) RESEARCH.—In coordination with academic and research institutions for support, the Secretary may conduct a study to carry out this section.''.

SEC. 551. LACKAWANNA RIVER, PENNSYLVANIA.

(a) IN GENERAL.—Section 539(a) of the Water Resources Development Act of 1996 (110 Stat. 3776) is amended—

(1) by striking ''and'' at the end of paragraph (1)(A);

(2) by striking the period at the end of paragraph (1)(B) and inserting ''; and''; and

(3) by adding at the end the following:

''(C) the Lackawanna River, Pennsylvania.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 539(d) of such Act (110 Stat. 3776–3777) is amended—

(1) by striking ''(a)(1)(A) and'' and inserting ''(a)(1)(A),''; and

(2) by inserting '', and $5,000,000 for projects undertaken under subsection (a)(1)(C)'' before the period at the end.

SEC. 552. PHILADELPHIA, PENNSYLVANIA.

(a) IN GENERAL.—The Secretary shall provide assistance to the Delaware River Port Authority to deepen the Delaware River at Pier 122 in Philadelphia, Pennsylvania.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 to carry out this section.

SEC. 553. ACCESS IMPROVEMENTS, RAYSTOWN LAKE, PENNSYLVANIA.

The Commonwealth of Pennsylvania may transfer any unobligated funds made available to the Commonwealth for item number 1278 of the table contained in section 1602 of Public Law 105–178, to the Secretary for access improvements at the Raystown Lake project, Pennsylvania.

SEC. 554. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.

Section 567 of the Water Resources Development Act of 1996 (110 Stat. 3787–3788) is amended—

(1) by striking subsection (a)(2) and inserting the following:

''(2) The Susquehanna River watershed upstream of the Chemung River, New York, at an estimated Federal cost of $10,000,000.''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) COOPERATION AGREEMENTS.—In conducting the study and developing the strategy under this section, the Secretary shall enter into cooperation agreements to provide financial assistance to appropriate Federal, State, and local government agencies as well as appropriate nonprofit, nongovernmental organizations with expertise in wetlands restoration, with the consent of the affected local government. Financial assistance provided may include activities for the implementation of wetlands restoration projects and soil and water conservation measures.

''(d) IMPLEMENTATION OF STRATEGY.—The Secretary shall undertake development and implementation of the strategy under this section in cooperation with local landowners and local government officials. Projects to implement the strategy shall be designed to take advantage of ongoing or planned actions by other agencies, local municipalities, or nonprofit, nongovernmental organizations with expertise in wetlands restoration that would increase the effectiveness or decrease the overall cost of implementing recommended projects and may include the acquisition of wetlands, from willing sellers, that contribute to the Upper Susquehanna River basin ecosystem.''.

SEC. 555. CHICKAMAUGA LOCK, CHATTANOOGA, TENNESSEE.

(a) TRANSFER FROM TVA.—The Tennessee Valley Authority shall transfer $200,000 to the Secretary for the preparation of a report of the Chief of Engineers for a replacement lock at Chickamauga Lock and Dam, Chattanooga, Tennessee.

(b) REPORT.—The Secretary shall accept and use the funds transferred under subsection (a) to prepare the report referred to in subsection (a).

SEC. 556. JOE POOL LAKE, TEXAS.

If the city of Grand Prairie, Texas, enters into a binding agreement with the Secretary under which—

(1) the city agrees to assume all of the responsibilities (other than financial responsibilities) of the Trinity River Authority of Texas under Corps of Engineers contract #DACW63–76–C–0166, including operation and maintenance of the recreation facilities included in the contract; and

(2) to pay the Federal Government a total of $4,290,000 in 2 installments, 1 in the amount of $2,150,000, which shall be due and payable no later than December 1, 2000, and 1 in the amount of $2,140,000, which shall be due and payable no later than December 1, 2003,

the Trinity River Authority shall be relieved of all of its financial responsibilities under

the contract as of the date the Secretary enters into the agreement with the city.

SEC. 557. BENSON BEACH, FORT CANBY STATE PARK, WASHINGTON.

The Secretary shall place dredged material at Benson Beach, Fort Canby State Park, Washington, in accordance with section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326).

SEC. 558. PUGET SOUND AND ADJACENT WATERS RESTORATION, WASHINGTON.

(a) IN GENERAL.—The Secretary may participate in critical restoration projects in the area of the Puget Sound and its adjacent waters, including the watersheds that drain directly into Puget Sound, Admiralty Inlet, Hood Canal, Rosario Strait, and the eastern portion of the Strait of Juan de Fuca.

(b) PROJECT SELECTION.—The Secretary, in consultation with appropriate Federal, tribal, State, and local agencies, (including the Salmon Recovery Funding Board, Northwest Straits Commission, Hood Canal Coordinating Council, county watershed planning councils, and salmon enhancement groups) may identify critical restoration projects and may implement those projects after entering into an agreement with an appropriate non-Federal interest in accordance with the requirements of section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(c) PROJECT COST LIMITATION.—Of amounts appropriated to carry out this section, not more than $2,500,000 may be allocated to carry out any project.

(d) COST SHARING.—

(1) IN GENERAL.—The non-Federal interest for a critical restoration project under this section shall—

(A) pay 35 percent of the cost of the project;

(B) provide any lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for implementation of the project;

(C) pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the project; and

(D) hold the United States harmless from liability due to implementation of the project, except for the negligence of the Federal Government or its contractors.

(2) CREDIT.—The Secretary shall provide credit to the non-Federal interest for a critical restoration project under this section for the value of any lands, easements, rights-of-way, relocations, and dredged material disposal areas provided by the non-Federal interest for the project.

(3) MEETING NON-FEDERAL COST SHARE.—The non-Federal interest may provide up to 50 percent of the non-Federal share of the cost of a project under this section through the provision of services, materials, supplies, or other in-kind services.

(e) CRITICAL RESTORATION PROJECT DEFINED.—In this section, the term ''critical restoration project'' means a water resource project that will produce, consistent with existing Federal programs, projects, and activities, immediate and substantial environmental protection and restoration benefits.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000.

SEC. 559. SHOALWATER BAY INDIAN TRIBE, WILLAPA BAY, WASHINGTON.

(a) PLACEMENT OF DREDGED MATERIAL ON SHORE.—For the purpose of addressing coastal erosion, the Secretary shall place, on an emergency one-time basis, dredged material from a Federal navigation project on the shore of the tribal reservation of the Shoalwater Bay Indian Tribe, Willapa Bay, Washington, at Federal expense.

(b) PLACEMENT OF DREDGED MATERIAL ON PROTECTIVE DUNES.—The Secretary shall place dredged material from Willapa Bay on the remaining protective dunes on the tribal reservation of the Shoalwater Bay Indian Tribe, at Federal expense.

(c) STUDY OF COASTAL EROSION.—The Secretary shall conduct a study to develop long-term solutions to coastal erosion problems at the tribal reservation of the Shoalwater Bay Indian Tribe at Federal expense.

SEC. 560. WYNOOCHEE LAKE, WYNOOCHEE RIVER, WASHINGTON.

(a) IN GENERAL.—The city of Aberdeen, Washington, may transfer its rights, interests, and title in the land transferred to the city under section 203 of the Water Resources Development Act of 1990 (104 Stat. 4632) to the city of Tacoma, Washington.

(b) CONDITIONS.—The transfer under this section shall be subject to the conditions set forth in section 203(b) of the Water Resources Development Act of 1990 (104 Stat. 4632); except that the condition set forth in paragraph (1) of such section shall apply to the city of Tacoma only for so long as the city of Tacoma has a valid license with the Federal Energy Regulatory Commission relating to operation of the Wynoochee Dam, Washington.

(c) LIMITATION.—The transfer under subsection (a) may be made only after the Secretary determines that the city of Tacoma will be able to operate, maintain, repair, replace, and rehabilitate the project for Wynoochee Lake, Wynoochee River, Washington, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1193), in accordance with such regulations as the Secretary may issue to ensure that such operation, maintenance, repair, replacement, and rehabilitation is consistent with project purposes.

(d) WATER SUPPLY CONTRACT.—The water supply contract designated as DACWD 67–68–C–0024 shall be null and void if the Secretary exercises the reversionary right set forth in section 203(b)(3) of the Water Resources Development Act of 1990 (104 Stat. 4632).

SEC. 561. SNOHOMISH RIVER, WASHINGTON.

In coordination with appropriate Federal, tribal, and State agencies, the Secretary may carry out a project to address data needs regarding the outmigration of juvenile chinook salmon in the Snohomish River, Washington.

SEC. 562. BLUESTONE, WEST VIRGINIA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Tri-Cities Power Authority of West Virginia is authorized to design and construct hydroelectric generating facilities at the Bluestone Lake facility, West Virginia, under the terms and conditions of the agreement referred to in subsection (b).

(b) AGREEMENT.—

(1) AGREEMENT TERMS.—Conditioned upon the parties agreeing to mutually acceptable terms and conditions, the Secretary and the Secretary of Energy, acting through the Southeastern Power Administration, may enter into a binding agreement with the Tri-Cities Power Authority under which the Tri-Cities Power Authority agrees to each of the following:

(A) To design and construct the generating facilities referred to in subsection (a) within 4 years after the date of such agreement.

(B) To reimburse the Secretary for—

(i) the cost of approving such design and inspecting such construction;

(ii) the cost of providing any assistance authorized under subsection (c)(2); and

(iii) the redistributed costs associated with the original construction of the dam and dam safety if all parties agree with the method of the development of the chargeable amounts associated with hydropower at the facility.

(C) To release and indemnify the United States from any claims, causes of action, or liabilities which may arise from such design and construction of the facilities referred to in subsection (a), including any liability that may arise out of the removal of the facility if directed by the Secretary.

(2) ADDITIONAL TERMS.—The agreement shall also specify each of the following:

(A) The procedures and requirements for approval and acceptance of design, construction, and operation and maintenance of the facilities referred in subsection (a).

(B) The rights, responsibilities, and liabilities of each party to the agreement.

(C) The amount of the payments under subsection (f) of this section and the procedures under which such payments are to be made.

(c) OTHER REQUIREMENTS.—

(1) PROHIBITION.—No Federal funds may be expended for the design, construction, and operation and maintenance of the facilities referred to in subsection (a) prior to the date on which such facilities are accepted by the Secretary under subsection (d).

(2) REIMBURSEMENT.—Notwithstanding any other provision of law, if requested by the Tri-Cities Power Authority, the Secretary may provide, on a reimbursable basis, assistance in connection with the design and construction of the generating facilities referred to in subsection (a).

(d) COMPLETION OF CONSTRUCTION.—

(1) TRANSFER OF FACILITIES.—Notwithstanding any other provision of law, upon completion of the construction of the facilities referred to in subsection (a) and final approval of such facility by the Secretary, the Tri-Cities Power Authority shall transfer without consideration title to such facilities to the United States, and the Secretary shall—

(A) accept the transfer of title to such facilities on behalf of the United States; and

(B) operate and maintain the facilities referred to in subsection (a).

(2) CERTIFICATION.—The Secretary is authorized to accept title to the facilities pursuant to paragraph (1) only after certifying that the quality of the construction meets all standards established for similar facilities constructed by the Secretary.

(3) AUTHORIZED PROJECT PURPOSES.—The operation and maintenance of the facilities shall be conducted in a manner that is consistent with other authorized project purposes of the Bluestone Lake facility.

(e) EXCESS POWER.—Pursuant to any agreement under subsection (b), the Southeastern Power Administration shall market the excess power produced by the facilities referred to in subsection (a) in accordance with section 5 of the Rivers and Harbors Act of December 22, 1944 (16 U.S.C. 825s; 58 Stat. 890).

(f) PAYMENTS.—Notwithstanding any other provision of law, the Secretary of Energy, acting through the Southeastern Power Administration, is authorized to pay in accordance with the terms of the agreement entered into under subsection (b) out of the revenues from the sale of power produced by the generating facility of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration—

(1) to the Tri-Cities Power Authority all reasonable costs incurred by the Tri-Cities Power Authority in the design and construction of the facilities referred to in subsection (a), including the capital investment in such facilities and a reasonable rate of return on such capital investment; and

(2) to the Secretary, in accordance with the terms of the agreement entered into under subsection (b) out of the revenues from the sale of power produced by the generating facility of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration, all reasonable costs incurred by the

Secretary in the operation and maintenance of facilities referred to in subsection (a).

(g) AUTHORITY OF SECRETARY OF ENERGY.—Notwithstanding any other provision of law, the Secretary of Energy, acting through the Southeastern Power Administration, is authorized—

(1) to construct such transmission facilities as necessary to market the power produced at the facilities referred to in subsection (a) with funds contributed by the Tri-Cities Power Authority; and

(2) to repay those funds, including interest and any administrative expenses, directly from the revenues from the sale of power produced by such facilities of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration.

(h) SAVINGS CLAUSE.—Nothing in this section affects any requirement under Federal or State environmental law relating to the licensing or operation of such facilities.

SEC. 563. LESAGE/GREENBOTTOM SWAMP, WEST VIRGINIA.

Section 30 of the Water Resources Development Act of 1988 (102 Stat. 4030) is amended by adding at the end the following:

''(d) HISTORIC STRUCTURE.—The Secretary shall ensure the stabilization and preservation of the structure known as the Jenkins House located within the Lesage/Greenbottom Swamp in accordance with standards for sites listed on the National Register of Historic Places.''.

SEC. 564. TUG FORK RIVER, WEST VIRGINIA.

(a) IN GENERAL.—The Secretary may provide planning, design, and construction assistance to non-Federal interests for projects located along the Tug Fork River in West Virginia and identified by the master plan developed pursuant to section 114(t) of the Water Resources Development Act of 1992 (106 Stat. 4820).

(b) PRIORITIES.—In providing assistance under this section, the Secretary shall give priority to the primary development demonstration sites in West Virginia identified by the master plan referred to in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000.

SEC. 565. VIRGINIA POINT RIVERFRONT PARK, WEST VIRGINIA.

(a) IN GENERAL.—The Secretary may provide planning, design, and construction assistance to non-Federal interests for the project at Virginia Point, located at the confluence of the Ohio and Big Sandy Rivers in West Virginia, identified by the preferred plan set forth in the feasibility study dated September 1999, and carried out under the West Virginia-Ohio River Comprehensive Study authorized by a resolution dated September 8, 1988, by the Committee on Public Works and Transportation of the House of Representatives.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,100,000.

SEC. 566. SOUTHERN WEST VIRGINIA.

Section 340(a) of the Water Resources Development Act of 1992 (106 Stat. 4856) is amended by inserting ''environmental restoration,'' after ''distribution facilities,''.

SEC. 567. FOX RIVER SYSTEM, WISCONSIN.

Section 332(a) of the Water Resources Development Act of 1992 (106 Stat. 4852) is amended by adding at the end the following: ''Such terms and conditions may include a payment or payments to the State of Wisconsin to be used toward the repair and rehabilitation of the locks and appurtenant features to be transferred.''.

SEC. 568. SURFSIDE/SUNSET AND NEWPORT BEACH, CALIFORNIA.

The Secretary shall treat the Surfside/Sunset Newport Beach element of the project for beach erosion, Orange County, California, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1177), as continuing construction.

SEC. 569. ILLINOIS RIVER BASIN RESTORATION.

(a) ILLINOIS RIVER BASIN DEFINED.—In this section, the term ''Illinois River basin'' means the Illinois River, Illinois, its backwaters, side channels, and all tributaries, including their watersheds, draining into the Illinois River.

(b) COMPREHENSIVE PLAN.—

(1) DEVELOPMENT.—The Secretary shall develop, as expeditiously as practicable, a proposed comprehensive plan for the purpose of restoring, preserving, and protecting the Illinois River basin.

(2) TECHNOLOGIES AND INNOVATIVE APPROACHES.—The comprehensive plan shall provide for the development of new technologies and innovative approaches—

(A) to enhance the Illinois River as a vital transportation corridor;

(B) to improve water quality within the entire Illinois River basin;

(C) to restore, enhance, and preserve habitat for plants and wildlife; and

(D) to increase economic opportunity for agriculture and business communities.

(3) SPECIFIC COMPONENTS.—The comprehensive plan shall include such features as are necessary to provide for—

(A) the development and implementation of a program for sediment removal technology, sediment characterization, sediment transport, and beneficial uses of sediment;

(B) the development and implementation of a program for the planning, conservation, evaluation, and construction of measures for fish and wildlife habitat conservation and rehabilitation, and stabilization and enhancement of land and water resources in the basin;

(C) the development and implementation of a long-term resource monitoring program; and

(D) the development and implementation of a computerized inventory and analysis system.

(4) CONSULTATION.—The comprehensive plan shall be developed by the Secretary in consultation with appropriate Federal agencies, the State of Illinois, and the Illinois River Coordinating Council.

(5) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the comprehensive plan.

(6) ADDITIONAL STUDIES AND ANALYSES.—After transmission of a report under paragraph (5), the Secretary shall continue to conduct such studies and analyses related to the comprehensive plan as are necessary, consistent with this subsection.

(c) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—If the Secretary, in cooperation with appropriate Federal agencies and the State of Illinois, determines that a restoration project for the Illinois River basin will produce independent, immediate, and substantial restoration, preservation, and protection benefits, the Secretary shall proceed expeditiously with the implementation of the project.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out projects under this subsection $100,000,000 for fiscal years 2001 through 2004.

(3) FEDERAL SHARE.—The Federal share of the cost of carrying out any project under this subsection shall not exceed $5,000,000.

(d) GENERAL PROVISIONS.—

(1) WATER QUALITY.—In carrying out projects and activities under this section, the Secretary shall take into account the protection of water quality by considering applicable State water quality standards.

(2) PUBLIC PARTICIPATION.—In developing the comprehensive plan under subsection (b) and carrying out projects under subsection (c), the Secretary shall implement procedures to facilitate public participation, including providing advance notice of meetings, providing adequate opportunity for public input and comment, maintaining appropriate records, and making a record of the proceedings of meetings available for public inspection.

(e) COORDINATION.—The Secretary shall integrate and coordinate projects and activities carried out under this section with ongoing Federal and State programs, projects, and activities, including the following:

(1) Upper Mississippi River System-Environmental Management Program authorized under section 1103 of the Water Resources Development Act of 1986 (33 U.S.C. 652).

(2) Upper Mississippi River Illinois Waterway System Study.

(3) Kankakee River Basin General Investigation.

(4) Peoria Riverfront Development General Investigation.

(5) Illinois River Ecosystem Restoration General Investigation.

(6) Conservation Reserve Program and other farm programs of the Department of Agriculture.

(7) Conservation Reserve Enhancement Program (State) and Conservation 2000, Ecosystem Program of the Illinois Department of Natural Resources.

(8) Conservation 2000 Conservation Practices Program and the Livestock Management Facilities Act administered by the Illinois Department of Agriculture.

(9) National Buffer Initiative of the Natural Resources Conservation Service.

(10) Nonpoint source grant program administered by the Illinois Environmental Protection Agency.

(f) JUSTIFICATION.—

(1) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out activities to restore, preserve, and protect the Illinois River basin under this section, the Secretary may determine that the activities—

(A) are justified by the environmental benefits derived by the Illinois River basin; and

(B) shall not need further economic justification if the Secretary determines that the activities are cost-effective.

(2) APPLICABILITY.—Paragraph (1) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the Illinois River basin.

(g) COST SHARING.—

(1) IN GENERAL.—The non-Federal share of the cost of projects and activities carried out under this section shall be 35 percent.

(2) OPERATION, MAINTENANCE, REHABILITATION, AND REPLACEMENT.—The operation, maintenance, rehabilitation, and replacement of projects carried out under this section shall be a non-Federal responsibility.

(3) IN-KIND SERVICES.—The value of in-kind services provided by the non-Federal interest for a project or activity carried out under this section may be credited toward not more than 80 percent of the non-Federal share of the cost of the project or activity. In-kind services shall include all State funds expended on programs and projects which accomplish the goals of this section, as determined by the Secretary. Such programs and projects may include the Illinois River Conservation Reserve Program, the Illinois Conservation 2000 Program, the Open Lands Trust Fund, and other appropriate programs carried out in the Illinois River basin.

(4) CREDIT.—

(A) VALUE OF LANDS.—If the Secretary determines that lands or interests in land ac-

quired by a non-Federal interest, regardless of the date of acquisition, are integral to a project or activity carried out under this section, the Secretary may credit the value of the lands or interests in land toward the non-Federal share of the cost of the project or activity. Such value shall be determined by the Secretary.

(B) WORK.—If the Secretary determines that any work completed by a non-Federal interest, regardless of the date of completion, is integral to a project or activity carried out under this section, the Secretary may credit the value of the work toward the non-Federal share of the cost of the project or activity. Such value shall be determined by the Secretary.

SEC. 570. GREAT LAKES.

(a) GREAT LAKES TRIBUTARY MODEL.—Section 516 of the Water Resources Development Act of 1996 (33 U.S.C. 2326b) is amended—

(1) by adding at the end of subsection (e) the following:

''(3) REPORT.—Not later than December 31, 2003, the Secretary shall transmit to Congress a report on the Secretary's activities under this subsection.''; and

(2) in subsection (g)—

(A) by striking ''There is authorized'' and inserting the following:

''(1) IN GENERAL.—There is authorized'';

(B) by adding at the end the following:

''(2) GREAT LAKES TRIBUTARY MODEL.—In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out subsection (e) $5,000,000 for each of fiscal years 2002 through 2006.''; and

(C) by aligning the remainder of the text of paragraph (1) (as designated by subparagraph (A) of this paragraph) with paragraph (2) (as added by subparagraph (B) of this paragraph).

(b) ALTERNATIVE ENGINEERING TECHNOLOGIES.—

(1) DEVELOPMENT OF PLAN.—The Secretary shall develop and transmit to Congress a plan to enhance the application of ecological principles and practices to traditional engineering problems at Great Lakes shores.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $200,000. Activities under this subsection shall be carried out at Federal expense.

(c) FISHERIES AND ECOSYSTEM RESTORATION.—

(1) DEVELOPMENT OF PLAN.—The Secretary shall develop and transmit to Congress a plan for implementing Corps of Engineers activities, including ecosystem restoration, to enhance the management of Great Lakes fisheries.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $300,000. Activities under this subsection shall be carried out at Federal expense.

SEC. 571. GREAT LAKES REMEDIAL ACTION PLANS AND SEDIMENT REMEDIATION.

Section 401 of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; 110 Stat. 3763; 113 Stat. 338) is amended—

(1) in subsection (a)(2)(A) by striking ''50 percent'' and inserting ''35 percent'';

(2) in subsection (b)—

(A) by striking paragraph (3);

(B) in the first sentence of paragraph (4) by striking ''50 percent'' and inserting ''35 percent''; and

(C) by redesignating paragraph (4) as paragraph (3); and

(3) in subsection (c) by striking ''$5,000,000 for each of fiscal years 1998 through 2000.'' and inserting ''$10,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 572. GREAT LAKES DREDGING LEVELS ADJUSTMENT.

(a) DEFINITION OF GREAT LAKE.—In this section, the term ''Great Lake'' means Lake Superior, Lake Michigan, Lake Huron (including Lake St. Clair), Lake Erie, and Lake Ontario (including the St. Lawrence River to the 45th parallel of latitude).

(b) DREDGING LEVELS.—In operating and maintaining Federal channels and harbors of, and the connecting channels between, the Great Lakes, the Secretary shall conduct such dredging as is necessary to ensure minimal operation depths consistent with the original authorized depths of the channels and harbors when water levels in the Great Lakes are, or are forecast to be, below the International Great Lakes Datum of 1985.

SEC. 573. DREDGED MATERIAL RECYCLING.

(a) PILOT PROGRAM.—The Secretary shall conduct a pilot program to provide incentives for the removal of dredged material from a confined disposal facility associated with a harbor on the Great Lakes or the Saint Lawrence River and a harbor on the Delaware River in Pennsylvania for the purpose of recycling the dredged material and extending the life of the confined disposal facility.

(b) REPORT.—Not later than 90 days after the date of completion of the pilot program, the Secretary shall transmit to Congress a report on the results of the program.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000.

SEC. 574. WATERSHED MANAGEMENT, RESTORATION, AND DEVELOPMENT.

Section 503(d) of the Water Resources Development Act of 1996 (110 Stat. 3756–3757; 113 Stat. 288) is amended by adding at the end the following:

''(28) Tomales Bay watershed, California.

''(29) Kaskaskia River watershed, Illinois.

''(30) Sangamon River watershed, Illinois.

''(31) Lackawanna River watershed, Pennsylvania.

''(32) Upper Charles River watershed, Massachusetts.

''(33) Brazos River watershed, Texas.''.

SEC. 575. MAINTENANCE OF NAVIGATION CHANNELS.

Section 509(a) of the Water Resources Development Act of 1996 (110 Stat. 3759; 113 Stat. 339) is amended by adding at the end the following:

''(16) Cameron Loop, Louisiana, as part of the Calcasieu River and Pass Ship Channel.

''(17) Morehead City Harbor, North Carolina.''.

SEC. 576. SUPPORT OF ARMY CIVIL WORKS PROGRAM.

The requirements of section 2361 of title 10, United States Code, shall not apply to any contract, cooperative research and development agreement, cooperative agreement, or grant entered into under section 229 of the Water Resources Development Act of 1996 (110 Stat. 3703) between the Secretary and Marshall University or entered into under section 350 of the Water Resources Development Act of 1999 (113 Stat. 310) between the Secretary and Juniata College.

SEC. 577. NATIONAL RECREATION RESERVATION SERVICE.

Notwithstanding section 611 of the Treasury and General Government Appropriations Act, 1999 (112 Stat. 2861–515), the Secretary may participate in the National Recreation Reservation Service on an interagency basis and fund the Department of the Army's share of the cost of activities required for implementing, operating, and maintaining the Service.

SEC. 578. HYDROGRAPHIC SURVEY.

The Secretary shall enter into an agreement with the Administrator of the National Oceanographic and Atmospheric Administration to require the Secretary, not later than 60 days after the Corps of Engineers completes a project involving dredging of a channel, to provide data to the Administration in a standard digital format on the results of a hydrographic survey of the channel conducted by the Corps of Engineers.

SEC. 579. PERCHLORATE.

(a) IN GENERAL.—The Secretary, in cooperation with Federal, State, and local government agencies, may participate in studies and other investigative activities and in the planning and design of projects determined by the Secretary to offer a long-term solution to the problem of groundwater contamination caused by perchlorates.

(b) INVESTIGATIONS AND PROJECTS.—

(1) BOSQUE AND LEON RIVERS.—The Secretary, in coordination with other Federal agencies and the Brazos River Authority, shall participate under subsection (a) in investigations and projects in the Bosque and Leon River watersheds in Texas to assess the impact of the perchlorate associated with the former Naval ''Weapons Industrial Reserve Plant'' at McGregor, Texas.

(2) CADDO LAKE.—The Secretary, in coordination with other Federal agencies and the Northeast Texas Municipal Water District, shall participate under subsection (a) in investigations and projects relating to perchlorate contamination in Caddo Lake, Texas.

(3) EASTERN SANTA CLARA BASIN.—The Secretary, in coordination with other Federal, State, and local government agencies, shall participate under subsection (a) in investigations and projects related to sites that are sources of perchlorates and that are located in the city of Santa Clarita, California.

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this section, there is authorized to be appropriated to the Secretary $25,000,000, of which not to exceed $8,000,000 shall be available to carry out subsection (b)(1), not to exceed $3,000,000 shall be available to carry out subsection (b)(2), and not to exceed $7,000,000 shall be available to carry out subsection (b)(3).

SEC. 580. ABANDONED AND INACTIVE NONCOAL MINE RESTORATION.

Section 560 of the Water Resources Development Act of 1999 (33 USC 2336; 113 Stat. 354–355) is amended—

(1) in subsection (a) by striking ''and design'' and inserting ''design, and construction'';

(2) in subsection (c) by striking ''50'' and inserting ''35'';

(3) in subsection (e) by inserting ''and colleges and universities, including the members of the Western Universities Mine-Land Reclamation and Restoration Consortium, for the purposes of assisting in the reclamation of abandoned noncoal mines and'' after ''entities''; and

(4) by striking subsection (f) and inserting the following:

''(f) NON-FEDERAL INTERESTS.—In this section, the term 'non-Federal interests' includes, with the consent of the affected local government, nonprofit entities, notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b).

''(g) OPERATION AND MAINTENANCE.—The non-Federal share of the costs of operation and maintenance for a project carried out under this section shall be 100 percent.

''(h) CREDIT.—A non-Federal interest shall receive credit toward the non-Federal share of the cost of a project under this section for design and construction services and other in-kind consideration provided by the non-Federal interest if the Secretary determines that such design and construction services and other in-kind consideration are integral to the project.

''(i) COST LIMITATION.—Not more than $10,000,000 of the amounts appropriated to

carry out this section may be allotted for projects in a single locality, but the Secretary may accept funds voluntarily contributed by a non-Federal or Federal entity for the purpose of expanding the scope of the services requested by the non-Federal or Federal entity.

''(j) NO EFFECT ON LIABILITY.—The provision of assistance under this section shall not relieve from liability any person that would otherwise be liable under Federal or State law for damages, response costs, natural resource damages, restitution, equitable relief, or any other relief.

''(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $45,000,000. Such sums shall remain available until expended.''.

SEC. 581. LAKES PROGRAM.

Section 602 of the Water Resources Development Act of 1986 (100 Stat. 4148–4149) is further amended—

(1) in subsection (b) by inserting ''and activity'' after ''project'';

(2) in subsection (c) by inserting ''and activities under subsection (f)'' before the comma; and

(3) by adding at the end the following:

''(f) CENTER FOR LAKE EDUCATION AND RESEARCH, OTSEGO LAKE, NEW YORK.—

''(1) IN GENERAL.—The Secretary shall construct an environmental education and research facility at Otsego Lake, New York. The purpose of the Center shall be to—

''(A) conduct nationwide research on the impacts of water quality and water quantity on lake hydrology and the hydrologic cycle;

''(B) develop technologies and strategies for monitoring and improving water quality in the Nation's lakes; and

''(C) provide public education regarding the biological, economic, recreational, and aesthetic value of the Nation's lakes.

''(2) USE OF RESEARCH.—The results of research and education activities carried out at the Center shall be applied to the program under subsection (a) and to other Federal programs, projects, and activities that are intended to improve or otherwise affect lakes.

''(3) BIOLOGICAL MONITORING STATION.—A central function of the Center shall be to research, develop, test, and evaluate biological monitoring technologies and techniques for potential use at lakes listed in subsection (a) and throughout the Nation.

''(4) CREDIT.—The non-Federal sponsor shall receive credit for lands, easements, rights-of-way, and relocations toward its share of project costs.

''(5) AUTHORIZATION OF APPROPRIATIONS.—In addition to sums authorized by subsection (d), there is authorized to be appropriated to carry out this subsection $6,000,000. Such sums shall remain available until expended.''.

SEC. 582. RELEASE OF USE RESTRICTION.

(a) RELEASE.—Notwithstanding any other provision of law, the Tennessee Valley Authority shall grant a release or releases, without monetary consideration, from the restriction covenant which requires that property described in subsection (b) shall at all times be used solely for the purpose of erecting docks and buildings for shipbuilding purposes or for the manufacture or storage of products for the purpose of trading or shipping in transportation.

(b) DESCRIPTION OF PROPERTY.—This section shall apply only to those lands situated in the city of Decatur, Morgan County, Alabama, and running along the easterly boundary of a tract of land described in an indenture conveying such lands to the Ingalls Shipbuilding Corporation dated July 29, 1954, and recorded in deed book 535 at page 6 in the office of the Probate Judge of Morgan County, Alabama, which are owned or may hereafter be acquired by the Alabama Farmers Cooperative, Inc.

SEC. 583. COMPREHENSIVE ENVIRONMENTAL RESOURCES PROTECTION.

(a) IN GENERAL.—Under section 219(a) of the Water Resources Development Act of 1992 (106 Stat. 4835), the Secretary may provide technical, planning, and design assistance to non-Federal interests to carry out water-related projects described in this section.

(b) NON-FEDERAL SHARE.—Notwithstanding section 219(b) of the Water Resources Development Act of 1992 (106 Stat. 4835), the non-Federal share of the cost of each project assisted in accordance with this section shall be 25 percent.

(c) PROJECT DESCRIPTIONS.—The Secretary may provide assistance in accordance with subsection (a) to each of the following projects:

(1) MARANA, ARIZONA.—Wastewater treatment and distribution infrastructure, Marana, Arizona.

(2) EASTERN ARKANSAS ENTERPRISE COMMUNITY, ARKANSAS.—Water-related infrastructure, Eastern Arkansas Enterprise Community, Cross, Lee, Monroe, and St. Francis Counties, Arkansas.

(3) CHINO HILLS, CALIFORNIA.—Storm water and sewage collection infrastructure, Chino Hills, California.

(4) CLEAR LAKE BASIN, CALIFORNIA.—Water-related infrastructure and resource protection, Clear Lake Basin, California.

(5) DESERT HOT SPRINGS, CALIFORNIA.—Resource protection and wastewater infrastructure, Desert Hot Springs, California.

(6) EASTERN MUNICIPAL WATER DISTRICT, CALIFORNIA.—Regional water-related infrastructure, Eastern Municipal Water District, California.

(7) HUNTINGTON BEACH, CALIFORNIA.—Water supply and wastewater infrastructure, Huntington Beach, California.

(8) INGLEWOOD, CALIFORNIA.—Water infrastructure, Inglewood, California.

(9) LOS OSOS COMMUNITY SERVICE DISTRICT, CALIFORNIA.—Wastewater infrastructure, Los Osos Community Service District, California.

(10) NORWALK, CALIFORNIA.—Water-related infrastructure, Norwalk, California.

(11) KEY BISCAYNE, FLORIDA.—Sanitary sewer infrastructure, Key Biscayne, Florida.

(12) SOUTH TAMPA, FLORIDA.—Water supply and aquifer storage and recovery infrastructure, South Tampa, Florida.

(13) FORT WAYNE, INDIANA.—Combined sewer overflow infrastructure and wetlands protection, Fort Wayne, Indiana.

(14) INDIANAPOLIS, INDIANA.—Combined sewer overflow infrastructure, Indianapolis, Indiana.

(15) ST. CHARLES, ST. BERNARD, AND PLAQUEMINES PARISHES, LOUISIANA.—Water and wastewater infrastructure, St. Charles, St. Bernard, and Plaquemines Parishes, Louisiana.

(16) ST. JOHN THE BAPTIST AND ST. JAMES PARISHES, LOUISIANA.—Water and sewer improvements, St. John the Baptist and St. James Parishes, Louisiana.

(17) UNION COUNTY, NORTH CAROLINA.—Water infrastructure, Union County, North Carolina.

(18) HOOD RIVER, OREGON.—Water transmission infrastructure, Hood River, Oregon.

(19) MEDFORD, OREGON.—Sewer collection infrastructure, Medford, Oregon.

(20) PORTLAND, OREGON.—Water infrastructure and resource protection, Portland, Oregon.

(21) COUDERSPORT, PENNSYLVANIA.—Sewer system extensions and improvements, Coudersport, Pennsylvania.

(22) PARK CITY, UTAH.—Water supply infrastructure, Park City, Utah.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $25,000,000 for providing assistance in accordance with subsection (a) to the projects described in subsection (c).

(2) AVAILABILITY.—Sums authorized to be appropriated under this subsection shall remain available until expended.

(e) ADDITIONAL ASSISTANCE FOR CRITICAL RESOURCE PROJECTS.—The Secretary may provide assistance in accordance with subsection (a) and assistance for construction for each the following projects:

(1) DUCK RIVER, CULLMAN, ALABAMA.—$5,000,000 for water supply infrastructure, Duck River, Cullman, Alabama.

(2) UNION COUNTY, ARKANSAS.—$52,000,000 for water supply infrastructure, including facilities for withdrawal, treatment, and distribution, Union County, Arkansas.

(3) CAMBRIA, CALIFORNIA.—$10,300,000 for desalination infrastructure, Cambria, California.

(4) LOS ANGELES HARBOR/TERMINAL ISLAND, CALIFORNIA.—$6,500,000 for wastewater recycling infrastructure, Los Angeles Harbor/Terminal Island, California.

(5) NORTH VALLEY REGION, LANCASTER, CALIFORNIA.—$14,500,000 for water infrastructure, North Valley Region, Lancaster, California.

(6) SAN DIEGO COUNTY, CALIFORNIA.—$10,000,000 for water-related infrastructure, San Diego County, California.

(7) SOUTH PERRIS, CALIFORNIA.—$25,000,000 for water supply desalination infrastructure, South Perris, California.

(8) AURORA, ILLINOIS.—$8,000,000 for wastewater infrastructure to reduce or eliminate combined sewer overflows, Aurora, Illinois.

(9) COOK COUNTY, ILLINOIS.—$35,000,000 for water-related infrastructure and resource protection and development, Cook County, Illinois.

(10) MADISON AND ST. CLAIR COUNTIES, ILLINOIS.—$10,000,000 for water and wastewater assistance, Madison and St. Clair Counties, Illinois.

(11) IBERIA PARISH, LOUISIANA.—$5,000,000 for water and wastewater infrastructure, Iberia Parish, Louisiana.

(12) KENNER, LOUISIANA.—$5,000,000 for wastewater infrastructure, Kenner, Louisiana.

(13) GARRISON AND KATHIO TOWNSHIP, MINNESOTA.—$11,000,000 for a wastewater infrastructure project for the city of Garrison and Kathio Township, Minnesota.

(14) NEWTON, NEW JERSEY.—$7,000,000 for water filtration infrastructure, Newton, New Jersey.

(15) LIVERPOOL, NEW YORK.—$2,000,000 for water infrastructure, including a pump station, Liverpool, New York.

(16) STANLY COUNTY, NORTH CAROLINA.—$8,900,000 for wastewater infrastructure, Stanly County, North Carolina.

(17) YUKON, OKLAHOMA.—$5,500,000 for water-related infrastructure, including wells, booster stations, storage tanks, and transmission lines, Yukon, Oklahoma.

(18) ALLEGHENY COUNTY, PENNSYLVANIA.—$20,000,000 for water-related environmental infrastructure, Allegheny County, Pennsylvania.

(19) MOUNT JOY TOWNSHIP AND CONEWAGO TOWNSHIP, PENNSYLVANIA.—$8,300,000 for water and wastewater infrastructure, Mount Joy Township and Conewago Township, Pennsylvania.

(20) PHOENIXVILLE BOROUGH, CHESTER COUNTY, PENNSYLVANIA.—$2,400,000 for water and sewer infrastructure, Phoenixville Borough, Chester County, Pennsylvania.

(21) TITUSVILLE, PENNSYLVANIA.—$7,300,000 for storm water separation and treatment plant upgrades, Titusville, Pennsylvania.

(22) WASHINGTON, GREENE, WESTMORELAND, AND FAYETTE COUNTIES, PENNSYLVANIA.—$8,000,000 for water and wastewater infra-

structure, Washington, Greene, Westmoreland, and Fayette Counties, Pennsylvania.

SEC. 584. MODIFICATION OF AUTHORIZATIONS FOR ENVIRONMENTAL PROJECTS.

Section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835, 4836) is amended—

(1) in subsection (e)(6) by striking ''$20,000,000'' and inserting ''$30,000,000'';

(2) in subsection (f)(4) by striking ''$15,000,000'' and inserting ''$35,000,000'';

(3) in subsection (f)(21) by striking ''$10,000,000'' and inserting ''$20,000,000'';

(4) in subsection (f)(25) by striking ''$5,000,000'' and inserting ''$15,000,000'';

(5) in subsection (f)(30) by striking ''$10,000,000'' and inserting ''$20,000,000'';

(6) in subsection (f)(43) by striking ''$15,000,000'' and inserting ''$35,000,000''; and

(7) in subsection (f) by adding at the end the following new paragraph:

''(44) WASHINGTON, D.C., AND MARYLAND.—$15,000,000 for the project described in subsection (c)(1), modified to include measures to eliminate or control combined sewer overflows in the Anacostia River watershed.''.

SEC. 585. LAND CONVEYANCES.

(a) THOMPSON, CONNECTICUT.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the town of Thompson, Connecticut, all right, title, and interest of the United States in and to the approximately 1.36-acre parcel of land described in paragraph (2) for public ownership and use by the town for fire fighting and related emergency services purposes.

(2) LAND DESCRIPTION.—The parcel of land referred to in paragraph (1) is in the town of Thompson, county of Windham, State of Connecticut, on the northerly side of West Thompson Road owned by the United States and shown as Parcel A on a plan by Provost, Rovero, Fitzback entitled ''Property Survey Prepared for West Thompson Independent Firemen Association #1'' dated August 24, 1998, bounded and described as follows:

Beginning at a bound labeled WT–276 on the northerly side line of West Thompson Road, so called, at the most south corner of the Parcel herein described and at land now or formerly of West Thompson Independent Firemen Association No. 1;

Thence in a generally westerly direction by said northerly side line of West Thompson Road, by a curve to the left, having a radius of 640.00 feet a distance of 169.30 feet to a point;

Thence North 13 degrees, 08 minutes, 37 seconds East by the side line of said West Thompson Road a distance of 10.00 feet to a point;

Thence in a generally westerly direction by the northerly side line of said West Thompson Road, by a curve to the left having a radius of 650.00 feet a distance of 109.88 feet to a bound labeled WT–123, at land now or formerly of the United States of America;

Thence North 44 degrees, 43 minutes, 07 seconds East by said land now or formerly of the United States of America a distance of 185.00 feet to a point;

Thence North 67 degrees, 34 minutes, 13 seconds East by said land now or formerly of the United States of America a distance of 200.19 feet to a point in a stonewall;

Thence South 20 degrees, 49 minutes, 17 seconds East by a stonewall and by said land now or formerly of the United States of America a distance of 253.10 feet to a point at land now or formerly of West Thompson Independent Firemen Association No. 1;

Thence North 57 degrees, 45 minutes, 25 seconds West by land now or formerly of said West Thompson Independent Firemen Association No. 1 a distance of 89.04 feet to a bound labeled WT–277;

Thence South 32 degrees, 14 minutes, 35 seconds West by land now or formerly of said West Thompson Independent Firemen Association No. 1 a distance of 123.06 feet to the point of beginning.

(3) REVERSION.—If the Secretary determines that the parcel described in paragraph (2) ceases to be held in public ownership or used for fire fighting and related emergency services, all right, title, and interest in and to the parcel shall revert to the United States.

(b) SIBLEY MEMORIAL HOSPITAL, WASHINGTON, DISTRICT OF COLUMBIA.—

(1) IN GENERAL.—The Secretary shall convey to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries Conducting Sibley Memorial Hospital (in this subsection referred to as the ''Hospital'') by quitclaim deed under the terms of a negotiated sale, all right, title, and interest of the United States in and to the 8.864-acre parcel of land described in paragraph (2) for medical care and parking purposes. The consideration paid under such negotiated sale shall reflect the value of the parcel, taking into consideration the terms and conditions of the conveyance imposed under this subsection.

(2) LAND DESCRIPTION.—The parcel of land referred to in paragraph (1) is the parcel described as follows: Beginning at a point on the westerly right-of-way line of Dalecarlia Parkway, said point also being on the southerly division line of part of Square N1448, A&T Lot 801 as recorded in A&T 2387 and part of the property of the United States Government, thence with said southerly division line now described:

(A) North 35° 05′ 40″ West—436.31 feet to a point, thence

(B) South 89° 59′ 30″ West—550 feet to a point, thence

(C) South 53° 48′ 00″ West—361.08 feet to a point, thence

(D) South 89° 59′ 30″ West—466.76 feet to a point at the southwesterly corner of the aforesaid A&T Lot 801, said point also being on the easterly right-of-way line of MacArthur Boulevard, thence with a portion of the westerly division line of said A&T Lot 801 and the easterly right-of-way line of MacArthur Boulevard, as now described.

(E) 78.62 feet along the arc of a curve to the right having a radius of 650.98 feet, chord bearing and distance of North 06° 17′ 20″ West—78.57 feet to a point, thence crossing to include a portion of aforesaid A&T Lot 801 and a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(F) North 87° 18′ 21″ East—258.85 feet to a point, thence

(G) North 02° 49′ 16″ West—214.18 feet to a point, thence

(H) South 87° 09′ 00″ West—238.95 feet to a point on the aforesaid easterly right-of-way line of MacArthur Boulevard, thence with said easterly right-of-way line, as now described

(I) North 08° 41′ 30″ East—30.62 feet to a point, thence crossing to include a portion of aforesaid A&T Lot 801 and a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(J) North 87° 09′ 00″ East—373.96 feet to a point, thence

(K) North 88° 42′ 48″ East—374.92 feet to a point, thence

(L) North 56° 53′ 40″ East—53.16 feet to a point, thence

(M) North 86° 00′ 15″ East—26.17 feet to a point, thence

(N) South 87° 24′ 50″ East—464.01 feet to a point, thence

(O) North 83° 34′ 31″ East—212.62 feet to a point, thence

(P) South 30° 16′ 12″ East—108.97 feet to a point, thence

(Q) South 38° 30′ 23″ East—287.46 feet to a point, thence

(R) South 09° 03′ 38″ West—92.74 feet to the point on the aforesaid westerly right-of-way line of Dalecarlia Parkway, thence with said westerly right-of-way line, as now described

(S) 197.74 feet along the arc of a curve to the right having a radius of 916.00 feet, chord bearing and distance of South 53° 54′ 43″ West—197.35 feet to the place of beginning.

(3) TERMS AND CONDITIONS.—The conveyance under this subsection shall be subject to the following terms and conditions:

(A) LIMITATION ON THE USE OF CERTAIN PORTIONS OF THE PARCEL.—The Secretary shall include in any deed conveying the parcel under this section a restriction to prevent the Hospital, and its successors and assigns, from constructing any structure, other than a structure used exclusively for the parking of motor vehicles, on the portion of the parcel that lies between the Washington Aqueduct and Little Falls Road.

(B) LIMITATION ON CERTAIN LEGAL CHALLENGES.—The Secretary shall require the Hospital, and its successors and assigns, to refrain from raising any legal challenge to the operations of the Washington Aqueduct arising from any impact such operations may have on the activities conducted by the Hospital on the parcel.

(C) EASEMENT.—The Secretary shall require that the conveyance be subject to the retention of an easement permitting the United States, and its successors and assigns, to use and maintain the portion of the parcel described as follows: Beginning at a point on the easterly or South 35° 05′ 40″ East—436.31 foot plat line of Lot 25 as shown on a subdivision plat recorded in book 175 page 102 among the records of the Office of the Surveyor of the District of Columbia, said point also being on the northerly right-of-way line of Dalecarlia Parkway, thence running with said easterly line of Lot 25 and crossing to include a portion of the aforesaid Dalecarlia Reservoir Grounds as now described:

(i) North 35° 05′ 40″ West—495.13 feet to a point, thence

(ii) North 87° 24′ 50″ West—414.43 feet to a point, thence

(iii) South 81° 08′ 00″ West—69.56 feet to a point, thence

(iv) South 88° 42′ 48″ West—367.50 feet to a point, thence

(v) South 87° 09′ 00″ West—379.68 feet to a point on the easterly right-of-way line of MacArthur Boulevard, thence with said easterly right-of-way line, as now described

(vi) North 08° 41′ 30″ East—30.62 feet to a point, thence crossing to include a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(vii) North 87° 09′ 00″ East—373.96 feet to a point, thence

(viii) North 88° 42′ 48″ East—374.92 feet to a point, thence

(ix) North 56° 53′ 40″ East—53.16 feet to a point, thence

(x) North 86° 00′ 15″ East—26.17 feet to a point, thence

(xi) South 87° 24′ 50″ East—464.01 feet to a point, thence

(xii) North 83° 34′ 31″ East—50.62 feet to a point, thence

(xiii) South 02° 35′ 10″ West—46.46 feet to a point, thence

(xiv) South 13° 38′ 12″ East—107.83 feet to a point, thence

(xv) South 35° 05′ 40″ East—347.97 feet to a point on the aforesaid northerly right-of-way line of Dalecarlia Parkway, thence with said right-of-way line, as now described

(xvi) 44.12 feet along the arc of a curve to the right having a radius of 855.00 feet, chord bearing and distance of South 58° 59′ 22″ West—44.11 feet to the place of beginning containing 1.7157 acres of land more or less as now described by Maddox Engineers and Surveyors, Inc., June 2000, Job #00015.

(4) APPRAISAL.—Before conveying any right, title, or interest under this subsection, the Secretary shall obtain an appraisal of the fair market value of the parcel.

(c) ONTONAGON, MICHIGAN.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the Ontonagon County Historical Society all right, title, and interest of the United States in and to the parcel of land underlying and immediately surrounding the lighthouse at Ontonagon, Michigan, consisting of approximately 1.8 acres, together with any improvements thereon, for public ownership and for public purposes.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) REVERSION.—If the Secretary determines that the real property described in paragraph (1) ceases to be held in public ownership or used for public purposes, all right, title, and interest in and to the property shall revert to the United States.

(d) PIKE COUNTY, MISSOURI.—

(1) LAND EXCHANGE.—Subject to paragraphs (3) and (4), at such time as S.S.S., Inc. conveys all right, title, and interest in and to the parcel of land described in paragraph (2)(A) to the United States, the Secretary shall convey by quitclaim deed all right, title, and interest in the parcel of land described in paragraph (2)(B) to S.S.S., Inc.

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are the following:

(A) NON-FEDERAL LAND.—8.99 acres with existing flowage easements situated in Pike County, Missouri, adjacent to land being acquired from Holnam, Inc. by the Corps of Engineers.

(B) FEDERAL LAND.—8.99 acres situated in Pike County, Missouri, known as Government Tract Numbers FM–46 and FM–47, administered by the Corps of Engineers.

(3) CONDITIONS.—The exchange of land under paragraph (1) shall be subject to the following conditions:

(A) DEEDS.—

(i) NON-FEDERAL LAND.—The conveyance of the land described in paragraph (2)(A) to the Secretary shall be by a quitclaim deed acceptable to the Secretary.

(ii) FEDERAL LAND.—The instrument of conveyance used to convey the land described in paragraph (2)(B) to S.S.S., Inc. shall contain such reservations, terms, and conditions as the Secretary considers necessary to allow the United States to operate and maintain the Mississippi River 9-Foot Navigation Project.

(B) REMOVAL OF IMPROVEMENTS.—S.S.S., Inc. may remove any improvements on the land described in paragraph (2)(A). The Secretary may require S.S.S., Inc. to remove any improvements on the land described in paragraph (2)(A). In either case, S.S.S., Inc. shall hold the United States harmless from liability, and the United States shall not incur costs associated with the removal or relocation of any of the improvements.

(C) TIME LIMIT FOR EXCHANGE.—The land exchange under paragraph (1) shall be completed not later than 2 years after the date of enactment of this Act.

(D) LEGAL DESCRIPTION.—The Secretary shall provide the legal description of the lands described in paragraph (2). The legal description shall be used in the instruments of conveyance of the lands.

(4) VALUE OF PROPERTIES.—If the appraised fair market value, as determined by the Secretary, of the land conveyed to S.S.S., Inc. by the Secretary under paragraph (1) exceeds the appraised fair market value, as determined by the Secretary, of the land conveyed to the United States by S.S.S., Inc. under paragraph (1), S.S.S., Inc. shall make a payment equal to the excess in cash or a cash equivalent to the United States.

(e) CANDY LAKE PROJECT, OSAGE COUNTY, OKLAHOMA.—Section 563(c)(1)(B) of the Water Resources Development Act of 1999 (113 Stat. 357) is amended by striking ''a deceased individual'' and inserting ''an individual''.

(f) MANOR TOWNSHIP, PENNSYLVANIA.—

(1) IN GENERAL.—In accordance with this subsection, the Secretary shall convey by quitclaim deed to the township of Manor, Pennsylvania, all right, title, and interest of the United States in and to the approximately 113 acres of real property located at Crooked Creek Lake, together with any improvements on the land.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) CONSIDERATION.—The Secretary may convey under this subsection without consideration any portion of the real property described in paragraph (1) if the portion is to be retained in public ownership and be used for public park and recreation or other public purposes.

(4) REVERSION.—If the Secretary determines that any portion of the property conveyed under paragraph (3) ceases to be held in public ownership or to be used for public park and recreation or other public purposes, all right, title, and interest in and to such portion of property shall revert to the Secretary.

(5) PAYMENT OF COSTS.—The township of Manor, Pennsylvania shall be responsible for all costs associated with a conveyance under this subsection, including the cost of conducting the survey referred to in paragraph (2).

(g) NEW SAVANNAH BLUFF LOCK AND DAM, SAVANNAH RIVER, SOUTH CAROLINA, BELOW AUGUSTA.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed to the city of North Augusta and Aiken County, South Carolina, the lock, dam, and appurtenant features at New Savannah Bluff, including the adjacent approximately 50-acre park and recreation area with improvements of the navigation project, Savannah River Below Augusta, Georgia, authorized by the first section of the River and Harbor Act of July 3, 1930 (46 Stat. 924), subject to the execution of an agreement by the Secretary and the city of North Augusta and Aiken County, South Carolina, that specifies the terms and conditions for such conveyance.

(2) TREATMENT OF LOCK, DAM, APPURTENANT FEATURES, AND PARK AND RECREATION AREA.—The lock, dam, appurtenant features, adjacent park and recreation area, and other project lands, to be conveyed under paragraph (1) shall not be treated as part of any Federal water resources project after the effective date of the transfer.

(3) OPERATION AND MAINTENANCE.—Operation and maintenance of all features of the navigation project, other than the lock, dam, appurtenant features, adjacent park and recreation area, and other project lands to be conveyed under paragraph (1), shall continue to be a Federal responsibility after the effective date of the transfer under paragraph (1).

(h) TRI-CITIES AREA, WASHINGTON.—Section 501(i) of the Water Resources Development Act of 1996 (110 Stat. 3752–3753) is amended—

(1) by inserting before the period at the end of paragraph (1) the following: ''; except that any of such local governments, with the agreement of the appropriate district engineer, may exempt from the conveyance to the local government all or any part of the lands to be conveyed to the local government''; and

(2) by inserting before the period at the end of paragraph (2)(C) the following: ''; except that approximately 7.4 acres in Columbia Park, Kennewick, Washington, consisting of the historic site located in the Park and known and referred to as the Kennewick Man Site and such adjacent wooded areas as the Secretary determines are necessary to protect the historic site, shall remain in Federal ownership''.

(i) BAYOU TECHE, LOUISIANA.—

(1) IN GENERAL.—After renovations of the Keystone Lock facility have been completed, the Secretary may convey by quitclaim deed without consideration to St. Martin Parish, Louisiana, all rights, interests, and title of the United States in the approximately 12.03 acres of land under the administrative jurisdiction of the Secretary in Bayou Teche, Louisiana, together with improvements thereon. The dam and the authority to retain upstream pool elevations shall remain under the jurisdiction of the Secretary. The Secretary shall relinquish all operations and maintenance of the lock to St. Martin Parish.

(2) CONDITIONS.—The following conditions apply to the transfer under paragraph (1):

(A) St. Martin Parish shall operate, maintain, repair, replace, and rehabilitate the lock in accordance with regulations prescribed by the Secretary which are consistent with the project's authorized purposes.

(B) The Parish shall provide the Secretary access to the dam whenever the Secretary notifies the Parish of a need for access to the dam.

(C) If the Parish fails to comply with subparagraph (A), the Secretary shall notify the Parish of such failure. If the parish does not correct such failure during the 1-year period beginning on the date of such notification, the Secretary shall have a right of reverter to reclaim possession and title to the land and improvements conveyed under this section or, in the case of a failure to make necessary repairs, the Secretary may effect the repairs and require payment from the Parish for the repairs made by the Secretary.

(j) JOLIET, ILLINOIS.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the Joliet Park District in Joliet, Illinois, all right, title, and interest of the United States in and to the parcel of real property located at 622 Railroad Street in the city of Joliet, consisting of approximately 2 acres, together with any improvements thereon, for public ownership and use as the site of the headquarters of the park district.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be held in public ownership or to be used as headquarters of the park district or for other purposes, all right, title, and interest in and to such property shall revert to the United States.

(k) OTTAWA, ILLINOIS.—

(1) CONVEYANCE OF PROPERTY.—Subject to the terms, conditions, and reservations of paragraph (2), the Secretary shall convey by quitclaim deed to the Young Men's Christian Association of Ottawa, Illinois (in this subsection referred to as the ''YMCA''), all right, title, and interest of the United States in and to a portion of the easements acquired for the improvement of the Illinois Waterway project over a parcel of real property owned by the YMCA, known as the ''Ottawa, Illinois YMCA Site'', and located at 201 E. Jackson Street, Ottawa, La Salle County, Illinois (portion of NE ¼, S11, T33N, R3E 3PM), except that portion lying below the elevation of 461 feet National Geodetic Vertical Datum.

(2) CONDITIONS.—The following conditions apply to the conveyance under paragraph (1):

(A) The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(B) The YMCA shall agree to hold and save the United States harmless from liability associated with the operation and maintenance of the Illinois Waterway project on the property desscribed in paragraph (1).

(C) If the Secretary determines that any portion of the property that is the subject of the easement conveyed under paragraph (1) ceases to be used as the YMCA, all right, title, and interest in and to such easement shall revert to the Secretary.

(l) ST. CLAIR AND BENTON COUNTIES, MISSOURI.—

(1) IN GENERAL.—The Secretary shall convey to the Iconium Fire Protection District, St. Clair and Benton counties, Missouri, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the parcel of land described in paragraph (2).

(2) LAND DESCRIPTION.—The parcel of land to be conveyed under paragraph (1) is the tract of land located in the Southeast ¼ of Section 13, Township 39 North, Range 25 West, of the Fifth Principal Meridian, St. Clair County, Missouri, more particularly described as follows: Commencing at the Southwest corner of Section 18, as designated by Corps survey marker AP 18–1, thence northerly 11.22 feet to the southeast corner of Section 13, thence 657.22 feet north along the east line of Section 13 to Corps monument 18 1–C lying within the right-of-way of State Highway C, being the point of beginning of the tract of land herein described; thence westerly approximately 210 feet, thence northerly 150 feet, thence easterly approximately 210 feet to the east line of Section 13, thence southerly along said east line, 150 feet to the point of beginning, containing 0.723 acres, more or less.

(3) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be held in public ownership or to be used as a site for a fire station, all right, title, and interest in and to such property shall revert to the United States.

(m) GENERALLY APPLICABLE PROVISIONS.—

(1) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers appropriate and necessary to protect the interests of the United States.

(3) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

(4) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

SEC. 586. BRUCE F. VENTO UNIT OF THE BOUNDARY WATERS CANOE AREA WILDERNESS, MINNESOTA.

(a) DESIGNATION.—The portion of the Boundary Waters Canoe Area Wilderness, Minnesota, situated north and cast of the Gunflint Corridor and that is bounded by the United States border with Canada to the north shall be known and designated as the ''Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness''.

(b) LEGAL REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the area referred to in paragraph (1) shall be deemed to be a reference to the ''Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness''.

SEC. 587. WAURIKA LAKE, OKLAHOMA.

The remaining obligation of the Waurika Project Master Conservancy District payable to the United States Government in the amounts, rates of interest, and payment schedules is set at the amounts, rates of interest, and payment schedules that existed, and that both parties agreed to, on June 3, 1986, and may not be adjusted, altered, or changed without a specific, separate, and written agreement between the District and the United States Government.

SEC. 588. COLUMBIA RIVER TREATY FISHING ACCESS.

Section 401(d) of the Act entitled ''An Act to establish procedures for review of tribal constitutions and bylaws or amendments thereto pursuant to the Act of June 18, 1934 (48 Stat. 987)'', approved November 1, 1988 (102 Stat. 2944), is amended by striking ''$2,000,000'' and inserting ''$4,000,000''.

SEC. 589. DEVILS LAKE, NORTH DAKOTA.

No appropriation shall be made to construct an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River if the final plans for the emergency outlet have not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION

SEC. 601. COMPREHENSIVE EVERGLADES RESTORATION PLAN.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) CENTRAL AND SOUTHERN FLORIDA PROJECT.—

(A) IN GENERAL.—The term ''Central and Southern Florida Project'' means the project for Central and Southern Florida authorized under the heading ''CENTRAL AND SOUTHERN FLORIDA'' in section 203 of the Flood Control Act of 1948 (62 Stat. 1176).

(B) INCLUSION.—The term ''Central and Southern Florida Project'' includes any modification to the project authorized by this section or any other provision of law.

(2) GOVERNOR.—The term ''Governor'' means the Governor of the State of Florida.

(3) NATURAL SYSTEM.—

(A) IN GENERAL.—The term ''natural system'' means all land and water managed by the Federal Government or the State within the South Florida ecosystem.

(B) INCLUSIONS.—The term ''natural system'' includes—

(i) water conservation areas;

(ii) sovereign submerged land;

(iii) Everglades National Park;

(iv) Biscayne National Park;

(v) Big Cypress National Preserve;

(vi) other Federal or State (including a political subdivision of a State) land that is designated and managed for conservation purposes; and

(vii) any tribal land that is designated and managed for conservation purposes, as approved by the tribe.

(4) PLAN.—The term ''Plan'' means the Comprehensive Everglades Restoration Plan contained in the ''Final Integrated Feasibility Report and Programmatic Environmental Impact Statement'', dated April 1, 1999, as modified by this section.

(5) SOUTH FLORIDA ECOSYSTEM.—

(A) IN GENERAL.—The term ''South Florida ecosystem'' means the area consisting of the land and water within the boundary of the South Florida Water Management District in effect on July 1, 1999.

(B) INCLUSIONS.—The term ''South Florida ecosystem'' includes—

(i) the Everglades;

(ii) the Florida Keys; and

(iii) the contiguous near-shore coastal water of South Florida.

(6) STATE.—The term ''State'' means the State of Florida.

(b) COMPREHENSIVE EVERGLADES RESTORATION PLAN.—

(1) APPROVAL.—

(A) IN GENERAL.—Except as modified by this section, the Plan is approved as a framework for modifications and operational changes to the Central and Southern Florida Project that are needed to restore, preserve, and protect the South Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, and the improvement of the environment of the South Florida ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(B) INTEGRATION.—In carrying out the Plan, the Secretary shall integrate the activities described in subparagraph (A) with ongoing Federal and State projects and activities in accordance with section 528(c) of the Water Resources Development Act of 1996 (110 Stat. 3769). Unless specifically provided herein, nothing in this section shall be construed to modify any existing cost share or responsibility for projects as listed in subsection (c) or (e) of section 528 of the Water Resources Development Act of 1996 (110 Stat. 3769).

(2) SPECIFIC AUTHORIZATIONS.—

(A) IN GENERAL.—

(i) PROJECTS.—The Secretary shall carry out the projects included in the Plan in accordance with subparagraphs (B), (C), (D), and (E).

(ii) CONSIDERATIONS.—In carrying out activities described in the Plan, the Secretary shall—

(I) take into account the protection of water quality by considering applicable State water quality standards; and

(II) include such features as the Secretary determines are necessary to ensure that all ground water and surface water discharges from any project feature authorized by this subsection will meet all applicable water quality standards and applicable water quality permitting requirements.

(iii) REVIEW AND COMMENT.—In developing the projects authorized under subparagraph (B), the Secretary shall provide for public review and comment in accordance with applicable Federal law.

(B) PILOT PROJECTS.—The following pilot projects are authorized for implementation, after review and approval by the Secretary, at a total cost of $69,000,000, with an estimated Federal cost of $34,500,000 and an estimated non-Federal cost of $34,500,000:

(i) Caloosahatchee River (C–43) Basin ASR, at a total cost of $6,000,000, with an estimated Federal cost of $3,000,000 and an estimated non-Federal cost of $3,000,000.

(ii) Lake Belt In-Ground Reservoir Technology, at a total cost of $23,000,000, with an estimated Federal cost of $11,500,000 and an estimated non-Federal cost of $11,500,000.

(iii) L–31N Seepage Management, at a total cost of $10,000,000, with an estimated Federal cost of $5,000,000 and an estimated non-Federal cost of $5,000,000.

(iv) Wastewater Reuse Technology, at a total cost of $30,000,000, with an estimated

Federal cost of $15,000,000 and an estimated non-Federal cost of $15,000,000.

(C) INITIAL PROJECTS.—The following projects are authorized for implementation, after review and approval by the Secretary, subject to the conditions stated in subparagraph (D), at a total cost of $1,100,918,000, with an estimated Federal cost of $550,459,000 and an estimated non-Federal cost of $550,459,000:

(i) C–44 Basin Storage Reservoir, at a total cost of $112,562,000, with an estimated Federal cost of $56,281,000 and an estimated non-Federal cost of $56,281,000.

(ii) Everglades Agricultural Area Storage Reservoirs—Phase I, at a total cost of $233,408,000, with an estimated Federal cost of $116,704,000 and an estimated non-Federal cost of $116,704,000.

(iii) Site 1 Impoundment, at a total cost of $38,535,000, with an estimated Federal cost of $19,267,500 and an estimated non-Federal cost of $19,267,500.

(iv) Water Conservation Areas 3A/3B Levee Seepage Management, at a total cost of $100,335,000, with an estimated Federal cost of $50,167,500 and an estimated non-Federal cost of $50,167,500.

(v) C–11 Impoundment and Stormwater Treatment Area, at a total cost of $124,837,000, with an estimated Federal cost of $62,418,500 and an estimated non-Federal cost of $62,418,500.

(vi) C–9 Impoundment and Stormwater Treatment Area, at a total cost of $89,146,000, with an estimated Federal cost of $44,573,000 and an estimated non-Federal cost of $44,573,000.

(vii) Taylor Creek/Nubbin Slough Storage and Treatment Area, at a total cost of $104,027,000, with an estimated Federal cost of $52,013,500 and an estimated non-Federal cost of $52,013,500.

(viii) Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within Water Conservation Area 3, at a total cost of $26,946,000, with an estimated Federal cost of $13,473,000 and an estimated non-Federal cost of $13,473,000.

(ix) North New River Improvements, at a total cost of $77,087,000, with an estimated Federal cost of $38,543,500 and an estimated non-Federal cost of $38,543,500.

(x) C–111 Spreader Canal, at a total cost of $94,035,000, with an estimated Federal cost of $47,017,500 and an estimated non-Federal cost of $47,017,500.

(xi) Adaptive Assessment and Monitoring Program, at a total cost of $100,000,000, with an estimated Federal cost of $50,000,000 and an estimated non-Federal cost of $50,000,000.

(D) CONDITIONS.—

(i) PROJECT IMPLEMENTATION REPORTS.—Before implementation of a project described in any of clauses (i) through (x) of subparagraph (C), the Secretary shall review and approve for the project a project implementation report prepared in accordance with subsections (f) and (h).

(ii) SUBMISSION OF REPORT.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate the project implementation report required by subsections (f) and (h) for each project under this paragraph (including all relevant data and information on all costs).

(iii) FUNDING CONTINGENT ON APPROVAL.—No appropriation shall be made to construct any project under this paragraph if the project implementation report for the project has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(iv) MODIFIED WATER DELIVERY.—No appropriation shall be made to construct the Water Conservation Area 3 Decompartmentalization and Sheetflow Enhancement Project (including component AA, Additional S–345 Structures; component QQ Phase 1, Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within WCA 3; component QQ Phase 2, WCA 3 Decompartmentalization and Sheetflow Enhancement; and component SS, North New River Improvements) or the Central Lakebelt Storage Project (including components S and EEE, Central Lake Belt Storage Area) until the completion of the project to improve water deliveries to Everglades National Park authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–8).

(E) MAXIMUM COST OF PROJECTS.—Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall apply to each project feature authorized under this subsection.

(c) ADDITIONAL PROGRAM AUTHORITY.—

(1) IN GENERAL.—To expedite implementation of the Plan, the Secretary may implement modifications to the Central and Southern Florida Project that—

(A) are described in the Plan; and

(B) will produce a substantial benefit to the restoration, preservation and protection of the South Florida ecosystem.

(2) PROJECT IMPLEMENTATION REPORTS.—Before implementation of any project feature authorized under this subsection, the Secretary shall review and approve for the project feature a project implementation report prepared in accordance with subsections (f) and (h).

(3) FUNDING.—

(A) INDIVIDUAL PROJECT FUNDING.—

(i) FEDERAL COST.—The total Federal cost of each project carried out under this subsection shall not exceed $12,500,000.

(ii) OVERALL COST.—The total cost of each project carried out under this subsection shall not exceed $25,000,000.

(B) AGGREGATE COST.—The total cost of all projects carried out under this subsection shall not exceed $206,000,000, with an estimated Federal cost of $103,000,000 and an estimated non-Federal cost of $103,000,000.

(d) AUTHORIZATION OF FUTURE PROJECTS.—

(1) IN GENERAL.—Except for a project authorized by subsection (b) or (c), any project included in the Plan shall require a specific authorization by Congress.

(2) SUBMISSION OF REPORT.—Before seeking congressional authorization for a project under paragraph (1), the Secretary shall submit to Congress—

(A) a description of the project; and

(B) a project implementation report for the project prepared in accordance with subsections (f) and (h).

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of carrying out a project authorized by subsection (b), (c), or (d) shall be 50 percent.

(2) NON-FEDERAL RESPONSIBILITIES.—The non-Federal sponsor with respect to a project described in subsection (b), (c), or (d), shall be—

(A) responsible for all land, easements, rights-of-way, and relocations necessary to implement the Plan; and

(B) afforded credit toward the non-Federal share of the cost of carrying out the project in accordance with paragraph (5)(A).

(3) FEDERAL ASSISTANCE.—

(A) IN GENERAL.—The non-Federal sponsor with respect to a project authorized by subsection (b), (c), or (d) may use Federal funds for the purchase of any land, easement, rights-of-way, or relocation that is necessary to carry out the project if any funds so used are credited toward the Federal share of the cost of the project.

(B) AGRICULTURE FUNDS.—Funds provided to the non-Federal sponsor under the Conservation Restoration and Enhancement Program (CREP) and the Wetlands Reserve Program (WRP) for projects in the Plan shall be credited toward the non-Federal share of the cost of the Plan if the Secretary of Agriculture certifies that the funds provided may be used for that purpose. Funds to be credited do not include funds provided under section 390 of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1022).

(4) OPERATION AND MAINTENANCE.—Notwithstanding section 528(e)(3) of the Water Resources Development Act of 1996 (110 Stat. 3770), the non-Federal sponsor shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities authorized under this section. Furthermore, the Seminole Tribe of Florida shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities for the Big Cypress Seminole Reservation Water Conservation Plan Project.

(5) CREDIT.—

(A) IN GENERAL.—Notwithstanding section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) and regardless of the date of acquisition, the value of lands or interests in lands and incidental costs for land acquired by a non-Federal sponsor in accordance with a project implementation report for any project included in the Plan and authorized by Congress shall be—

(i) included in the total cost of the project; and

(ii) credited toward the non-Federal share of the cost of the project.

(B) WORK.—The Secretary may provide credit, including in-kind credit, toward the non-Federal share for the reasonable cost of any work performed in connection with a study, preconstruction engineering and design, or construction that is necessary for the implementation of the Plan if—

(i)(I) the credit is provided for work completed during the period of design, as defined in a design agreement between the Secretary and the non-Federal sponsor; or

(II) the credit is provided for work completed during the period of construction, as defined in a project cooperation agreement for an authorized project between the Secretary and the non-Federal sponsor;

(ii) the design agreement or the project cooperation agreement prescribes the terms and conditions of the credit; and

(iii) the Secretary determines that the work performed by the non-Federal sponsor is integral to the project.

(C) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this paragraph may be carried over between authorized projects in accordance with subparagraph (D).

(D) PERIODIC MONITORING.—

(i) IN GENERAL.—To ensure that the contributions of the non-Federal sponsor equal 50 percent proportionate share for projects in the Plan, during each 5-year period, beginning with commencement of design of the Plan, the Secretary shall, for each project—

(I) monitor the non-Federal provision of cash, in-kind services, and land; and

(II) manage, to the maximum extent practicable, the requirement of the non-Federal sponsor to provide cash, in-kind services, and land.

(ii) OTHER MONITORING.—The Secretary shall conduct monitoring under clause (i) separately for the preconstruction engineering and design phase and the construction phase.

(E) AUDITS.—Credit for land (including land value and incidental costs) or work provided under this subsection shall be subject to audit by the Secretary.

(f) EVALUATION OF PROJECTS.—

(1) IN GENERAL.—Before implementation of a project authorized by subsection (c) or (d) or any of clauses (i) through (x) of subsection (b)(2)(C), the Secretary, in cooperation with the non-Federal sponsor, shall complete, after notice and opportunity for public comment and in accordance with subsection (h), a project implementation report for the project.

(2) PROJECT JUSTIFICATION.—

(A) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out any activity authorized under this section or any other provision of law to restore, preserve, or protect the South Florida ecosystem, the Secretary may determine that—

(i) the activity is justified by the environmental benefits derived by the South Florida ecosystem; and

(ii) no further economic justification for the activity is required, if the Secretary determines that the activity is cost-effective.

(B) APPLICABILITY.—Subparagraph (A) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the natural system.

(g) EXCLUSIONS AND LIMITATIONS.—The following Plan components are not approved for implementation:

(1) WATER INCLUDED IN THE PLAN.—

(A) IN GENERAL.—Any project that is designed to implement the capture and use of the approximately 245,000 acre-feet of water described in section 7.7.2 of the Plan shall not be implemented until such time as—

(i) the project-specific feasibility study described in subparagraph (B) on the need for and physical delivery of the approximately 245,000 acre-feet of water, conducted by the Secretary, in cooperation with the non-Federal sponsor, is completed;

(ii) the project is favorably recommended in a final report of the Chief of Engineers; and

(iii) the project is authorized by Act of Congress.

(B) PROJECT-SPECIFIC FEASIBILITY STUDY.—The project-specific feasibility study referred to in subparagraph (A) shall include—

(i) a comprehensive analysis of the structural facilities proposed to deliver the approximately 245,000 acre-feet of water to the natural system;

(ii) an assessment of the requirements to divert and treat the water;

(iii) an assessment of delivery alternatives;

(iv) an assessment of the feasibility of delivering the water downstream while maintaining current levels of flood protection to affected property; and

(v) any other assessments that are determined by the Secretary to be necessary to complete the study.

(2) WASTEWATER REUSE.—

(A) IN GENERAL.—On completion and evaluation of the wastewater reuse pilot project described in subsection (b)(2)(B)(iv), the Secretary, in an appropriately timed 5-year report, shall describe the results of the evaluation of advanced wastewater reuse in meeting, in a cost-effective manner, the requirements of restoration of the natural system.

(B) SUBMISSION.—The Secretary shall submit to Congress the report described in subparagraph (A) before congressional authorization for advanced wastewater reuse is sought.

(3) PROJECTS APPROVED WITH LIMITATIONS.—The following projects in the Plan are approved for implementation with limitations:

(A) LOXAHATCHEE NATIONAL WILDLIFE REFUGE.—The Federal share for land acquisition in the project to enhance existing wetland systems along the Loxahatchee National Wildlife Refuge, including the Stazzulla tract, should be funded through the budget of the Department of the Interior.

(B) SOUTHERN CORKSCREW REGIONAL ECOSYSTEM.—The Southern Corkscrew regional ecosystem watershed addition should be accomplished outside the scope of the Plan.

(h) ASSURANCE OF PROJECT BENEFITS.—

(1) IN GENERAL.—The overarching objective of the Plan is the restoration, preservation, and protection of the South Florida Ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, the improvement of the environment of the South Florida Ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(2) AGREEMENT.—

(A) IN GENERAL.—In order to ensure that water generated by the Plan will be made available for the restoration of the natural system, no appropriations, except for any pilot project described in subsection (b)(2)(B), shall be made for the construction of a project contained in the Plan until the President and the Governor enter into a binding agreement under which the State shall ensure, by regulation or other appropriate means, that water made available by each project in the Plan shall not be permitted for a consumptive use or otherwise made unavailable by the State until such time as sufficient reservations of water for the restoration of the natural system are made under State law in accordance with the project implementation report for that project and consistent with the Plan.

(B) ENFORCEMENT.—

(i) IN GENERAL.—Any person or entity that is aggrieved by a failure of the United States or any other Federal Government instrumentality or agency, or the Governor or any other officer of a State instrumentality or agency, to comply with any provision of the agreement entered into under subparagraph (A) may bring a civil action in United States district court for an injunction directing the United States or any other Federal Government instrumentality or agency or the Governor or any other officer of a State instrumentality or agency, as the case may be, to comply with the agreement.

(ii) LIMITATIONS ON COMMENCEMENT OF CIVIL ACTION.—No civil action may be commenced under clause (i)—

(I) before the date that is 60 days after the Secretary and the Governor receive written notice of a failure to comply with the agreement; or

(II) if the United States has commenced and is diligently prosecuting an action in a court of the United States or a State to redress a failure to comply with the agreement.

(C) TRUST RESPONSIBILITIES.—In carrying out his responsibilities under this subsection with respect to the restoration of the South Florida ecosystem, the Secretary of the Interior shall fulfill his obligations to the Indian tribes in South Florida under the Indian trust doctrine as well as other applicable legal obligations.

(3) PROGRAMMATIC REGULATIONS.—

(A) ISSUANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall, after notice and opportunity for public comment, with the concurrence of the Governor and the Secretary of the Interior, and in consultation with the Seminole Tribe of Florida, the Miccosukee Tribe of Indians of Florida, the Administrator of the Environmental Protection Agency, the Secretary of Commerce, and other Federal, State, and local agencies, promulgate programmatic regulations to ensure that the goals and purposes of the Plan are achieved.

(B) CONCURRENCY STATEMENT.—The Secretary of the Interior and the Governor shall, not later than 180 days from the end of the public comment period on proposed programmatic regulations, provide the Secretary with a written statement of concurrence or nonconcurrence. A failure to provide a written statement of concurrence or nonconcurrence within such time frame will be deemed as meeting the concurrency requirements of subparagraph (A)(i). A copy of any concurrency or nonconcurrency statements shall be made a part of the administrative record and referenced in the final programmatic regulations. Any nonconcurrency statement shall specifically detail the reason or reasons for the nonconcurrence.

(C) CONTENT OF REGULATIONS.—

(i) IN GENERAL.—Programmatic regulations promulgated under this paragraph shall establish a process—

(I) for the development of project implementation reports, project cooperation agreements, and operating manuals that ensure that the goals and objectives of the Plan are achieved;

(II) to ensure that new information resulting from changed or unforeseen circumstances, new scientific or technical information or information that is developed through the principles of adaptive management contained in the Plan, or future authorized changes to the Plan are integrated into the implementation of the Plan; and

(III) to ensure the protection of the natural system consistent with the goals and purposes of the Plan, including the establishment of interim goals to provide a means by which the restoration success of the Plan may be evaluated throughout the implementation process.

(ii) LIMITATION ON APPLICABILITY OF PROGRAMMATIC REGULATIONS.—Programmatic regulations promulgated under this paragraph shall expressly prohibit the requirement for concurrence by the Secretary of the Interior or the Governor on project implementation reports, project cooperation agreements, operating manuals for individual projects undertaken in the Plan, and any other documents relating to the development, implementation, and management of individual features of the Plan, unless such concurrence is provided for in other Federal or State laws.

(D) SCHEDULE AND TRANSITION RULE.—

(i) IN GENERAL.—All project implementation reports approved before the date of promulgation of the programmatic regulations shall be consistent with the Plan.

(ii) PREAMBLE.—The preamble of the programmatic regulations shall include a statement concerning the consistency with the programmatic regulations of any project implementation reports that were approved before the date of promulgation of the regulations.

(E) REVIEW OF PROGRAMMATIC REGULATIONS.—Whenever necessary to attain Plan goals and purposes, but not less often than every 5 years, the Secretary, in accordance with subparagraph (A), shall review the programmatic regulations promulgated under this paragraph.

(4) PROJECT-SPECIFIC ASSURANCES.—

(A) PROJECT IMPLEMENTATION REPORTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop project implementation reports in accordance with section 10.3.1 of the Plan.

(ii) COORDINATION.—In developing a project implementation report, the Secretary and the non-Federal sponsor shall coordinate with appropriate Federal, State, tribal, and local governments.

(iii) REQUIREMENTS.—A project implementation report shall—

(I) be consistent with the Plan and the programmatic regulations promulgated under paragraph (3);

(II) describe how each of the requirements stated in paragraph (3)(B) is satisfied;

(III) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(IV) identify the appropriate quantity, timing, and distribution of water dedicated and managed for the natural system;

(V) identify the amount of water to be reserved or allocated for the natural system necessary to implement, under State law, subclauses (IV) and (VI);

(VI) comply with applicable water quality standards and applicable water quality permitting requirements under subsection (b)(2)(A)(ii);

(VII) be based on the best available science; and

(VIII) include an analysis concerning the cost-effectiveness and engineering feasibility of the project.

(B) PROJECT COOPERATION AGREEMENTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall execute project cooperation agreements in accordance with section 10 of the Plan.

(ii) CONDITION.—The Secretary shall not execute a project cooperation agreement until any reservation or allocation of water for the natural system identified in the project implementation report is executed under State law.

(C) OPERATING MANUALS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop and issue, for each project or group of projects, an operating manual that is consistent with the water reservation or allocation for the natural system described in the project implementation report and the project cooperation agreement for the project or group of projects.

(ii) MODIFICATIONS.—Any significant modification by the Secretary and the non-Federal sponsor to an operating manual after the operating manual is issued shall only be carried out subject to notice and opportunity for public comment.

(5) SAVINGS CLAUSE.—

(A) NO ELIMINATION OR TRANSFER.—Until a new source of water supply of comparable quantity and quality as that available on the date of enactment of this Act is available to replace the water to be lost as a result of implementation of the Plan, the Secretary and the non-Federal sponsor shall not eliminate or transfer existing legal sources of water, including those for—

(i) an agricultural or urban water supply;

(ii) allocation or entitlement to the Seminole Indian Tribe of Florida under section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e);

(iii) the Miccosukee Tribe of Indians of Florida;

(iv) water supply for Everglades National Park; or

(v) water supply for fish and wildlife.

(B) MAINTENANCE OF FLOOD PROTECTION.—Implementation of the Plan shall not reduce levels of service for flood protection that are—

(i) in existence on the date of enactment of this Act; and

(ii) in accordance with applicable law.

(C) NO EFFECT ON TRIBAL COMPACT.—Nothing in this section amends, alters, prevents, or otherwise abrogates rights of the Seminole Indian Tribe of Florida under the compact among the Seminole Tribe of Florida, the State, and the South Florida Water Management District, defining the scope and use of water rights of the Seminole Tribe of Florida, as codified by section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e).

(i) DISPUTE RESOLUTION.—

(1) IN GENERAL.—The Secretary and the Governor shall within 180 days from the date of enactment of this Act develop an agreement for resolving disputes between the Corps of Engineers and the State associated with the implementation of the Plan. Such agreement shall establish a mechanism for the timely and efficient resolution of disputes, including—

(A) a preference for the resolution of disputes between the Jacksonville District of the Corps of Engineers and the South Florida Water Management District;

(B) a mechanism for the Jacksonville District of the Corps of Engineers or the South Florida Water Management District to initiate the dispute resolution process for unresolved issues;

(C) the establishment of appropriate timeframes and intermediate steps for the elevation of disputes to the Governor and the Secretary; and

(D) a mechanism for the final resolution of disputes, within 180 days from the date that the dispute resolution process is initiated under subparagraph (B).

(2) CONDITION FOR REPORT APPROVAL.—The Secretary shall not approve a project implementation report under this section until the agreement established under this subsection has been executed.

(3) NO EFFECT ON LAW.—Nothing in the agreement established under this subsection shall alter or amend any existing Federal or State law, or the responsibility of any party to the agreement to comply with any Federal or State law.

(j) INDEPENDENT SCIENTIFIC REVIEW.—

(1) IN GENERAL.—The Secretary, the Secretary of the Interior, and the Governor, in consultation with the South Florida Ecosystem Restoration Task Force, shall establish an independent scientific review panel convened by a body, such as the National Academy of Sciences, to review the Plan's progress toward achieving the natural system restoration goals of the Plan.

(2) REPORT.—The panel described in paragraph (1) shall produce a biennial report to Congress, the Secretary, the Secretary of the Interior, and the Governor that includes an assessment of ecological indicators and other measures of progress in restoring the ecology of the natural system, based on the Plan.

(k) OUTREACH AND ASSISTANCE.—

(1) SMALL BUSINESS CONCERNS OWNED AND OPERATED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—In executing the Plan, the Secretary shall ensure that small business concerns owned and controlled by socially and economically disadvantaged individuals are provided opportunities to participate under section 15(g) of the Small Business Act (15 U.S.C. 644(g)).

(2) COMMUNITY OUTREACH AND EDUCATION.—

(A) IN GENERAL.—The Secretary shall ensure that impacts on socially and economically disadvantaged individuals, including individuals with limited English proficiency, and communities are considered during implementation of the Plan, and that such individuals have opportunities to review and comment on its implementation.

(B) PROVISION OF OPPORTUNITIES.—The Secretary shall ensure, to the maximum extent practicable, that public outreach and educational opportunities are provided, during implementation of the Plan, to the individuals of South Florida, including individuals with limited English proficiency, and in particular for socially and economically disadvantaged communities.

(l) REPORT TO CONGRESS.—Beginning on October 1, 2005, and periodically thereafter until October 1, 2036, the Secretary and the Secretary of the Interior, in consultation with the Environmental Protection Agency, the Department of Commerce, and the State of Florida, shall jointly submit to Congress a report on the implementation of the Plan. Such reports shall be completed not less often than every 5 years. Such reports shall include a description of planning, design, and construction work completed, the amount of funds expended during the period covered by the report (including a detailed analysis of the funds expended for adaptive assessment under subsection (b)(2)(C)(xi)), and the work anticipated over the next 5-year period. In addition, each report shall include—

(1) the determination of each Secretary, and the Administrator of the Environmental Protection Agency, concerning the benefits to the natural system and the human environment achieved as of the date of the report and whether the completed projects of the Plan are being operated in a manner that is consistent with the requirements of subsection (h);

(2) progress toward interim goals established in accordance with subsection (h)(3)(B); and

(3) a review of the activities performed by the Secretary under subsection (k) as they relate to socially and economically disadvantaged individuals and individuals with limited English proficiency.

(m) REPORT ON AQUIFER STORAGE AND RECOVERY PROJECT.—Not later than 180 after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing a determination as to whether the ongoing Biscayne Aquifer Storage and Recovery Program located in Miami-Dade County has a substantial benefit to the restoration, preservation, and protection of the South Florida ecosystem.

(n) FULL DISCLOSURE OF PROPOSED FUNDING.—

(1) FUNDING FROM ALL SOURCES.—The President, as part of the annual budget of the United States Government, shall display under the heading ''Everglades Restoration'' all proposed funding for the Plan for all agency programs.

(2) FUNDING FROM CORPS OF ENGINEERS CIVIL WORKS PROGRAM.—The President, as part of the annual budget of the United States Government, shall display under the accounts ''Construction, General'' and ''Operation and Maintenance, General'' of the title ''Department of Defense—Civil, Department of the Army, Corps of Engineers—Civil'', the total proposed funding level for each account for the Plan and the percentage such level represents of the overall levels in such accounts. The President shall also include an assessment of the impact such funding levels for the Plan would have on the budget year and long-term funding levels for the overall Corps of Engineers civil works program.

(o) SURPLUS FEDERAL LANDS.—Section 390(f)(2)(A)(i) of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1023) is amended by inserting after ''on or after the date of enactment of this Act'' the following: ''and before the date of enactment of the Water Resource Development Act of 2000''.

(p) SEVERABILITY.—If any provision or remedy provided by this section is found to be unconstitutional or unenforceable by any court of competent jurisdiction, any remaining provisions in this section shall remain valid and enforceable.

SEC. 602. SENSE OF CONGRESS CONCERNING HOMESTEAD AIR FORCE BASE.

(a) FINDINGS.—Congress finds that—

(1) the Everglades is an American treasure and includes uniquely-important and diverse wildlife resources and recreational opportunities;

(2) the preservation of the pristine and natural character of the South Florida ecosystem is critical to the regional economy;

(3) as this legislation demonstrates, Congress believes it to be a vital national mission to restore and preserve this ecosystem and accordingly is authorizing a significant Federal investment to do so;

(4) Congress seeks to have the remaining property at the former Homestead Air Base conveyed and reused as expeditiously as possible, and several options for base reuse are being considered, including as a commercial airport; and

(5) Congress is aware that the Homestead site is located in a sensitive environmental location, and that Biscayne National Park is only approximately 1.5 miles to the east, Everglades National Park approximately 8 miles to the west, and the Florida Keys National Marine Sanctuary approximately 10 miles to the south.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) development at the Homestead site could potentially cause significant air, water, and noise pollution and result in the degradation of adjacent national parks and other protected Federal resources;

(2) in their decisionmaking, the Federal agencies charged with determining the reuse of the remaining property at the Homestead base should carefully consider and weigh all available information concerning potential environmental impacts of various reuse options;

(3) the redevelopment of the former base should be consistent with restoration goals, provide desirable numbers of jobs and economic redevelopment for the community, and be consistent with other applicable laws;

(4) consistent with applicable laws, the Secretary of the Air Force should proceed as quickly as practicable to issue a final SEIS and Record of Decision so that reuse of the former air base can proceed expeditiously;

(5) following conveyance of the remaining surplus property, the Secretary, as part of his oversight for Everglades restoration, should cooperate with the entities to which the various parcels of surplus property were conveyed so that the planned use of those properties is implemented in such a manner as to remain consistent with the goals of the Everglades restoration plan; and

(6) by August 1, 2002, the Secretary should submit a report to the appropriate committees of Congress on actions taken and make any recommendations for consideration by Congress.

TITLE VII—MISSOURI RIVER RESTORATION

SEC. 701. DEFINITIONS.

In this title, the following definitions apply:

(1) PICK-SLOAN PROGRAM.—The term ''Pick-Sloan program'' means the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (58 Stat. 891).

(2) PLAN.—The term ''plan'' means the plan for the use of funds made available by this title that is required to be prepared under section 705(e).

(3) STATE.—The term ''State'' means the State of South Dakota.

(4) TASK FORCE.—The term ''Task Force'' means the Missouri River Task Force established by section 705(a).

(6) TRUST.—The term ''Trust'' means the Missouri River Trust established by section 704(a).

SEC. 702. MISSOURI RIVER TRUST.

(a) ESTABLISHMENT.—There is established a committee to be known as the Missouri River Trust.

(b) MEMBERSHIP.—The Trust shall be composed of 25 members to be appointed by the Secretary, including—

(1) 15 members recommended by the Governor of South Dakota that—

(A) represent equally the various interests of the public; and

(B) include representatives of—

(i) the South Dakota Department of Environment and Natural Resources;

(ii) the South Dakota Department of Game, Fish, and Parks;

(iii) environmental groups;

(iv) the hydroelectric power industry;

(v) local governments;

(vi) recreation user groups;

(vii) agricultural groups; and

(viii) other appropriate interests;

(2) 9 members, 1 of each of whom shall be recommended by each of the 9 Indian tribes in the State of South Dakota; and

(3) 1 member recommended by the organization known as the ''Three Affiliated Tribes of North Dakota'' (composed of the Mandan, Hidatsa, and Arikara tribes).

SEC. 703. MISSOURI RIVER TASK FORCE.

(a) ESTABLISHMENT.—There is established the Missouri River Task Force.

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) the Secretary (or a designee), who shall serve as Chairperson;

(2) the Secretary of Agriculture (or a designee);

(3) the Secretary of Energy (or a designee);

(4) the Secretary of the Interior (or a designee); and

(5) the Trust.

(c) DUTIES.—The Task Force shall—

(1) meet at least twice each year;

(2) vote on approval of the plan, with approval requiring votes in favor of the plan by a majority of the members;

(3) review projects to meet the goals of the plan; and

(4) recommend to the Secretary critical projects for implementation.

(d) ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date on which funding authorized under this title becomes available, the Secretary shall submit to the other members of the Task Force a report on—

(A) the impact of the siltation of the Missouri River in the State, including the impact on the Federal, State, and regional economies, recreation, hydropower generation, fish and wildlife, and flood control;

(B) the status of Indian and non-Indian historical and cultural sites along the Missouri River;

(C) the extent of erosion along the Missouri River (including tributaries of the Missouri River) in the State; and

(D) other issues, as requested by the Task Force.

(2) CONSULTATION.—In preparing the report under paragraph (1), the Secretary shall consult with the Secretary of Energy, the Secretary of the Interior, the Secretary of Agriculture, the State, and Indian tribes in the State.

(e) PLAN FOR USE OF FUNDS MADE AVAILABLE BY THIS TITLE.—

(1) IN GENERAL.—Not later than 2 years after the date on which funding authorized under this title becomes available, the Task Force shall prepare a plan for the use of funds made available under this title.

(2) CONTENTS OF PLAN.—The plan shall provide for the manner in which the Task Force shall develop and recommend critical restoration projects to promote—

(A) conservation practices in the Missouri River watershed;

(B) the general control and removal of sediment from the Missouri River;

(C) the protection of recreation on the Missouri River from sedimentation;

(D) the protection of Indian and non-Indian historical and cultural sites along the Missouri River from erosion;

(E) erosion control along the Missouri River; or

(F) any combination of the activities described in subparagraphs (A) through (E).

(3) PLAN REVIEW AND REVISION.—

(A) IN GENERAL.—The Task Force shall make a copy of the plan available for public review and comment before the plan becomes final, in accordance with procedures established by the Task Force.

(B) REVISION OF PLAN.—

(i) IN GENERAL.—The Task Force may, on an annual basis, revise the plan.

(ii) PUBLIC REVIEW AND COMMENT.—In revising the plan, the Task Force shall provide the public the opportunity to review and comment on any proposed revision to the plan.

(f) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—After the plan is approved by the Task Force under subsection (c)(2), the Secretary, in coordination with the Task Force, shall identify critical restoration projects to carry out the plan.

(2) AGREEMENT.—The Secretary may carry out a critical restoration project after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b).

(3) INDIAN PROJECTS.—To the maximum extent practicable, the Secretary shall ensure that not less than 30 percent of the funds made available for critical restoration projects under this title shall be used exclusively for projects that are—

(A) within the boundary of an Indian reservation; or

(B) administered by an Indian tribe.

(g) COST SHARING.—

(1) ASSESSMENT.—

(A) FEDERAL SHARE.—The Federal share of the cost of carrying out the assessment under subsection (d) shall be 50 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out the assessment under subsection (d) may be provided in the form of services, materials, or other in-kind contributions.

(2) PLAN.—

(A) FEDERAL SHARE.—The Federal share of the cost of preparing the plan under subsection (e) shall be 50 percent.

(B) NON-FEDERAL SHARE.—Not more than 50 percent of the non-Federal share of the cost of preparing the plan under subsection (e) may be provided in the form of services, materials, or other in-kind contributions.

(3) CRITICAL RESTORATION PROJECTS.—

(A) IN GENERAL.—A non-Federal cost share shall be required to carry out any critical restoration project under subsection (f) that does not primarily benefit the Federal Government, as determined by the Task Force.

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out a critical restoration project under subsection (f) for which the Task Force requires a non-Federal cost share under subparagraph (A) shall be 65 percent, not to exceed $5,000,000 for any critical restoration project.

(C) NON-FEDERAL SHARE.—

(i) IN GENERAL.—Not more than 50 percent of the non-Federal share of the cost of carrying out a critical restoration project described in subparagraph (B) may be provided in the form of services, materials, or other in-kind contributions.

(ii) REQUIRED NON-FEDERAL CONTRIBUTIONS.—For any critical restoration project described in subparagraph (B), the non-Federal interest shall—

(I) provide all land, easements, rights-of-way, dredged material disposal areas, and relocations;

(II) pay all operation, maintenance, replacement, repair, and rehabilitation costs; and

(III) hold the United States harmless from all claims arising from the construction, operation, and maintenance of the project.

(iii) CREDIT.—The non-Federal interest shall receive credit for all contributions provided under clause (ii)(I).

SEC. 704. ADMINISTRATION.

(a) IN GENERAL.—Nothing in this title diminishes or affects—

(1) any water right of an Indian tribe;

(2) any other right of an Indian tribe, except as specifically provided in another provision of this title;

(3) any treaty right that is in effect on the date of enactment of this Act;

(4) any external boundary of an Indian reservation of an Indian tribe;

(5) any authority of the State that relates to the protection, regulation, or management of fish, terrestrial wildlife, and cultural and archaeological resources, except as specifically provided in this title; or

(6) any authority of the Secretary, the Secretary of the Interior, or the head of any other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(H) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) FEDERAL LIABILITY FOR DAMAGE.—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan program.

(c) FLOOD CONTROL.—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan program for the purposes of meeting the requirements of the Act of December 22, 1944 (58 Stat. 887, 33 U.S.C. 701–1 et seq.).

SEC. 705. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out this title $4,000,000 for each of fiscal years 2001 through 2005, $5,000,000 for each of fiscal years 2006 through 2009, and $10,000,000 in fiscal year 2010. Such funds shall remain available until expended.

After debate,

Pursuant to House Resolution 639, the previous question was considered as ordered on the bill, as amended.

The bill, as amended, was ordered to be read a third time, was read a third time by title.

Mr. RAHALL moved to commit the bill to the Committee on Transportation and Infrastructure with instructions to report the bill back to the House forthwith with the following amendment:

Strike section 330 of the bill and redesignate subsequent sections of title III of the bill, accordingly.

In section 348 of the bill, strike ''substantially'' and all that follows through ''1992''.

Strike section 436 of the bill and redesignate subsequent sections of title IV of the bill, accordingly.

In section 563 of the bill, strike ''stabilization and preservation'' and insert ''preservation and restoration''.

Conform the table of contents of the bill by striking the items relating to sections 330 and 436 and redesignate subsequent items accordingly.

After debate,

By unanimous consent, the previous question was ordered on the motion to commit with instructions.

The question being put, viva voce,

Will the House commit said bill with instructions?

The SPEAKER pro tempore, Mr. OSE, announced that the yeas had it.

So the motion to commit with instructions was agreed to.

Mr. SHUSTER, by direction of the Committee on Transportation and Infrastructure and pursuant to the foregoing order of the House reported the bill back to the House with said further amendment.

The question being put, viva voce,

Will the House agree to said further amendment?

The SPEAKER pro tempore, Mr. OSE, announced that the yeas had it.

So the further amendment was agreed to.

The bill, as amended, was ordered to be read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill, as amended?

The SPEAKER pro tempore, Mr. OSE, announced that the yeas had it.

Mr. SHUSTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 394 / Nays ..... 14 }

¶112.7 [Roll No. 534]

YEAS—394

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson

Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—14

Andrews
Coburn
Doggett
Hill (MT)
Johnson, Sam
Paul
Ramstad
Royce
Sanford
Schaffer
Sensenbrenner
Shays
Stupak
Tancredo

NOT VOTING—24

Ballenger
Campbell
Chenoweth-Hage
Clay
Dingell
Franks (NJ)
Gephardt
Hansen
Hilliard
Houghton
Jones (OH)
Lazio
Lipinski
McCollum
McIntosh
Miller (FL)
Morella
Oxley
Rodriguez
Simpson
Stark
Talent
Turner
Wise

So the bill, as amended, was passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

On motion of Mr. SHUSTER, pursuant to House Resolution 639, it was,

Resolved, That the House insist upon its amendment and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶112.8 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Evans, one of his secretaries.

¶112.9 PERMISSION TO FILE REPORT

On motion of Mr. LEACH, by unanimous consent, the Committee on Banking and Financial Services was granted permission to file a supplemental report on the bill (H.R. 4541) to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives, and for other purposes.

¶112.10 MOTION TO INSTRUCT CONFEREES—S. 2796

Mr. OBERSTAR moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill of the Senate (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, to insist on section 586 of the House amendment.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. OSE, announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶112.11 APPOINTMENT OF CONFEREES—S. 2796

Thereupon, the SPEAKER pro tempore, Mr. OSE, by unanimous consent, appointed Messrs. SHUSTER, YOUNG of Alaska, BOEHLERT, SHAW, OBERSTAR, BORSKI and MENENDEZ, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶112.12 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4635

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 638):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. HILL of Montana objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 400
Nays 7

¶112.13 [Roll No. 535]

YEAS—400

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins

Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—7

Danner
Hill (MT)
Hulshof
Latham
Nussle
Roemer
Tancredo

NOT VOTING—25

Campbell
Chenoweth-Hage
Clay
Franks (NJ)
Hansen
Hilliard
Houghton
Jones (OH)
Lazio
Lewis (CA)
Lipinski
McCollum
McIntosh
Miller (FL)
Moran (VA)
Oxley
Pelosi
Rodriguez
Sanford
Shays
Stabenow
Talent
Thompson (MS)
Turner
Wise

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶112.14 VA-HUD APPROPRIATIONS FY 2001

Mr. WALSH, pursuant to House Resolution 638, called up the following conference report (Rept. No. 106–988):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4635) ''making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter stricken and inserted by said amendment, insert:

Section 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

(1) H.R. 5482, as introduced on October 18, 2000.

(2) H.R. 5483, as introduced on October 18, 2000.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

; And the Senate agree to the same.

JAMES T. WALSH,
TOM DELAY,
DAVE HOBSON,
JOE KNOLLENBERG,
RODNEY FRELINGHUYSEN,
ANNE M. NORTHUP,
JOHN E. SUNUNU,
VIRGIL GOODE, Jr.,
BILL YOUNG,
ALAN B. MOLLOHAN,
MARCY KAPTUR,
CARRIE P. MEEK,
DAVID E. PRICE,
BUD CRAMER,
DAVE OBEY,
Managers on the Part of the House.

CHRISTOPHER S. BOND,
CONRAD BURNS,
RICHARD C. SHELBY,
LARRY E. CRAIG,
KAY BAILEY HUTCHISON,
TED STEVENS,
PETE V. DOMENICI,
BARBARA A. MIKULSKI,
PATRICK LEAHY,
FRANK R. LAUTENBERG,
TOM HARKIN,
ROBERT C. BYRD,
HARRY REID,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 386 / Nays 24

¶112.15 [Roll No. 536]

YEAS—386

Abercrombie
Ackerman
Aderholt
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—24

Andrews
Archer
Barton
Bliley
Castle
Chabot
Coburn
Cox
DeMint
Gibbons
Hostettler
Johnson, Sam
Kasich
Paul
Pitts
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Shadegg
Stenholm
Tancredo
Toomey

NOT VOTING—22

Campbell
Chenoweth-Hage
Clay
Conyers
Franks (NJ)
Goodling
Hansen
Houghton
Jones (OH)
Lazio
Lewis (CA)
Lipinski
McCollum
McIntosh
Miller (FL)
Oxley
Rodriguez
Shays
Talent
Thompson (MS)
Turner
Wise

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶112.16 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 114

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 637):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 114) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

When said resolution was considered.

After debate,

Mr. LINDER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 212 / Nays ..... 193 }

¶112.17 [Roll No. 537]

YEAS—212

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

NAYS—193

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

NOT VOTING—27

Campbell
Chenoweth-Hage
Clay
Conyers
Cooksey
Franks (NJ)
Gephardt
Hansen
Jones (OH)
Klink
Lazio
Lewis (CA)
Lipinski
McCollum
McIntosh
Miller (FL)
Oberstar
Oxley
Rodriguez
Rush
Shays
Spratt
Talent
Thompson (MS)
Turner
Weygand
Wise

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that the nays had it.

Mr. LINDER demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 209 / Nays ..... 187 }

¶112.18 [Roll No. 538]

AYES—209

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

NOES—187

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blumenauer
Bonior
Borski

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

NOT VOTING—36

Campbell
Chenoweth-Hage
Clay
Clement
Conyers
Davis (VA)
Dunn
Franks (NJ)
Gekas
Gephardt
Gilman
Hansen
Jones (OH)
Klink
Lazio
Lewis (CA)
Lipinski
McCollum
McIntosh
Miller (FL)
Oberstar
Obey
Oxley
Pickering
Radanovich
Regula
Rodriguez
Rush
Shays
Spratt
Talent
Tauzin
Thompson (MS)
Turner
Weygand
Wise

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶112.19 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 637, called up the joint resolution (H.J. Res. 114) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. ISAKSON, announced that the yeas had it.

Mr. HOYER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 262 / Nays ..... 136 }

¶112.20 [Roll No. 539]

YEAS—262

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Castle
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Coyne
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Dickey
Dicks
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Largent
Latham
LaTourette
Leach
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Martinez
McCrery
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Minge
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—136

Allen
Andrews
Baca
Baird
Becerra
Berry
Blumenauer
Bonior
Borski
Boyd
Brown (FL)
Brown (OH)
Capuano
Cardin
Carson
Clayton
Clement
Clyburn
Costello
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dixon
Doggett
Doyle
Edwards
Engel
Etheridge
Evans
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kaptur
Kennedy
Kildee
Kilpatrick
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moran (VA)
Nadler
Napolitano
Neal
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rothman
Roybal-Allard
Sabo
Sanders
Sawyer
Schakowsky
Scott
Sherman
Shows
Skelton
Slaughter
Stark
Stenholm
Strickland
Stupak
Tanner
Thompson (CA)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu

NOT VOTING—34

Ackerman
Barcia
Brady (PA)
Campbell
Chenoweth-Hage
Clay
Conyers
Diaz-Balart
Dingell
Forbes
Franks (NJ)
Gephardt
Hansen
Jones (OH)
Klink
Lazio
Lewis (CA)
Lipinski
McCollum
McIntosh
Miller (FL)
Oberstar
Owens
Oxley
Rodriguez
Rush
Sanchez
Shays
Spratt
Talent
Thompson (MS)
Turner
Weygand
Wise

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶112.21 PROVIDING FOR THE CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 640):

Resolved, That it shall be in order at any time on the legislative day of Thursday, October 19, 2000, for the Speaker to entertain motions to suspend the rules and pass, or adopt, the following measures:

(1) the bill (H.R. 2780) to authorize the Attorney General to provide grants for organizations to find missing adults;

(2) the resolution (H. Res. 605) expressing the sense of the House of Representatives that communities should implement the Amber Plan to expedite the recovery of abducted children;

(3) the bill (H.R. 4541) to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives, and for other purposes;

(4) the concurrent resolution (H. Con. Res. 271) expressing the support of Congress for activities to increase public awareness of multiple sclerosis; and

(5) the bill (H.R. 2592) to amend the Consumer Products Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act.

SEC. 2. House Resolutions 615 and 633 are laid on the table.

When said resolution was considered.

After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Pursuant to section 2 of House Resolution 640, House Resolution 615 and House Resolution 633 were laid on the table.

¶112.22 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 114. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4635) ''An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.''.

¶112.23 COMMODITIES FUTURES MODERNIZATION

Mr. COMBEST, pursuant to House Resolution 640, moved to suspend the rules and pass the bill (H.R. 4541) to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. COMBEST and Mr. STENHOLM, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. EWING objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 377
Nays 4

¶112.24 [Roll No. 540]

YEAS—377

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Deal
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Packard
Pallone
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Sherman
Sherwood
Shimkus
Shows
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—4

DeFazio
Paul
Smith (MI)
Taylor (MS)

NOT VOTING—51

Ackerman
Baker
Bilirakis
Boucher
Brady (PA)
Campbell
Chenoweth-Hage
Clay
Conyers
Cooksey
Davis (IL)
Davis (VA)
DeLay
DeMint
Diaz-Balart
Everett
Filner
Forbes
Franks (NJ)
Gephardt
Green (TX)
Hansen
Jackson-Lee (TX)
Jones (OH)
Klink
Lazio
Lewis (CA)
Lipinski
McCollum
McInnis
McIntosh
Metcalf
Miller (FL)
Oberstar
Owens
Oxley
Pascrell
Rodriguez
Rogan
Rush
Sanchez
Shaw
Shays
Shuster
Sisisky
Spratt
Talent
Thompson (MS)
Turner
Weygand
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶112.25 FOREIGN OPERATIONS APPROPRIATIONS FY 2001

On motion of Mr. CALLAHAN, by unanimous consent, the bill (H.R. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. CALLAHAN, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶112.26 MOTION TO INSTRUCT CONFEREES—H.R. 4811

Ms. PELOSI moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H.R. 4811), making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes, be instructed to insist on the highest possible funding level for Debt Restructuring, and on provisions authorizing a United States contribution to the Highly Indebted Poor Countries Trust Fund without unnecessary legislative restrictions.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. GUTKNECHT, announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶112.27 APPOINTMENT OF CONFEREES—H.R. 4811

Thereupon, the SPEAKER pro tempore, Mr. GUTKNECHT, by unanimous consent, appointed Messrs. CALLAHAN, PORTER, WOLF, PACKARD, KNOLLENBERG, KINGSTON, LEWIS of California, WICKER, YOUNG of Florida, Ms. PELOSI, Mrs. LOWEY, Mr. JACKSON of Illinois, Ms. KILPATRICK, Messrs. SABO and OBEY as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶112.28 ADJOURNMENT OVER

On motion of Mr. CANADY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, October 23, 2000, at 12:30 p.m. for ''morning-hour debate''.

¶112.29 HOUR OF MEETING

On motion of Mr. CANADY, by unanimous consent,

Ordered, That when the House adjourns on Monday, October 23, 2000, it adjourn to meet at 10:30 a.m. on Tuesday, October 24, 2000, for ''morning-hour debate''.

¶112.30 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. CANADY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, October 25, 2000, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶112.31 KRISTEN'S ACT

Mr. CANADY, pursuant to House Resolution 640, moved to suspend the rules and pass the bill (H.R. 2780) to authorize the Attorney General to provide grants for organizations to find missing adults.

The SPEAKER pro tempore, Mr. GUTKNECHT, recognized Mr. CANADY and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GUTKNECHT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶112.32 PUBLIC AWARENESS OF MULTIPLE SCLEROSIS

Mr. TAUZIN, pursuant to House Resolution 640, moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 271):

Whereas multiple sclerosis is a chronic and often disabling disease of the central nervous system which often first appears in people between the ages of 20 and 40, with lifelong physical and emotional effects;

Whereas multiple sclerosis is twice as common in women as in men;

Whereas an estimated 250,000 to 350,000 individuals suffer from multiple sclerosis nationally;

Whereas symptoms of multiple sclerosis can be mild, such as numbness in the limbs, or severe, such as paralysis or loss of vision;

Whereas the progress, severity, and specific symptoms of multiple sclerosis in any one person cannot yet be predicted;

Whereas the annual cost to each affected individual averages $34,000, and the total cost can exceed $2 million over an individual's lifetime;

Whereas the annual cost of treating all people who suffer from multiple sclerosis in the United States is nearly $9 billion;

Whereas the cause of multiple sclerosis remains unknown, but genetic factors are believed to play a role in determining a person's risk for developing multiple sclerosis;

Whereas many of the symptoms of multiple sclerosis can be treated with medications and rehabilitative therapy;

Whereas new treatments exist that can slow the course of the disease, and reduce its severity;

Whereas medical experts recommend that all people newly diagnosed with relapse-remitting multiple sclerosis begin disease-modifying therapy;

Whereas finding the genes responsible for susceptibility to multiple sclerosis may lead to the development of new and more effective ways to treat the disease;

Whereas increased funding for the National Institutes of Health would provide the opportunity for research and the creation of programs to increase awareness, prevention, and education; and

Whereas Congress as an institution, and Members of Congress as individuals, are in unique positions to help raise public awareness about the detection and treatment of multiple sclerosis and to support the fight against multiple sclerosis: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) all Americans should take an active role in the fight to end the devastating effects of multiple sclerosis on individuals, their families, and the economy;

(2) the role played by national and community organizations and health care professionals in promoting the importance of continued funding for research, and in providing information about and access to the best medical treatment and support services for people with multiple sclerosis should be recognized and applauded;

(3) the Federal Government has a responsibility to—

(A) continue to fund research so that the causes of, and improved treatment for, multiple sclerosis may be discovered;

(B) continue to consider ways to improve access to, and the quality of, health care services for people with multiple sclerosis;

(C) endeavor to raise public awareness about the symptoms of multiple sclerosis; and

(D) endeavor to raise health professional's awareness about diagnosis of multiple sclerosis and the best course of treatment for people with the disease.

The SPEAKER pro tempore, Mr. GUTKNECHT, recognized Mr. TAUZIN and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶112.33 LOW-SPEED ELECTRIC BICYCLES SAFETY

Mr. TAUZIN, pursuant to House Resolution 640, moved to suspend the rules and pass the bill (H.R. 2592) to amend the Consumer Products Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act; as amended.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. TAUZIN and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of

the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶112.34 D.C. PERFORMANCE ACCOUNTABILITY

On motion of Mr. HORN, by unanimous consent, the Committee on Government Reform was discharged from further consideration of the bill of the Senate (S. 3062) to modify the date on which the Mayor of the District of Columbia submits a performance accountability plan to Congress, and for other purposes.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶112.35 FREEDMAN'S BUREAU RECORDS

On motion of Mr. HORN, by unanimous consent, the Committee on Government Reform was discharged from further consideration of the bill (H.R. 5157) to amend title 44, United States Code, to ensure preservation of the records of the Freedmen's Bureau.

When said bill was considered and read twice.

Mr. HORN submitted the following amendment in the nature of a substitute which was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Freedmen's Bureau Records Preservation Act of 2000''.

SEC. 2. PRESERVATION OF FREEDMEN'S BUREAU RECORDS.

(a) IN GENERAL.—Chapter 29 of title 44, United States Code, is amended by adding at the end the following:

"§ 2910. Preservation of Freedmen's Bureau records

''The Archivist shall preserve the records of the Bureau of Refugees, Freedmen, and Abandoned Lands, commonly referred to as the 'Freedmen's Bureau', by using—

''(1) microfilm technology for preservation of the documents comprising these records so that they can be maintained for future generations; and

''(2) the results of the pilot project with the University of Florida to create future partnerships with Howard University and other institutions for the purposes of indexing these records and making them more easily accessible to the public, including historians, genealogists, and students, and for any other purposes determined by the Archivist.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 29 of title 44, United States Code, is amended by adding at the end the following new item:

''2910. Preservation of Freedmen's Bureau records.''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out section 2910 of title 44, United States Code (as added by section 2), a total of $3,000,000 for fiscal years 2001 through 2005.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶112.36 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY REGARDING COLOMBIA DRUG TRAFFICKERS

The SPEAKER pro tempore, Mr. GIBBONS, laid before the House a message from the President, which was read as follows:

To the Congress of the Untied States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to significant narcotics traffickers centered in Colombia is to continue in effect for 1 year beyond October 21, 2000.

The circumstances that led to the declaration on October 21, 1995, of a national emergency have not been resolved. The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad. For these reasons, I have determined that it is necessary to maintain economic pressures on significant narcotics traffickers centered in Colombia by blocking their property subject to the jurisdiction of the United States and by depriving them of access to the United States market and financial system.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 2000*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 106–303).

¶112.37 MESSAGE FROM THE PRESIDENT—HIGHWAY SAFETY

The SPEAKER pro tempore, Mr. GIBBONS, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I transmit herewith the Department of Transportation's Calendar Year 1998 reports on Activities Under the National Traffic and Motor Vehicle Safety Act of 1966, the Highway Safety Act of 1966, and the Motor Vehicle Information and Cost Savings Act of 1972, as amended.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 18, 2000*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committees on Transportation and Infrastructure and Commerce.

¶112.38 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 146. Concurrent Resolution condemning the assassination of Father John Kaiser and others in Kenya, and calling for a thorough investigation to be conducted in those cases, a report on the progress made in such an investigation to be submitted to Congress by December 15, 2000, and a final report on such an investigation to be made public, and for other purposes; to the Committee on International Relations.

¶112.39 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1695. An Act to provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes.

H.R. 2296. An Act to amend the Revised Organic Act of the Virgin Islands to provide that the number of members on the legislature of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands, and for other purposes.

H.R. 2348. An Act to authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins.

H.R. 2607. An Act to promote the development of the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, to authorize appropriations for the Office of Space Commercialization, and for other purposes.

H.R. 3069. An Act to authorize the Administrator of General Services to provide for redevelopment of the Southeast Federal Center in the District of Columbia.

H.R. 3244. An Act to combat trafficking in persons, especially into the sex trade, slavery, and involuntary servitude, to reauthorize certain Federal programs to prevent violence against women, and for other purposes.

H.R. 4132. An Act to reauthorize grants for water resources research and technology institutes established under the Water Resources Research Act of 1984.

H.R. 4205. An Act to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

H.R. 4461. An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4635. An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4850. An Act to increase, effective as of December 1, 2000, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

H.R. 5164. An Act to amend title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes.

H.R. 5212. An Act to direct the American Folklife Center at the Library of Congress to establish a program to collect video and audio recordings of personal histories and testimonials of American war veterans, and for other purposes.

H.J. Res. 114. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶112.40 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 406. An Act to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of medicare, medicaid, and other third party payors, and to expand the eligibility under such program to other tribes and tribal organizations.

S. 1296. An Act to designate portions of the lower Delaware River and associated tributaries as a component of the National Wild and Scenic Rivers system.

S. 1402. An Act to amend title 38, United States Code, to increase the rates of educational assistance under the Montgomery GI Bill, to improve procedures for the adjustment of rates of pay for nurses employed by the Department of Veterans Affairs, to make other improvements in veterans educational assistance, health care, and benefits programs, and for other purposes.

S. 1455. An Act to enhance protections against fraud in the offering of financial assistance for college education, and for other purposes.

S. 1705. An Act to direct the Secretary of the Interior to enter into land exchanges to acquire from the private owner and to convey to the State of Idaho approximately 1,240 acres of land near the City of Rocks National Reserve, Idaho, and for other purposes.

S. 1707. An Act to amend the Inspector General Act of 1978 (5 U.S.C. App.) to provide that certain designated Federal entities shall be establishments under such Act, and for other purposes.

S. 2102. An Act to provide to the Timbisha Shoshone Tribe a permanent land base within its aboriginal homeland, and for other purposes.

S. 2412. An Act to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2000, 2001, 2002, and 2003, and for other purposes.

S. 2498. An Act to authorize the Smithsonian Institution to plan, design, construct, and equip laboratory, administrative, and support space to house base operations for the Smithsonian Astrophysical Observatory Submillimeter Array located on Mauna Kea at Hilo, Hawaii.

S. 2917. An Act to settle the land claims of the Pueblo of Santo Domingo.

S. 3201. An Act to rename the National Museum of American Art.

¶112.41 BILLS PRESENTED TO THE PRESIDENT

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

On October 18, 2000:

H.R. 4516. Making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes.

On October 19, 2000:

H.R. 707. To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes.

H.R. 1715. To extend and reauthorize the Defense Production Act of 1950.

H.R. 2389. To restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes.

H.R. 34. To direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

H.R. 208. To amend title 5, United States Code, to allow for the contribution of certain rollover distributions to accounts in the Thrift Savings Plan, to eliminate certain waiting-period requirements for participating in the Thrift Savings Plan, and for other purposes.

H.R. 1654. To authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes.

H.R. 2842. To amend chapter 89 of title 5, United States Code, concerning the Federal Employees Health Benefits (FEHB) Program, to enable the Federal Government to enroll an employee and his or her family in the FEHB Program when a State court orders the employee to provide health insurance coverage for a child of the employee but the employee fails to provide the coverage, and for other purposes.

H.R. 2883. To amend the Immigration and Nationality Act to modify the provisions governing acquisition of citizenship by children born outside of the United States, and for other purposes.

H.R. 2879. To provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech.

H.R. 2984. To direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska.

H.R. 3235. To improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during nonschool hours.

H.R. 3236. To authorize the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District, Utah, to use Weber Basin Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

H.R. 3292. To provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana.

H.R. 3468. To direct the Secretary of the Interior to convey certain water rights to Duchesne City, Utah.

H.R. 3577. To increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho.

H.R. 3767. To amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under section 217 of such Act.

H.R. 3986. To provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington.

H.R. 3995. To establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government.

H.R. 4002. To amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger.

H.R. 4205. To authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

H.R. 4259. To require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

H.R. 4386. To amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Co Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes.

H.R. 4389. To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

H.R. 4681. To provide for the adjustment of status of certain Syrian nationals.

H.R. 4828. To designate the Steens Mountain Wilderness Area and the Steens Mountain Cooperative Management and Protection Area in Harney County, Oregon, and for other purposes.

H.R. 5417. To rename the Stewart B. McKinney Homeless Assistance Act as the ''McKinney-Vento Homeless Assistance Act''.

H.R. 5107. To make certain corrections in copyright law.

¶112.42 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DIAZ-BALART, for today after 4 p.m.;

To Mr. GREEN of Texas, for today after 6:30 p.m.;

To Ms. JACKSON-LEE, for today after 5:30 p.m.;

To Mr. LEWIS of California, for today after 12 noon and balance of the week;

To Mr. PASCRELL, for today after 5:15 p.m.; and

To Mrs. JONES of Ohio, for today.

And then,

¶112.43 ADJOURNMENT

On motion of Mrs. MORELLA, pursuant to the special order heretofore agreed to, at 9 o'clock and 40 minutes p.m., the House adjourned until 12:30 p.m. on Monday, October 23, 2000.

¶112.44 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. LEACH: Committee on Banking and Financial Services. Supplemental report on H.R. 4541. A bill to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives, and for other purposes (Rept. No. 106–711, Pt. 4).

¶112.45 REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills refereed as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4725. A bill to amend the Zuni Land Conservation Act of 1990 to provide for the expenditure of Zuni funds by that tribe, with amendments; referred to the Committee on Education and the Workforce for a period ending not later than October 23, 2000, for consideration of such provisions of the bill and amendments as fall within the jurisdiction of that committee pursuant to clause 1(g), rule X (Rept. No. 106–993, Pt. 1).

¶112.46 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MOORE (for himself, Mr. JONES of North Carolina, Mrs. MORELLA, Mr. ETHERIDGE, Mr. CLEMENT, Mr. LAFALCE, and Mr. SNYDER):

H.R. 5499. A bill to reduce the impacts of hurricanes, tornadoes, and other windstorms through a program of research and development and technology transfer, and for other purposes; to the Committee on Science, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS (for himself, Mr. WEINER, and Mr. BENTSEN):

H.R. 5500. A bill to require the Attorney General to establish an office in the Department of Justice to monitor acts of international terrorism alleged to have been committed by Palestinian individuals or individuals acting on behalf of Palestinian organizations and to carry out certain other related activities; to the Committee on the Judiciary.

By Mr. DEMINT (for himself, Mr. SPENCE, Mr. SPRATT, Mr. CLYBURN, Mr. SANFORD, and Mr. GRAHAM):

H.R. 5501. A bill to amend title XVIII of the Social Security Act to preserve and provide for uniform coverage of drugs and biologicals under part B of the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 5502. A bill to amend title 38, United States Code, to increase the maximum amount of a home loan guarantee available to a veteran; to the Committee on Veterans' Affairs.

By Mr. FOSSELLA:

H.R. 5503. A bill to direct the Secretary of Veterans' Affairs to establish a national cemetery for veterans in the Staten Island, New York, metropolitan area; to the Committee on Veterans' Affairs.

By Mr. HOLT (for himself and Mrs. MORELLA):

H.R. 5504. A bill to improve the quality and scope of science and mathematics education; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HYDE (for himself and Mrs. MALONEY of New York):

H.R. 5505. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income the value of diplomas, medals, and amounts received as part of international awards recognizing individual achievement for physics, chemistry, medicine, literature, economics, and peace; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut:

H.R. 5506. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Ways and Means.

By Mr. KASICH:

H.R. 5507. A bill to amend the Federal Election Campaign Act of 1971 to promote the disclosure of information on the financing of campaigns for Federal elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KILPATRICK:

H.R. 5508. A bill to amend the Public Health Service Act to establish a demonstration program to provide technical assistance to school-based health centers in order to assist such centers in developing and operating comprehensive computerized systems to maintain data on the patient populations served by the centers; to the Committee on Commerce.

By Mr. MALONEY of Connecticut:

H.R. 5509. A bill to amend the Internal Revenue Code of 1986 to increase the child tax credit to $2,000 per child; to the Committee on Ways and Means.

By Mr. METCALF (for himself, Ms. WATERS, and Mr. TRAFICANT):

H.R. 5510. A bill to convert from a convoluted and costly system for issuing circulating currency that requires an enormous amount of debt and annual interest to a more logical system that does not involve debt or interest in connection with the issuance of circulating currency, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. MINGE (for himself, Mrs. EMERSON, Ms. KAPTUR, Mr. BOEHLERT, Mr. OBERSTAR, Mr. THUNE, Mr. CONDIT, Mr. COOKSEY, Mr. PETERSON of Minnesota, Mr. GUTKNECHT, Mrs. CLAYTON, Mr. BEREUTER, Mr. POMEROY, Mr. BISHOP, Mr. BALDACCI, Mr. BERRY, Mr. BOSWELL, Mr. PHELPS, Mr. HILL of Indiana, Mr. KIND, Mr. EDWARDS, Mr. SAWYER, Mr. HINCHEY, Mr. WYNN, and Ms. HOOLEY of Oregon):

H.R. 5511. A bill to amend the Food Security Act of 1985 to establish the conservation security program; to the Committee on Agriculture.

By Mrs. MORELLA (for herself and Mr. GILMAN):

H.R. 5512. A bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections; to provide certain authority for the Special Counsel, and for other purposes; to the Committee on Government Reform.

By Mr. OXLEY:

H.R. 5513. A bill to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. PALLONE:

H.R. 5514. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the Secretary of Health and Human Services to establish a tolerance for the presence of methyl mercury in seafood, and for other purposes; to the Committee on Commerce.

By Mr. PASCRELL (for himself, Mr. ANDREWS, Mrs. CLAYTON, Mr. FRANKS of New Jersey, Mr. FRELINGHUYSEN, Mr. HOLT, and Mr. ROTHman):

H.R. 5515. A bill to limit the use of eminent domain under the Natural Gas Act to acquire certain State-owned property; to the Committee on Commerce.

By Mr. SENSENBRENNER (for himself, Ms. JACKSON-LEE of Texas, and Mrs. MORELLA):

H.R. 5516. A bill to require that Federal agencies be accountable for violations of antidiscrimination and whistelblower protection laws, and for other purposes; to the Committee on Government Reform, and in addition to the Committees on Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself, Mr. BLAGOJEVICH, Mr. HOEFFEL, Mrs. KELLY, Mrs. MYRICK, Mr. KIND, Mr. TANNER, Mr. MASCARA, Mrs. CHRISTENSEN, Mr. SKELTON, Mr. FALEOMAVAEGA, Mr. ETHERIDGE, Ms. SLAUGHTER, Ms. ESHOO, Mr. MCGOVERN, Ms. KILPATRICK, and Mr. INSLEE):

H.R. 5517. A bill to provide for the return of escheated property consisting of military medals to the military department which issued them, to authorize the military departments to donate such medals to appropriate museums and resource centers, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOUDER (for himself, Mr. BURTON of Indiana, Mr. ROEMER, Ms. CARSON, Mr. MCINTOSH, Mr. HILL of Indiana, and Mr. HOSTETTLER):

H.R. 5518. A bill to authorize the Hoosier Automobile & Truck National Heritage Trail Area; to the Committee on Resources.

By Mr. STUPAK:

H.R. 5519. A bill to name the Department of Veterans Affairs outpatient clinic located in Menominee, Michigan, as the ''Fred W. Matz Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mr. STUPAK:

H.R. 5520. A bill to name the Department of Veterans Affairs medical facility located in Iron Mountain, Michigan, as the ''Oscar G. JOHNSON Department of Veterans Affairs Medical Facility''; to the Committee on Veterans' Affairs.

By Mr. TOOMEY:

H.R. 5521. A bill to amend title 31, United States Code, to expand the types of Federal agencies that are required to prepare audited financial statements; to the Committee on Government Reform.

By Mr. WEINER (for himself, Mr. SALMON, Mr. DEUTSCH, Mr. ROGAN, Mr. CROWLEY, Mr. REYNOLDS, Mr. MCNULTY, Mr. FRANKS of New Jersey, Ms. BERKLEY, Mr. TANCREDO, Mr. HOEFFEL, Mr. DIAZ-BALART, Mr. WEXLER, Mr. KINGSTON, Mr. TRAFICANT, Mr. BENTSEN, Mr. BERMAN, Mr. TIAHRT, Mr. WAXMAN, Mrs. LOWEY, Mr. TURNER, Mr. WU, and Mr. TALENT):

H.R. 5522. A bill to prohibit United States assistance for the Palestinain Authority and for programs, projects, and activities in the West Bank and Gaza; to the Committee on International Relations.

By Mr. WELDON of Pennsylvania:

H.R. 5523. A bill to repeal the Indian racial preference laws of the United States; to the Committee on Resources, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H. Con. Res. 430. Concurrent resolution calling for the immediate release of all political prisoners in Cuba, including Dr. Oscar Elias Biscet, and for other purposes; to the Committee on International Relations.

By Mr. DELAHUNT (for himself, Mr. GEJDENSON, Mr. SAXTON, Mr. PALLONE, Ms. CARSON, Ms. LEE, Mr. FRANK of Massachusetts, Mr. DEFAZIO, Mr. FARR of California, Mr. HILLIARD, Mr. HINCHEY, Mr. BLUMENAUER, Mr. KUCINICH, Mr. WU, Mr. SMITH of Washington, Mr. BROWN of Ohio, Mr. UDALL of Colorado, and Ms. BALDWIN):

H. Con. Res. 431. Concurrent resolution expressing the sense of the Congress that the President should oppose a permanent seat on the United Nations Security Council for the Government of Japan until Japan's whaling activities comply with the requirements of the International Whaling Commission and Japan ends the commercialization of whale meat; to the Committee on International Relations.

By Mr. DREIER (for himself and Mr. BEREUTER):

H. Con. Res. 432. Concurrent resolution recognizing the founding of the Alliance for Reform and Democracy in Asia, and for other purposes; to the Committee on International Relations.

By Mr. LUTHER (for himself, Mr. BILBRAY, Mr. PICKERING, Mr. FROST, Mr. GREEN of Texas, Mr. LARGENT, Mr. SHIMKUS, and Mr. OXLEY):

H. Res. 643. A resolution expressing the sense of the House of Representatives with regard to Sam Boyden, who admirably notified transportation safety officials of a serious threat to American consumers; to the Committee on Commerce.

¶112.47 ADDITIONAL SPONSORS

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

H.R. 234: Mr. COX.
H.R. 353: Mr. CARSON.
H.R. 363: Mr. GEJDENSON and Mr. BACA.
H.R. 443: Mr. LATOURETTE and Mr. SAXTON.
H.R. 531: Mr. GREEN of Texas, Mr. EVERETT, Mr. PASCRELL, Mr. LEWIS of California, Mr. RILEY, and Mr. ANDREWS.
H.R. 699: Mr. LEE.
H.R. 804: Mr. PHELPS.
H.R. 860: Mr. GEKAS.
H.R. 1228: Mr. TRAFICANT, Ms. STABENOW, Mrs. MORELLA, Ms. RIVERS, and Mr. WATT of North Carolina.
H.R. 1366: Mr. FORD and Mr. BERRY.
H.R. 1657: Mr. KLECZKA, and Mr. HOEFFEL, and Mr. LOBIONDO.
H.R. 1824: Mr. TIAHRT and Ms. GRANGER.
H.R. 2166: Mr. DEAL of Georgia, Mr. SANDLIN, Ms. ROYBAL-ALLARD, Ms. WATERS, and Mr. CONYERS.
H.R. 2268: Mr. BACA.
H.R. 2308: Mr. WELLER.
H.R. 2344: Mr. CARDIN, Mr. CUMMINGS, and Mr. ALLEN.
H.R. 2362: Mr. BILBRAY and Mr. SPENCE.
H.R. 2364: Mr. COX.
H.R. 2620: Mr. SESSIONS.
H.R. 2899: Ms. ROYBAL-ALLARD.
H.R. 2900: Mrs. CLAYTON and Ms. LOFGREN.
H.R. 2907: Mr. PAYNE.
H.R. 3305: Mr. LATOURETTE.
H.R. 3465: Mr. COX.
H.R. 3650: Ms. ROYBAL-ALLARD.
H.R. 3674: Mr. COX.
H.R. 3698: Mr. YOUNG of Alaska, Mr. UDALL of New Mexico, Mr. BALLENGER, and Mr. GOODLATTE.
H.R. 3825: Mr. UDALL of Colorado.
H.R. 3911: Mr. INSLEE.
H.R. 4029: Mr. MALONEY of Connecticut.
H.R. 4046: Mr. OLVER.
H.R. 4167: Ms. MCCARTHY of Missouri.
H.R. 4207: Mr. PALLONE.
H.R. 4253: Mr. MOLLOHAN.
H.R. 4301: Mr. BOYD, Mr. KLINK, Mr. BACHUS, Mr. SANDLIN, Mr. DEAL of Georgia, Mr. SHIMKUS, and Mrs. ROUKEMA.
H.R. 4310: Mr. SAXTON and Mr. WEXLER.
H.R. 4398: Mr. LAMPSON.
H.R. 4415: Mr. UDALL of Colorado, Ms. LOFGREN, and Mr. WAXMAN.
H.R. 4506: Mrs. FOWLER.
H.R. 4511: Mr. BARTLETT of Maryland.
H.R. 4536: Mr. UPTON.
H.R. 4543: Mr. FARR of California and Mr. BOEHNER.
H.R. 4654: Mr. FOLEY, Mrs. NORTHUP, Mr. TALENT, and Mr. HANSEN.
H.R. 4707: Mr. OLVER, Mr. WEINER, Mr. ORTIZ, Mr. KING, Mr. CUMMINGS, Mr. BACA, and Mr. MCNULTY.
H.R. 4728: Mr. GORDON and Mr. SESSIONS.
H.R. 4747: Mr. SCHAFFER and Mr. TANCREDO.
H.R. 4821: Mr. GUTIERREZ.
H.R. 4874: Mr. SPENCE and Mr. SANFORD.
H.R. 4951: Mr. WELDON of Pennsylvania.
H.R. 4961: Mr. FROST, Mr. PASCRELL, Mr. ABERCROMBIE, Mr. BENTSEN, Mrs. THURMAN, Mr. BACA, Mr. SABO, Mr. TURNER, Mr. FILNER, Mrs. MALONEY of New York, Mr. BRADY of Pennsylvania, Mr. BAIRD, Mr. MENENDEZ, Ms. DELAURO, Mr. GONZALEZ, Ms. SCHAKOWSKY, Mr. PASTOR, Ms. MCCARTHY of Missouri, and Mr. MCGOVERN.
H.R. 5009: Mr. EVANS.
H.R. 5027: Mr. STEARNS.
H.R. 5045: Mr. WAMP.
H.R. 5055: Mr. JOHN.
H.R. 5132: Mrs. CHRISTENSEN and Mr. BAIRD.
H.R. 5153: Mr. SANDERS.
H.R. 5155: Mr. REYES.
H.R. 5157: Mr. DAVIS of Virginia, Mr. HORN, and Mr. BURTON of Indiana.
H.R. 5185: Ms. PELOSI.
H.R. 5231: Mr. RAHALL and Ms. DANNER.
H.R. 5248: Mr. KNOLLENBERG.
H.R. 5265: Mr. LATHAM.
H.R. 5268: Mr. FROST, Mr. KING, Mr. SNYDER, Mr. TOWNS, Mr. KLINK, Mrs. JONES of Ohio, Ms. SANCHEZ, Mr. RAHALL, Mr. PASTOR, Ms. LOFGREN, and Mr. ROMERO-BARCELO.
H.R. 5306: Mr. LATHAM, Mr. BARR of Georgia, and Mr. COX.
H.R. 5309: Mrs. THURMAN.
H.R. 5315: Mr. MOORE, Mr. SANDLIN, Mrs. CLAYTON, Mr. MALONEY of Connecticut, Mr. WAXMAN, Ms. MCCARTHY of Missouri, Mr. ETHERIDGE, Mr. WYNN, Mr. PETERSON of Minnesota, Mrs. NAPOLITANO, Mr. FORD, Mr. JEFFERSON, Mr. MCINTYRE, Mr. POMEROY, Mr. BOSWELL, Mr. LAMPSON, Mr. HINOJOSA, Mr. THOMPSON of Mississippi, Mr. EDWARDS, Mr. GREEN of Texas, Mr. RODRIGUEZ, Mr. GONZALEZ, Mr. BAIRD, Mr. UDALL of New Mexico, Mr. HOEFFEL, Ms. VELAZQUEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LARSON, Mr. KIND, Mrs. LOWEY, Mr. WU, Mr. UDALL of Colorado, Mr. SAWYER, Mr. GORDON, Mrs. THURMAN, Mr. LIPINSKI, Mr. PHELPS, Ms. SANCHEZ, Mr. COSTELLO, Mr. BARCIA, Mr. CONDIT, Ms. BERKLEY, Mr. INSLEE, Mr. FORBES, Mr. MOLLOHAN, Mr. PASCRELL, Mrs. MALONEY of New York, Mrs. CAPPS, Mr. BACA, Mr. BLAGOJEVICH, Mrs. MINK of Hawaii, Mr. FARR of California, Mr. BALDACCI, Ms. WOOLSEY, Mr. BENTSEN, Mr. CLEMENT, Mr. KLINK, Mr. BOUCHER, Mr. DEUTSCH, Mr. MORAN of Virginia, Mr. MCNULTY, Mr. REYES, Mr. GEPHARDT, Ms. SLAUGHTER, Mr. Andrews, Mr. ORTIZ, Mr. WEINER, Mr. HOYER, Mr. WISE, and Ms. STABENOW.
H.R. 5350: Mr. BARR of Georgia.
H.R. 5485: Mr. BOUCHER.
H.R. 5492: Mr. BROWN of Ohio.
H.R. 5495: Mr. SWEENEY.
H.J. Res. 91: Mr. DUNCAN.
H. Con. Res. 62: Mr. BOSWELL.
H. Con. Res. 337: Mr. COYNE, Ms. WOOLSEY, and Mr. MASCARA.
H. Con. Res. 355: Mr. SMITH of New Jersey.
H. Con. Res. 416: Ms. CARSON and Mr. BARR of Georgia.
H. Con. Res. 421: Mr. WAMP.
H. Con. Res. 426: Mr. BILIRAKIS, Ms. ESHOO, Mr. LARSON, Mr. GARY MILLER of California, Mr. KENNEDY of Rhode Island, Mr. BARR of Georgia, Mr. EVANS, Mr. TIAHRT, and Mr. BAIRD.
H. Res. 107: Mr. BONIOR, Mr. FATTAH, and Mr. JACKSON of Illinois.
H. Res. 146: Ms. MCCARTHY of Missouri and Mrs. TAUSCHER.
H. Res. 461: Mr. CROWLEY, Mr. FALEOMAVAEGA, Mr. SCHAFFER, Mr. MASCARA, Mr. RADANOVICH, Mr. JACKSON of Illinois, Mr. SHAYS, Mr. HOEFFEL, and Mr. CUMMINGS.
H. Res. 602: Mr. KUCINICH and Mr. WALSH.
H. Res. 635: Mr. WELLER, Mr. GONZALEZ, Mr. KENNEDY of Rhode Island, Mr. FILNER, Ms. HOOLEY of Oregon, Mr. FROST, Mr. COOK, Mr. METCALF, Mr. ALLEN, Mr. DEUTSCH, Mr. ROTHMAN, and Mr. SHERMAN.

¶112.48 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H. Res. 398: Mr. PASCRELL.

MONDAY, OCTOBER 23, 2000 (113)

¶113.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 p.m. by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication:

WASHINGTON, DC,
October 23, 2000.

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

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

¶113.2 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2442. An Act to provide for the preparation of a Government report detailing injustices suffered by Italian Americans during World War II, and a formal acknowledgment of such injustices by the President.

H.R. 3657. An Act to provide for the conveyance of a small parcel of public domain land in the San Bernardino National Forest in the State of California, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1854. An Act to reform the Hart-Scott-Rodino Antitrust Improvements Act of 1976.

S. 2406. An Act to amend the Immigration and Nationality Act to provide permanent authority for entry into the United States of certain religious workers.

S. 2915. An Act to make improvements in the operation and administration of the Federal courts, and for other purposes.

S. 2943. An Act to authorize additional assistance for international malaria control, and to provide for coordination and consultation in providing assistance under the Foreign Assistance Act of 1961 with respect to malaria, HIV, and tuberculosis.

¶113.3 ''MORNING-HOUR DEBATE''

The SPEAKER pro tempore, Mr. PEASE, pursuant to the order of the House of Tuesday, January 19, 1999, recognized Members for ''morning-hour debate''.

¶113.4 RECESS—12:36 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 36 minutes p.m. until 2 o'clock p.m.

¶113.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. STEARNS, called the House to order.

¶113.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. STEARNS, announced he had examined and approved the Journal of the proceedings of Thursday, October 19, 2000.

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

¶113.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10663. A letter from the Associate Administrator, Department of Agriculture, Agricultural Marketing Service, Fruit and Vegetable Programs, transmitting the Department's final rule—Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Revision of Administrative Rules and Regulations [Docket No. FV00–956–1 IFR] received October 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10664. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Time Limited Tolerances for Pesticide Emergency Exemptions [OPP–181051A; FRL–6749–7] (RIN: 2070–AD15) received October 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10665. A letter from the Office of the Secretary, Department of Defense, transmitting the Department's final rule—Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); TRICARE Prime Enrollment—received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10666. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, Veterans Benefits Administration, transmitting the Department's final rule—Reservists Education: Monthly Verification of Enrollment and Other Reports (RIN: 2900–AI68) received October 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10667. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Official Foreign Travel—received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10668. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 110–1110; FRL–6889–8] received October 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10669. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 108–1108; FRL–6890–3] received October 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10670. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 116–1116a; FRL–6890–4] received October 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10671. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Arizona: Final Authorization of State Hazardous Waste Management Program Revisions [FRL–6888–7] received October 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10672. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tennessee: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6889–7] received October 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10673. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans (SIP) for the State of Alabama—Call for 1-hour Attainment Demonstration for the Birmingham, Alabama Marginal Ozone Nonattainment Area [AL–200018; FRL–6892–2] received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10674. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Vermont: Final Authorization of State Hazardous Waste Management Program Revisions [FRL–6892–8] received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10675. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Maintenance Plan Revisions; Wisconsin [WI99–01–7330a, FRL–6891–3 received October 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10676. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: NAC-UMS Addition (RIN: 3150–AG32) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10677. A letter from the Secretary, Department of Agriculture, transmitting a report on the Strategic Plan for FY 2000—2005; to the Committee on Government Reform.

10678. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–10–10F, DC–10–15, DC–10–30, DC–10–30F, and DC–10–40 Series Airplanes, and Model MD–11 and –11F Series Airplanes [Docket No. 99–NM–162–AD; Amendment 39–11750; AD 2000–11–02] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10679. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–80 and MD–90–30 Series Airplanes, and Model MD–88 Airplanes [Docket No. 99–NM–161–AD; Amendment 39–11749; AD 2000–11–01] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10680. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2000–NM–312–AD; Amendment 39–11914; AD 2000–20–03] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10681. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 1900C, 1900C (C–12J), and 1900D Airplanes [Docket No. 2000–CE–02–AD; Amendment 39–11905; AD 2000–19–04] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10682. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–1A11 (CL–600) and CL–600–2A12 (CL–601) Series Airplanes [Docket No. 99–NM–26–AD; Amendment 39–11902; AD 2000–19–01] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10683. A letter from the Program Anaylst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes Equipped with Rolls-Royce RB211–524G/H and RB211–524G-T/H-T Engines [Docket No. 99–NM–76–AD; Amendment 39–11540; AD 2000–02–22] (RIN:2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10684. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–

120 Series Airplanes [Docket No. 2000–NM–305–AD; Amendment 39–11911; AD 2000–19–10] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10685. A letter from the Program Analyst, FAA, Department of Transportation, transmitting Airworthiness Directives; Boeing Model 767 Series Airplanes Powered by Rolls-Royce RB 211 Series Engines [Docket No. 2000–NM–140–AD; Amendment 39–11910; AD 2000–19–09] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10686. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Turbomeca Arriel 1 Series Turboshaft Engines [Docket No. 2000–NE–11–AD; Amendment 39–11912; AD 2000–20–01] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10687. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A. Model A109K2 and A109E Helicopters [Docket No. 2000–SW–21–AD; Amendment 39–11917; AD 2000–20–06] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10688. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–90–30 Series Airplanes [Docket No. 99–NM–329–AD; Amendment 39–11855; AD 2000–16–01] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10689. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–50 Series Turbofan Engines [Docket No. 2000–NE–38–AD; Amendment 39–11913; AD 2000–20–02] (RIN: 2120–AA64) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10690. A letter from the Secretary, Department of Labor, transmitting a draft of proposed legislation entitled the ''Black Lung Disability Trust Fund Debt Restructuring Act''; to the Committee on Ways and Means.

10691. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2000–50] received October 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10692. A letter from the Under Secretary for Domestic Finance, Department of the Treasury, transmitting a draft of proposed legislation to reduce and eliminate the issuance of certain securities due to the current and projected budget surplus; jointly to the Committees on Education and the Workforce, the Judiciary, and Ways and Means.

¶113.8 COMMUNICATION FROM THE DEPUTY CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. STEARNS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 20, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 20, 2000 at 9:32 a.m.

That the Senate agreed to House Amendment S. 2812.

That the Senate passed without amendment H.R. 2961.

That the Senate passed without amendment H.R. 4068.

That the Senate passed without amendment H.R. 4110.

That the Senate passed without amendment H.R. 4320.

That the Senate passed without amendment H.R. 4835.

That the Senate passed without amendment H.R. 5234.

That the Senate passed without amendment H. Con. Res. 232.

That the Senate passed without amendment H. Con. Res. 376.

That the Senate passed without amendment H. Con. Res. 390.

With best wishes, I am

Sincerely,

MARTHA C. MORRISON,
Deputy Clerk.

¶113.9 NATIONAL MARINE SANCTUARIES

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill (H.R. 5086) to amend the National Marine Sanctuaries Act to honor Dr. Nancy Foster; as amended.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the National Marine Sanctuaries Act to honor Dr. Nancy Foster, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶113.10 VICKSBURG CAMPAIGN TRAIL BATTLEFIELDS PRESERVATION

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 710) to authorize the feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.11 LANDUSKY SCHOOL DISTRICT

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1218) to direct the Secretary of the Interior to issue to the Landusky School District, without consideration, a patent for the surface and mineral estates of certain lots, and for other purposes.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.12 CASCADE RESERVOIR

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1778) to provide for equal exchanges of land around the Cascade Reservoir.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.13 WESTSIDE IRRIGATION DISTRICT

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 610) to direct the Secretary of the Interior to convey certain land under the jurisdiction of the Bureau of Land Management in Washakie County and Big Horn County, Wyoming, to the Westside Irrigation District, Wyoming, and for other purposes.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.14 WYOMING PRIVATE LAND EXCHANGE

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1030) to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.15 CONVEYANCE OF LAND IN POWELL, WYOMING

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 2069) to permit the conveyance of certain land in Powell, Wyoming.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.16 PARK COUNTY LAND CONVEYANCE

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1894) to provide for the conveyance of certain land to Park County, Wyoming.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.17 COAL MARKET COMPETITION

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 2300) to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.18 ARIZONA NATIONAL FOREST IMPROVEMENT

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1088) to authorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey certain land to the City of Sedona, Arizona for wastewater treatment facility, and for other purposes.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.19 HOOVER DAM MISCELLANEOUS SALES

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1275) to authorize the Secretary of the Interior to produce and sell products and to sell publications relating to the Hoover Dam, and to deposit revenues generated from the sales into the Colorado River Dam Fund.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.20 COLORADO RIVER BASIN SALINITY CONTROL

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1211) to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of

Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.21 SAND CREEK HISTORIC ESTABLISHMENT

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 2950) to authorize the Secretary of the Interior to establish the Sand Creek Massacre Historic Site in the State of Colorado.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.22 SAINT-GAUDENS HISTORIC SITE

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1367) to amend the Act which established the Saint-Gaudens Historic Site, in the State of New Hampshire, by modifying the boundary and for other purposes.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.23 INDIAN LAND CONSOLIDATION

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1586) to reduce the fractionated ownership of Indian Lands, and for other purposes.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.24 SAN BERNARDINO NATIONAL FOREST

Mr. YOUNG of Alaska moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 3657) to provide for the conveyance of a small parcel of public domain land in the San Bernardino National Forest in the State of California, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. LAND CONVEYANCE AND SETTLEMENT, SAN BERNARDINO NATIONAL FOREST, CALIFORNIA.

(a) CONVEYANCE REQUIRED.—Subject to valid existing rights and settlement of claims as provided in this section, the Secretary of Agriculture shall convey to KATY 101.3 FM (in this section referred to as ''KATY'') all right, title and interest of the United States in and to a parcel of real property consisting of approximately 1.06 acres within the San Bernardino National Forest in Riverside County, California, generally located in the north ½ of section 23, township 5 south, range 2 east, San Bernardino meridian.

(b) LEGAL DESCRIPTION.—The Secretary and KATY shall, by mutual agreement, prepare the legal description of the parcel of real property to be conveyed under subsection (a), which is generally depicted as Exhibit A–2 in an appraisal report of the subject parcel dated August 26, 1999, by Paul H. Meiling.

(c) CONSIDERATION.—Consideration for the conveyance under subsection (a) shall be equal to the appraised fair market value of the parcel of real property to be conveyed. Any appraisal to determine the fair market value of the parcel shall be prepared in conformity with the Uniform Appraisal Standards for Federal Land Acquisition and approved by the Secretary.

(d) SETTLEMENT.—In addition to the consideration referred to in subsection (c), upon the receipt of $16,600 paid by KATY to the Secretary, the Secretary shall release KATY from any and all claims of the United States arising from the occupancy and use of the San Bernardino National Forest by KATY for communication site purposes.

(e) ACCESS REQUIREMENTS.—Notwithstanding section 1323(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3210(a)) or any other law, the Secretary is not required to provide access over National Forest System lands to the parcel of real property to be conveyed under subsection (a).

(f) ADMINISTRATIVE COSTS.—Any costs associated with the creation of a subdivided parcel, recordation of a survey, zoning, and planning approval, and similar expenses with respect to the conveyance under this section, shall be borne by KATY.

(g) ASSUMPTION OF LIABILITY.—By acceptance of the conveyance of the parcel of real property referred to in subsection (a), KATY, and its successors and assigns will indemnify and hold harmless the United States for any and all liability to General Telephone and Electronics Corporation (also known as ''GTE'') KATY, and any third party that is associated with the parcel, including liability for any buildings or personal property on the parcel belonging to GTE and any other third parties.

(h) TREATMENT OF RECEIPTS.—All funds received pursuant to this section shall be deposited in the fund established under Public Law 90–171 (16 U.S.C. 484a; commonly known as the Sisk Act), and the funds shall remain available to the Secretary, until expended, for the acquisition of lands, waters, and interests in land for the inclusion in the San Bernardino National Forest.

(i) RECEIPTS ACT AMENDMENT.—The Act of June 15, 1938 (Chapter 438:52 Stat. 699), as amended by the Acts of May 26, 1944 (58 Stat. 227), is further amended—

(1) by striking the comma after the words ''Secretary of Agriculture'';

(2) by striking the words ''with the approval of the National Forest Reservation Commission established by section 4 of the Act of March 1, 1911 (16 U.S.C. 513),'';

(3) by inserting the words '', real property or interests in lands,'' after the word ''lands'' the first time it is used;

(4) by striking ''San Bernardino and Cleveland'' and inserting ''San Bernardino, Cleveland and Los Angeles'';

(5) by striking ''county of Riverside'' each place it appears and inserting ''counties of Riverside and San Bernardino'';

(6) by striking ''as to minimize soil erosion and flood damage'' and inserting ''for National Forest System purposes''; and

(7) after the ''Provided further, That'', by striking the remainder of the sentence to the end of the paragraph, and inserting ''twelve and one-half percent of the monies otherwise payable to the State of California for the benefit of San Bernardino County under the aforementioned Act of March 1, 1911 (16 U.S.C. 500) shall be available to be appropriated for expenditure in furtherance of this Act.''.

SEC. 2. SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT CLARIFYING AMENDMENTS.

The Santa Rosa and San Jacinto Mountains National Monument Act of 2000 is amended as follows:

(1) In the second sentence of section 2(d)(1), by striking ''and the Committee on Agriculture, Nutrition, and Forestry''.

(2) In the second sentence of section 4(a)(3), by striking ''Nothing in this section'' and inserting ''Nothing in this Act''.

(3) In section 4(c)(1), by striking ''any person, including''.

(4) In section 5, by adding at the end the following:

''(j) WILDERNESS PROTECTION.—Nothing in this Act alters the management of any areas designated as Wilderness which are within the boundaries of the National Monument. All such areas shall remain subject to the Wilderness Act (16 U.S.C. 1131 et seq.), the laws designating such areas as Wilderness, and other applicable laws. If any part of this Act conflicts with any provision of those laws with respect to the management of the Wilderness areas, such provision shall control.''.

SEC. 3. TECHNICAL CORRECTION.

The Santo Domingo Pueblo Claims Settlement Act of 2000 is amended by adding at the end:

"SEC. 7. MISCELLANEOUS PROVISIONS.

''(a) EXCHANGE OF CERTAIN LANDS WITH NEW MEXICO.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall acquire by exchange the State of New Mexico trust lands located in township 16 north, range 4 east, section 2, and all interests therein, including improvements, mineral rights and water rights.

''(2) USE OF OTHER LANDS.—In acquiring lands by exchange under paragraph (1), the Secretary may utilize unappropriated public lands within the State of New Mexico.

''(3) VALUE OF LANDS.—The lands exchanged under this subsection shall be of approximately equal value, and the Secretary may credit or debit the ledger account established in the Memorandum of Understanding between the Bureau of Land Management, the New Mexico State Land Office, and the New Mexico Commissioner of Public Lands, in order to equalize the values of the lands exchanged.

''(4) CONVEYANCE.—

''(A) BY SECRETARY.—Upon the acquisition of lands under paragraph (1), the Secretary shall convey all title and interest to such lands to the Pueblo by sale, exchange or otherwise, and the Pueblo shall have the exclusive right to acquire such lands.

''(B) BY PUEBLO.—Upon the acquisition of lands under subparagraph (A), the Pueblo may convey such land to the Secretary who shall accept and hold such lands in trust for the benefit of the Pueblo.

''(b) OTHER EXCHANGES OF LAND.—

''(1) IN GENERAL.—In order to further the purposes of this Act—

''(A) the Pueblo may enter into agreements to exchange restricted lands for lands described in paragraph (2); and

''(B) any land exchange agreements between the Pueblo and any of the parties to the action referred to in paragraph (2) that are executed not later than December 31, 2001, shall be deemed to be approved.

''(2) LANDS.—The land described in this paragraph is the land, title to which was at issue in Pueblo of Santo Domingo v. Rael (Civil No. 83–1888 (D.N.M.)).

''(3) LAND TO BE HELD IN TRUST.—Upon the acquisition of lands under paragraph (1), the Pueblo may convey such land to the Secretary who shall accept and hold such lands in trust for the benefit of the Pueblo.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the provisions of section 5(a) relating to the extinguishment of the land claims of the Pueblo.

''(c) APPROVAL OF CERTAIN RESOLUTIONS.—All agreements, transactions, and conveyances authorized by Resolutions 97–010 and C22–99 as enacted by the Tribal Council of the Pueblo de Cochiti, and Resolution S.D. 12–99–36 as enacted by the Tribal Council of the Pueblo of Santo Domingo, pertaining to boundary disputes between the Pueblo de Cochiti and the Pueblo of Santo Domingo, are hereby approved, including the Pueblo de Cochiti's agreement to relinquish its claim to the southwest corner of its Spanish Land Grant, to the extent that such land overlaps with the Santo Domingo Pueblo Grant, and to disclaim any right to receive compensation from the United States or any other party with respect to such overlapping lands.''.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.25 GLACIER BAY FISHERIES

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 501) to address resource management issues in Glacier Bay National Park, Alaska.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.26 INDIAN TRIBAL JUSTICE

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1508) to provide technical and legal assistance for tribal justice systems and members of Indian tribes, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.27 INDIAN TRIBAL REFORM

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 614) to provide for regulatory reform in order to encourage investment, business, and economic development with respect to activities conducted on Indian lands.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.28 NATIVE AMERICAN BUSINESS DEVELOPMENT

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 2719) to provide for business development and trade promotion for Native Americans, and for other purposes.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.29 INDIAN EMPLOYMENT

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1509) to amend the Indian Employment, Training and Related Services Demonstration Act of 1992, to emphasize the need for job creation on Indian reservations, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof,

the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶113.30 INDIAN ARTS

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 2872) to improve the cause of action for misrepresentation of Indian arts and crafts.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.31 NAMPA AND MERIDIAN CONVEYANCE

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 3022) to direct the Secretary of the Interior to convey certain irrigation facilities to the Nampa and Meridian Irrigation District.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.32 SPANISH PEAKS WILDERNESS

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 503) designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''.

The SPEAKER pro tempore, Mr. STEARNS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. STEARNS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.33 NATIVE HIRING AND CONTRACTING

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 748) to improve Native hiring and contracting by the Federal Government within the State of Alaska, and for other purposes.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.34 LAKE TAHOE RESTORATION

Mr. GIBBONS moved to suspend the rules and pass the bill (H.R. 3388) to promote environmental restoration around the Lake Tahoe basin; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GIBBONS and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶113.35 BEND FEED CANAL PIPELINE PROJECT

Mr. GIBBONS moved to suspend the rules and pass the bill of the Senate (S. 2425) to authorize the Bureau of Reclamation to participate in the planning, design, and construction of the Bend Feed Canal Pipeline Project, Oregon, and for other purposes.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GIBBONS and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.36 KLAMATH BASIN WATER SUPPLY ENHANCEMENT

Mr. GIBBONS moved to suspend the rules and pass the bill of the Senate (S. 2882) to authorize the Bureau of Reclamation to conduct certain feasibility studies to augment water supplies for the Klamath Project, Oregon and California, and for other purposes.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GIBBONS and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.37 SALMON CREEK WATERSHED

Mr. GIBBONS moved to suspend the rules and pass the bill of the Senate (S. 2951) to authorize the Commissioner of Reclamation to conduct a study to investigate opportunities to better manage the water resources in the Salmon Creek watershed of the upper Columbia River.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GIBBONS and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.38 RECLAMATION SAFETY OF DAMS

Mr. GIBBONS moved to suspend the rules and pass the bill (H.R. 3595) to increase the authorization of appropriations for the Reclamation Safety of Dams Act of 1978, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GIBBONS and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶113.39 MIWALETA PARK EXPANSION

Mr. GIBBONS moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 1725) to provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land:

Page 3, strike out lines 6 through 10 and insert:

(1) IN GENERAL.—After conveyance of land under subsection (a), the County shall manage the land for public park purposes consistent with the plan for expansion of the Miwaleta Park as approved in the Decision Record for Galesville Campground, EA #OR110–99–01, dated September 17, 1999.

Page 3, line 14, strike out ''purposes—'' and insert ''purposes as described in paragraph 2(b)(1)—''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GIBBONS and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.40 WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HERITAGE

Mr. GIBBONS moved to suspend the rules and pass the bill (H.R. 4794) to require the Secretary of the Interior to complete a resource study of the 600 mile route through Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia, used by George Washington and General Rochambeau during the American Revolutionary War.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GIBBONS and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶113.41 TOIYABE NATIONAL FOREST

Mr. GIBBONS moved to suspend the rules and pass the bill of the Senate (S. 439) to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to Adjust the boundary of the National Forest, Nevada; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GIBBONS and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada, and to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶113.42 DIAMOND VALLEY LAKE

Mr. GIBBONS moved to suspend the rules and pass the bill of the Senate (S. 2977) to assist in the establishment of an interpretive center and museum in the vicinity of the Diamond Valley Lake in southern California to ensure the protection and interpretation of the paleontology discoveries made at the lake and to develop a trail system for the lake for use by pedestrians and nonmotorized vehicles.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GIBBONS and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.43 RECESS—3:23 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 23 minutes p.m., until approximately 4 p.m.

¶113.44 AFTER RECESS—4 P.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶113.45 AIRPORT SECURITY IMPROVEMENT

Mr. LATOURETTE moved to suspend the rules and pass the bill of the Senate (S. 2440) to amend title 49, United States Code, to improve airport security; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Mr. SHOWS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.46 JAPANESE-AMERICAN MEMORIAL

Mr. LATOURETTE moved to suspend the rules and agree to the following concurrent resolution of the Senate (S. Con. Res. 139):

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. DEFINITIONS.

In this Resolution:

(1) EVENT.—The term ''event'' means the dedication of the National Japanese-American Memorial to Patriotism.

(2) SPONSOR.—The term ''sponsor'' means the National Japanese-American Memorial Foundation.

SEC. 2. AUTHORIZATION OF EVENT TO CELEBRATE THE DEDICATION OF THE NATIONAL JAPANESE-AMERICAN MEMORIAL.

The National Japanese-American Memorial Foundation may sponsor the dedication of the National Japanese-American Memorial to Patriotism on the Capitol grounds on November 9, 2000, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 3. TERMS AND CONDITIONS.

(a) IN GENERAL.—The event shall be open to the public, free of admission charge, and arranged so as not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 4. STRUCTURES AND EQUIPMENT.

(a) STRUCTURES AND EQUIPMENT.—

(1) IN GENERAL.—Subject to the approval of the Architect of the Capitol, beginning on November 8, 2000, the sponsor may erect or place and keep on the Capitol grounds, until not later than 8:00 p.m. on Saturday, November 11, 2000, such stage, sound amplification devices, and other related structures and equipment as are required for the event.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board may make any such additional arrangements as are appropriate to carry out the event.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol grounds, as well as other restrictions applicable to the Capitol grounds, with respect to the event.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Mr. SHOWS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶113.47 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1854. An Act to reform the Hart-Scott-Rodino Antitrust Improvements Act of 1976; to the Committee on the Judiciary.

S. 2943. An Act to authorize additional assistance for international malaria control, and to provide for coordination and consultation in providing assistance under the Foreign Assistance Act of 1961 with respect to malaria, HIV, and tuberculosis; to the Committee on International Relations.

And then,

¶113.48 ADJOURNMENT

On motion of Mr. SMITH of Michigan, at 4 o'clock and 55 minutes p.m., the House adjourned.

¶113.49 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. GEKAS: Committee on the Judiciary. H.R. 3312. A bill to clarify the Administrative Dispute Resolution Act of 1996 to authorize the Merit Systems Protection Board to establish under such Act a 3-year pilot program that will provide a voluntary early intervention alternative dispute resolution process to assist Federal agencies and employees in resolving certain personnel actions and disputes in administrative programs; with amendments (Rept. No. 106–994 Pt. 1).

¶113.50 TIME LIMITATION OF REFERRED BILL

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

[The following action occurred on October 20, 2000]

H.R. 1552. Referral to the Committee on Resources extended for a period ending not later than October 25, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 25, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 25, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 25, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 25, 2000.

[Submitted October 23, 2000]

H.R. 3312. Referral to the Committee on Government Reform extended for a period ending not later than October 23, 2000.

¶113.51 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Government Reform discharged. H.R. 3312 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

¶113.52 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CARDIN (for himself, Mr. STARK, Mr. MENENDEZ, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. BECERRA, Mr. DOGGETT, and Ms. ROYBAL-ALLARD):

H.R. 5524. A bill to amend the Internal Revenue Code of 1986 to strengthen the effectiveness of the earned income tax credit in reducing child poverty and promoting work; to the Committee on Ways and Means.

By Mr. GRAHAM:

H.R. 5525. A bill to extend the temporary office of bankruptcy judge established for the district of South Carolina; to the Committee on the Judiciary.

By Mr. GEJDENSON (for himself and Mr. SMITH of New Jersey):

H. Con. Res. 433. Concurrent resolution expressing the sense of Congress with respect to the parliamentary elections held in Belarus on October 15, 2000; to the Committee on International Relations.

¶113.53 ADDITIONAL SPONSORS

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

H.R. 464: Mr. COX.

H.R. 1093: Mr. POMEROY and Mr. MCCOLLUM.

H.R. 1411: Mr. COX.

H.R. 1456: Mr. SOUDER.

H.R. 3275: Mr. GEJDENSON.

H.R. 3514: Mr. SABO, Mr. FRELINGHUYSEN, Mr. REYES, and Mr. CAMP.

H.R. 3576: Mr. BONILLA.

H.R. 3677: Mr. LATOURETTE.

H.R. 3700: Mr. GUTIERREZ.

H.R. 4025: Mrs. CHRISTENSEN.

H.R. 4353: Ms. ESHOO.

H.R. 4467: Mr. BLUNT.

H.R. 4538: Mr. BONIOR and Ms. CARSON.

H.R. 4740: Mr. CARDIN and Mr. UDALL of Colorado.

H.R. 5250: Mr. PAYNE and Mr. FRANK of Massachusetts.

H.R. 5268: Mr. KENNEDY of Rhode Island.

H.R. 5276: Mr. RUSH.

H.R. 5306: Mr. BURTON of Indiana.

H.R. 5345: Mr. UDALL of Colorado and Mr. RUSH.

H.R. 5472: Mr. PORTER and Mr. RUSH.

H.R. 5506: Mr. MATSUI.

H.R. 5511: Mr. FARR of California and Mr. DELAHUNT.

H. Con. Res. 426: Mr. KLINK, Mr. HAYES, Mr. BISHOP, Mr. GONZALEZ, Mr. CUMMINGS, and Mr. TANNER.

H. Res. 517: Ms. CARSON.

TUESDAY, OCTOBER 24, 2000 (114)

The House was called to order at 10:30 a.m. by the SPEAKER.

¶114.1 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Cheek, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3679. An Act to provide for the minting of commemorative coins to support the 2002 Salt Lake Olympic Winter Games and the programs of the United States Olympic Committee.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 898. An Act designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''.

H.R. 2884. An Act to extend energy conservation programs under the Energy Policy and Conservation Act through fiscal year 2003.

H.R. 3023. An Act to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to convey property to the Greater Yuma Port Authority of Yuma County, Arizona, for use as an international port of entry.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 150) ''An Act to authorize the Secretary of Agriculture to convey National Forest System lands for use for educational purposes, and for other purposes'', with amendment.

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

S. Con. Res. 154. Concurrent resolution to acknowledge and salute the contributions of coin collectors.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 835) ''An Act to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes.''.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2796) ''An Act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes,'' and agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SMITH of New Hampshire, Mr. WARNER, Mr. VOINOVICH, Mr. BAUCUS, and Mr. GRAHAM, to be the conferees on the part of the Senate.

¶114.2 ''MORNING-HOUR DEBATE''

The SPEAKER, pursuant to the order of the House of Tuesday, January 19, 1999, recognized Members for ''morning-hour debate''.

¶114.3 RECESS—10:44 A.M.

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to clause 12 of rule I, declared the House in recess until 12 noon.

¶114.4 AFTER RECESS—12 NOON

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶114.5 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE announced he had examined and approved the Journal of the proceedings of Monday, October 23, 2000.

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

¶114.6 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10693. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule—Olives Grown in California; Modification to Handler Membership on the California Olive Committee [Docket No. FV00–932–3–FR] received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10694. A letter from the Chief, Military Justice Division, Air Force Legal Services Agency, Department of the Air Force, Department of Defense, transmitting the Department's final rule—Delivery of Personnel to United States Civilian Authorities for Trial (RIN: 0701–AA60) received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10695. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Increase in Rates Payable Under the Montgomery GI Bill—Selected Reserve (RIN: 2900–AJ88) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10696. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program (NFIP); Insurance Coverage and Rates (RIN: 3067–AD01) received October 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10697. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Exemption From Premarket Notification; Class II Devices; Triiodothyronine Test System [Docket No. OOP–1280] received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10698. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Labeling for Menstrual Tampon for the ''Ultra'' Absorbency [Docket No. 98N–0970] received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10699. A letter from the Deputy Secretary, Division of Market Regulations, Securities and Exchange Commission, transmitting the Commission's final rule—Amendments to Rule 9b-1 under the Securities Exchange Act of 1934 Relating to the Options Disclosure Document (RIN: 3235–AH30) received October 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10700. A communication from the President of the United States, transmitting a report on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council, pursuant to 50 U.S.C. 1541; (H. Doc. No. 106–304); to the Committee on International Relations and ordered to be printed.

10701. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially under a contract to Greece [Transmittal No. DTC 081–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10702. A letter from the Chairman, National Endowment for the Arts, transmitting a report on the Commercial Activities Inventory—FY 2000; to the Committee on Government Reform.

10703. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Civil Monetary Penalty Inflation Adjustment—received October 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10704. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, Office of Enforcement, transmitting the Commission's final rule—Revision of the Nuclear Regulatory Commission Enforcement Policy—received October 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10705. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757–200 Series Airplanes [Docket No. 2000–NM–286–AD; Amendment 39–11927; AD 2000–20–16] (RIN: 2120–AA64) received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10706. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Final Indirect Cost Rates—received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

10707. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the Presidential Determination 2000–02, the President has exercised the authority provided to him and has issued the required determination to waive certain restrictions on the maintenance of a Palestine Liberation Organization (PLO) Office and on expediture of PLO funds for a period of six months; jointly to the Committees on International Relations and Appropriations.

¶114.7 SUBMISSION OF CONFERENCE REPORT—S. 835

Mr. BOEHLERT submitted a conference report (Rept. No. 106–995) on the bill of the Senate (S. 835) to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶114.8 CHIMPANZEE SANCTUARIES

Mr. GREENWOOD moved to suspend the rules and pass the bill (H.R. 3514) to amend the Public Health Service Act to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GREENWOOD and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.9 STRATEGIC PETROLEUM RESERVE

Mr. GREENWOOD moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2884) to extend energy conservation programs under the Energy Policy and Conservation Act through fiscal year 2003:

Strike out all after the enacting clause and insert:

SECTION. 1. SHORT TITLE.

This Act may be cited as the Energy Act of 2000.

TITLE I—STRATEGIC PETROLEUM RESERVE

SEC. 101. SHORT TITLE.

This title may be cited as the ''Energy Policy and Conservation Act Amendments of 2000''.

SEC. 102. AMENDMENT TO SECTION 2 OF THE ENERGY POLICY AND CONSERVATION ACT

Section 2 of the Energy Policy and Conservation Act (42 U.S.C. 6201) is amended—

(1) in paragraph (1) by striking ''standby'' and '', subject to congressional review, to impose rationing, to reduce demand for energy through the implementation of energy conservation plans, and''; and

(2) by striking paragraphs (3) and (6).

SEC. 103. AMENDMENT TO TITLE I OF THE ENERGY POLICY AND CONSERVATION ACT

Title I of the Energy Policy and Conservation Act (42 U.S.C. 6211–6251) is amended—

(1) by striking section 102 (42 U.S.C. 6211) and its heading;

(2) by striking section 104(b)(1);

(3) by striking section 106 (42 U.S.C. 6214) and its heading;

(4) by amending section 151(b) (42 U.S.C. 6231) to read as follows:

''(b) It is the policy of the United States to provide for the creation of a Strategic Petroleum Reserve for the storage of up to 1 billion barrels of petroleum products to reduce the impact of disruptions in supplies of petroleum products, to carry out obligations of the United States under the international energy program, and for other purposes as provided for in this Act.'';

(5) in section 152 (42 U.S.C. 6232)—

(A) by striking paragraphs (1), (3) and (7), and

(B) in paragraph (11) by striking ''; such term includes the Industrial Petroleum Reserve, the Early Storage Reserve, and the Regional Petroleum Reserve''.

(6) by striking section 153 (42 U.S.C. 6233) and its heading;

(7) in section 154 (42 U.S.C. 6234)—

(A) by amending subsection (a) to read as follows:

''(a) A Strategic Petroleum Reserve for the storage of up to 1 billion barrels of petroleum products shall be created pursuant to this part.'';

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

''(b) The Secretary, in accordance with this part, shall exercise authority over the development, operation, and maintenance of the Reserve.''; and

(C) by striking subsections (c), (d), and (e);

(8) by striking section 155 (42 U.S.C. 6235) and its heading;

(9) by striking section 156 (42 U.S.C. 6236) and its heading;

(10) by striking section 157 (42 U.S.C. 6237) and its heading;

(11) by striking section 158 (42 U.S.C. 6238) and its heading;

(12) by amending the heading for section 159 (42 U.S.C. 6239) to read, ''Development, Operation, and Maintenance of the Reserve'';

(13) in section 159 (42 U.S.C. 6239)—

(A) by striking subsections (a), (b), (c), (d), and (e);

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

''(f) In order to develop, operate, or maintain the Strategic Petroleum Reserve, the Secretary may—

''(1) issue rules, regulations, or orders;

''(2) acquire by purchase, condemnation, or otherwise, land or interests in land for the location of storage and related facilities;

''(3) construct, purchase, lease, or otherwise acquire storage and related facilities;

''(4) use, lease, maintain, sell or otherwise dispose of land or interests in land, or of storage and related facilities acquired under this part, under such terms and conditions as the Secretary considers necessary or appropriate;

''(5) acquire, subject to the provisions of section 160, by purchase, exchange, or otherwise, petroleum products for storage in the Strategic Petroleum Reserve;

''(6) store petroleum products in storage facilities owned and controlled by the United States or in storage facilities owned by others if those facilities are subject to audit by the United States;

''(7) execute any contracts necessary to develop, operate, or maintain the Strategic Petroleum Reserve;

''(8) bring an action, when the Secretary considers it necessary, in any court having jurisdiction over the proceedings, to acquire by condemnation any real or personal property, including facilities, temporary use of facilities, or other interests in land, together with any personal property located on or used with the land.''; and

(C) in subsection (g)—

(i) by striking ''implementation'' and inserting ''development''; and

(ii) by striking ''Plan'';

(D) by striking subsections (h) and (i);

(E) by amending subsection (j) to read as follows:

''(j) If the Secretary determines expansion beyond 700,000,000 barrels of petroleum product inventory is appropriate, the Secretary shall submit a plan for expansion to the Congress.''; and

(F) by amending subsection (l) to read as follows:

''(l) During a drawdown and sale of Strategic Petroleum Reserve petroleum products, the Secretary may issue implementing rules, regulations, or orders in accordance with section 553 of title 5, United States Code, without regard to rulemaking requirements in section 523 of this Act, and section 501 of the Department of Energy Organization Act (42 U.S.C. 7191).'';

(14) in section 160 (42 U.S.C. 6240)—

(A) in subsection (a), by striking all before the dash and inserting the following—

''(a) The Secretary may acquire, place in storage, transport, or exchange'';

(B) in subsection (a)(1) by striking all after ''Federal lands'';

(C) in subsection (b), by striking '', including the Early Storage Reserve and the Regional Petroleum Reserve'' and by striking paragraph (2); and

(D) by striking subsections (c), (d), (e), and (g);

(15) in section 161 (42 U.S.C. 6241)—

(A) by striking ''Distribution of the Reserve'' in the title of this section and inserting ''Sale of Petroleum Products'';

(B) in subsection (a), by striking ''drawdown and distribute'' and inserting ''drawdown and sell petroleum products in'';

(C) by striking subsections (b), (c), and (f);

(D) by amending subsection (d)(1) to read as follows:

''(d)(1) Drawdown and sale of petroleum products from the Strategic Petroleum Reserve may not be made unless the President has found drawdown and sale are required by a severe energy supply interruption or by obligations of the United States under the international energy program.'';

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

''(e)(1) The Secretary shall sell petroleum products withdrawn from the Strategic Petroleum Reserve at public sale to the highest qualified bidder in the amounts, for the period, and after a notice of sale considered appropriate by the Secretary, and without regard to Federal, State, or local regulations controlling sales of petroleum products.

''(2) The Secretary may cancel in whole or in part any offer to sell petroleum products as part of any drawdown and sale under this section.''; and

(F) in subsection (g)—

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

''(g)(1) The Secretary shall conduct a continuing evaluation of the drawdown and sales procedures. In the conduct of an evaluation, the Secretary is authorized to carry out a test drawdown and sale or exchange of petroleum products from the Reserve. Such a test drawdown and sale or exchange may not exceed 5,000,000 barrels of petroleum products.'';

(ii) by striking paragraph (2);

(iii) in paragraph (4), by striking ''90'' and inserting ''95'';

(iv) in paragraph (5), by striking ''drawdown and distribution'' and inserting ''test'';

(v) by amending paragraph (6) to read as follows:

''(6) In the case of a sale of any petroleum products under this subsection, the Secretary shall, to the extent funds are available in the SPR Petroleum Account as a result of such sale, acquire petroleum products for the Reserve within the 12-month period beginning after completion of the sale.''; and

(vi) in paragraph (8), by striking ''drawdown and distribution'' and inserting ''test'';

(G) in subsection (h)—

(i) in paragraph (1) by striking ''distribute'' and inserting ''sell petroleum products from'';

(ii) by deleting ''and'' at the end of paragraph (1)(A) and by deleting ''shortage,'' at the end of paragraph (1)(B) and inserting ''shortage; and

''(C) the Secretary of Defense has found that action taken under this subsection will not impair national security,'';

(iii) in paragraph (2) by striking ''In no case may the Reserve'' and inserting ''Petroleum products from the Reserve may not''; and

(iv) in paragraph (3) by striking ''distribution'' each time it appears and inserting ''sale'';

(16) by striking section 164 (42 U.S.C. 6244) and its heading;

(17) by amending section 165 (42 U.S.C. 6245) and its heading to read as follows:

''ANNUAL REPORT

''SEC. 165. The Secretary shall report annually to the President and the Congress on actions taken to implement this part. This report shall include—

''(1) the status of the physical capacity of the Reserve and the type and quantity of petroleum products in the Reserve;

''(2) an estimate of the schedule and cost to complete planned equipment upgrade or capital investment in the Reserve, including upgrades and investments carried out as part of operational maintenance or extension of life activities;

''(3) an identification of any life-limiting conditions or operational problems at any Reserve facility, and proposed remedial actions including an estimate of the schedule and cost of implementing those remedial actions;

''(4) a description of current withdrawal and distribution rates and capabilities, and an identification of any operational or other limitations on those rates and capabilities;

''(5) a listing of petroleum product acquisitions made in the preceding year and planned in the following year, including quantity, price, and type of petroleum;

''(6) a summary of the actions taken to develop, operate, and maintain the Reserve;

''(7) a summary of the financial status and financial transactions of the Strategic Petroleum Reserve and Strategic Petroleum Reserve Petroleum Accounts for the year;

''(8) a summary of expenses for the year, and the number of Federal and contractor employees;

''(9) the status of contracts for development, operation, maintenance, distribution, and other activities related to the implementation of this part;

''(10) a summary of foreign oil storage agreements and their implementation status;

''(11) any recommendations for supplemental legislation or policy or operational changes the Secretary considers necessary or appropriate to implement this part.'';

(18) in section 166 (42 U.S.C. 6246) by striking ''for fiscal year 1997.'';

(19) in section 167 (42 U.S.C. 6247)—

(A) in subsection (b)—

(i) by striking ''and the drawdown'' and inserting ''for test sales of petroleum products from the Reserve, and for the drawdown, sale,'';

(ii) by striking paragraph (1); and

(iii) in paragraph (2), by striking ''after fiscal year 1982''; and

(B) by striking subsection (e);

(20) in section 171 (42 U.S.C. 6249)—

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

''(B) the Secretary notifies each House of the Congress of the determination and identifies in the notification the location, type, and ownership of storage and related facilities proposed to be included, or the volume, type, and ownership of petroleum products proposed to be stored, in the Reserve, and an estimate of the proposed benefits.'';

(B) in subsection (b)(3), by striking ''distribution of'' and inserting ''sale of petroleum products from'';

(21) in section 172 (42 U.S.C. 6249a), by striking subsections (a) and (b);

(22) by striking section 173 (42 U.S.C. 6249b) and its heading; and

(23) in section 181 (42 U.S.C. 6251), by striking ''March 31, 2000'' each time it appears and inserting ''September 30, 2003''.

SEC. 104. AMENDMENT TO TITLE II OF THE ENERGY POLICY AND CONSERVATION ACT

Title II of the Energy Policy and Conservation Act (42 U.S.C. 6211–6251) is amended—

(1) by striking part A (42 U.S.C. 6261 through 6264) and its heading;

(2) by adding at the end of section 256(h), ''There are authorized to be appropriated for fiscal years 2000 through 2003, such sums as may be necessary.''.

(3) by striking part C (42 U.S.C. 6281 through 6282) and its heading; and

(4) in section 281 (42 U.S.C. 6285), by striking ''March 31, 2000'' each time it appears and inserting ''September 30, 2003''.

SEC. 105. CLERICAL AMENDMENTS.

The Table of contents for the Energy Policy and Conservation Act is amended—

(1) by striking the items relating to sections 102, 106, 153, 155, 156, 157, 158, and 164;

(2) by amending the item relating to section 159 to read as follows: ''Development, Operation, and Maintenance of the Reserve.'';

(3) by amending the item relating to section 161 to read as follows: ''Drawdown and Sale of Petroleum Products''; and

(4) by amending the item relating to section 165 to read as follows: ''Annual Report''.

TITLE II—HEATING OIL RESERVE

SEC. 201. NORTHEAST HOME HEATING OIL RESERVE.

(a) Title I of the Energy Policy and Conservation Act is amended by—

(1) redesignating part D as part E;

(2) redesignating section 181 as section 191; and

(3) inserting after part C the following new part D:

''PART D—NORTHEAST HOME HEATING OIL RESERVE

''ESTABLISHMENT

''SEC. 181. (a) Notwithstanding any other provision of this Act, the Secretary may establish, maintain, and operate in the Northeast a Northeast Home Heating Oil Reserve. A Reserve established under this part is not a component of the Strategic Petroleum Reserve established under part B of this title. A Reserve established under this part shall contain no more than 2 million barrels of petroleum distillate.

''(b) For the purposes of this part—

''(1) the term 'Northeast' means the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, and New Jersey;

''(2) the term 'petroleum distillate' includes heating oil and diesel fuel; and

''(3) the term 'Reserve' means the Northeast Home Heating Oil Reserve established under this part.

''AUTHORITY

''SEC. 182. To the extent necessary or appropriate to carry out this part, the Secretary may—

''(1) purchase, contract for, lease, or otherwise acquire, in whole or in part, storage and related facilities, and storage services;

''(2) use, lease, maintain, sell, or otherwise dispose of storage and related facilities acquired under this part;

''(3) acquire by purchase, exchange (including exchange of petroleum products from the Strategic Petroleum Reserve or received as royalty from Federal lands), lease, or otherwise, petroleum distillate for storage in the Northeast Home Heating Oil Reserve;

''(4) store petroleum distillate in facilities not owned by the United States; and

''(5) sell, exchange, or otherwise dispose of petroleum distillate from the Reserve established under this part, including to maintain the quality or quantity of the petroleum distillate in the Reserve or to maintain the operational capability of the Reserve.

''CONDITIONS FOR RELEASE; PLAN

''SEC. 183. (a) FINDING.—The Secretary may sell products from the Reserve only upon a finding by the President that there is a severe energy supply interruption. Such a finding may be made only if he determines that—

''(1) a dislocation in the heating oil market has resulted from such interruption; or

''(2) a circumstance, other than that described in paragraph (1), exists that constitutes a regional supply shortage of significant scope and duration and that action taken under this section would assist directly and significantly in reducing the adverse impact of such shortage.

''(b) DEFINITION.—For purposes of this section a 'dislocation in the heating oil market' shall be deemed to occur only when—

''(1) The price differential between crude oil, as reflected in an industry daily publication such as 'Platt's Oilgram Price Report' or 'Oil Daily' and No. 2 heating oil, as reported in the Energy Information Administration's retail price data for the Northeast, increases by more tan 60 percent over its five year rolling average for the months of mid-October through March, and continues for 7 consecutive days; and

''(2) The price differential continues to increase during the most recent week for which price information is available.

''(c) CONTINUING EVALUATION.—The Secretary shall conduct a continuing evaluation of the residential price data supplied by the Energy Information Administration for the Northeast and data on crude oil prices from published sources.

''(d) RELEASE OF PETROLEUM DISTILLATE.—After consultation with the heating oil industry, the Secretary shall determine procedures governing the release of petroleum distillate from the Reserve. The procedures shall provide that—

''(1) the Secretary may—

''(A) sell petroleum distillate from the Reserve through a competitive process, or

''(B) enter into exchange agreements for the petroleum distillate that results in the Secretary receiving a greater volume of petroleum distillate as repayment than the volume provided to the acquirer;

''(2) in all such sales or exchanges, the Secretary shall receive revenue or its equivalent in petroleum distillate that provides the Department with fair market value. At no time may the oil be sold or exchanged resulting in a loss of revenue or value to the United States; and

''(3) the Secretary shall only sell or dispose of the oil in the Reserve to entities customarily engaged in the sale and distribution of petroleum distillate.

''(e) PLAN.—Within 45 days of the date of the enactment of this section, the Secretary shall transmit to the President and, if the President approves, to the Congress a plan describing—

''(1) the acquisition of storage and related facilities or storage services for the Reserve, including the potential use of storage facilities not currently in use;

''(2) the acquisition of petroleum distillate for storage in the Reserve;

''(3) the anticipated methods of disposition of petroleum distillate from the Reserve;

''(4) the estimated costs of establishment, maintenance, and operation of the Reserve;

''(5) efforts the Department will take to minimize any potential need for future drawdowns and ensure that distributors and importers are not discouraged from maintaining and increasing supplies to the Northeast; and

''(6) actions to ensure quality of the petroleum distillate in the Reserve.

''NORTHEAST HOME HEATING OIL RESERVE ACCOUNT

''SEC. 184. (a) Upon a decision of the Secretary of Energy to establish a Reserve under this part, the Secretary of the Treasury shall establish in the Treasury of the United States an account known as the 'Northeast Home Heating Oil Reserve Account' (referred to in this section as the 'Account').

''(b) the Secretary of the Treasury shall deposit in the Account any amounts appropriated to the Account and any receipts from the sale, exchange, or other disposition of petroleum distillate from the Reserve.

''(c) The Secretary of Energy may obligate amounts in the Account to carry out activities under this part without the need for further appropriation, and amounts available to the Secretary of Energy for obligation under this section shall remain available without fiscal year limitation.

''EXEMPTIONS

''SEC. 185. An action taken under this part is not subject to the rulemaking requirements of section 523 of this Act, section 501 of the Department of Energy Organization Act, or section 553 of title 5, United States Code.

''AUTHORIZATION OF APPROPRIATIONS

''SEC. 186. There are authorized to be appropriated for fiscal years 2001, 2002, and 2003 such sums as may be necessary to implement this part.''.

SEC. 202. USE OF ENERGY FUTURES FOR FUEL PURCHASES.

(a) HEATING OIL STUDY.—The Secretary shall conduct a study on—

(1) the use of energy futures and options contracts to provide cost-effective protection from sudden surges in the price of heating oil (including number two fuel oil, propane, and kerosene)

for State and local government agencies, consumer cooperatives, and other organizations that purchase heating oil in bulk to market to end use consumers in the Northeast (as defined in section 201); and

(2) how to most effectively inform organizations identified in paragraph (1) about the benefits and risks of using energy futures and options contracts.

(b) REPORT.—The Secretary shall transmit the study required in this section to the Committee on Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than 180 days after the enactment of this section. The report shall contain a review of prior studies conducted on the subjects described in subsection (a).

TITLE III—MARGINAL WELL PURCHASES

SEC. 301. PURCHASE OF OIL FROM MARGINAL WELLS.

(a) PURCHASE OF OIL FROM MARGINAL WELLS.—Part B of title I of the Energy Policy and Conservation Act (42 U.S.C. 6232 et seq.) is amended by adding the following new section after section 168:

''PURCHASE OF OIL FROM MARGINAL WELLS

''SEC. 169. (a) IN GENERAL.—From amounts authorized under section 166, in any case in which the price of oil decreases to an amount less than $15.00 per barrel (an amount equal to the annual average well head price per barrel for all domestic crude oil), adjusted for inflation, the Secretary may purchase oil from a marginal well at $15.00 per barrel, adjusted for inflation.

''(b) DEFINITION OF MARGINAL WELL.—The term 'marginal well' has the same meaning as the definition of 'stripper well property' in section 613A(c)(6)(E) of the Internal Revenue Code (26 U.S.C. 613A(c)(6)(E)).''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act is amended by inserting after the item relating to section 168 the following:

''Sec. 169. Purchase of oil from marginal wells.''.

TITLE IV—FEDERAL ENERGY MANAGEMENT

SEC. 401. FEMP.

Section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)(D)(iii) is amended by striking ''$750,000'' and inserting ''$10,000,000''.

TITLE V—ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS

SEC. 501. ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

''SEC. 32. ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS.

''(a) DISCONTINUANCE OF REGULATION BY THE COMMISSION.—Notwithstanding sections 4(e) and 23(b), the Commission shall discontinue exercising licensing and regulatory authority under this part over qualifying project works in the State of Alaska, effective on the date on which the Commission certifies that the State of Alaska has in place a regulatory program for water-power development that—

''(1) protects the public interest, the purposes listed in paragraph (2), and the environment to the same extent provided by licensing and regulation by the Commission under this part and other applicable Federal laws, including the Endangered Species Act (16 U.S.C. 1531 et seq.) and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

''(2) gives equal consideration to the purposes of—

''(A) energy conservation;

''(B) the protection, mitigation of damage to, and enhancement of, fish and wildlife (including related spawning grounds and habitat);

''(C) the protection of recreational opportunities;

''(D) the preservation of other aspects of environmental quality;

''(E) the interests of Alaska Natives; and

''(F) other beneficial public uses, including irrigation, flood control, water supply, and navigation; and

''(3) requires, as a condition of a license for any project works—

''(A) the construction, maintenance, and operation by a licensee at its own expense of such lights and signals as may be directed by the Secretary of the Department in which the Coast Guard is operating, and such fishways as may be prescribed by the Secretary of the Interior or the Secretary of Commerce, as appropriate;

''(B) the operation of any navigation facilities which may be constructed as part of any project to be controlled at all times by such reasonable rules and regulations as may be made by the Secretary of the Army; and

''(C) conditions for the protection, mitigation, and enhancement of fish and wildlife based on recommendations received pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) from the National Marine Fisheries Service, the United States Fish and Wildlife Service, and State fish and wildlife agencies.

''(b) DEFINITION OF 'QUALIFYING PROJECT WORKS'.—For purposes of this section, the term 'qualifying project works' means project works—

''(1) that are not part of a project licensed under this part or exempted from licensing under this part or section 405 of the Public Utility Regulatory Policies Act of 1978 prior to the date of enactment of this section;

''(2) for which a preliminary permit, a license application, or an application for an exemption from licensing has not been accepted for filing by the Commission prior to the date of enactment of subsection (c) (unless such application is withdrawn at the election of the applicant);

''(3) that are part of a project that has a power production capacity of 5,000 kilowatts or less;

''(4) that are located entirely within the boundaries of the State of Alaska; and

''(5) that are not located in whole or in part on any Indian reservation, a conservation system unit (as defined in section 102(4) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3102(4))), or segment of a river designated for study for addition to the Wild and Scenic Rivers System.

''(c) ELECTION OF STATE LICENSING.—In the case of nonqualifying project works that would be a qualifying project works but for the fact that the project has been licensed (or exempted from licensing) by the Commission prior to the enactment of this section, the licensee of such project may in its discretion elect to make the project subject to licensing and regulation by the State of Alaska under this section.

''(d) PROJECT WORKS ON FEDERAL LANDS.—With respect to projects located in whole or in part on a reservation, a conservation system unit, or the public lands, a State license or exemption from licensing shall be subject to—

''(1) the approval of the Secretary having jurisdiction over such lands; and

''(2) such conditions as the Secretary may prescribe.

''(e) CONSULTATION WITH AFFECTED AGENCIES.—The Commission shall consult with the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce before certifying the State of Alaska's regulatory program.

''(f) APPLICATION OF FEDERAL LAWS.—Nothing in this section shall preempt the application of Federal environmental, natural resources, or cultural resources protection laws according to their terms.

''(g) OVERSIGHT BY THE COMMISSION.—The State of Alaska shall notify the Commission not later than 30 days after making any significant modification to its regulatory program. The Commission shall periodically review the State's program to ensure compliance with the provisions of this section.

''(h) RESUMPTION OF COMMISSION AUTHORITY.—Notwithstanding subsection (a), the Commission shall reassert its licensing and regulatory authority under this part if the Commission finds that the State of Alaska has not complied with one or more of the requirements of this section.

''(i) DETERMINATION BY THE COMMISSION.—(1) Upon application by the Governor of the State of Alaska, the Commission shall within 30 days commence a review of the State of Alaska's regulatory program for water-power development to determine whether it complies with the requirements of subsection (a).

''(2) The Commission's review required by paragraph (1) shall be completed within one year of initiation, and the Commission shall within 30 days thereafter issue a final order determining whether or not the State of Alaska's regulatory program for water-power development complies with the requirements of subsection (a).

''(3) If the Commission fails to issue a final order in accordance with paragraph (2) the State of Alaska's regulatory program for water-power development shall be deemed to be in compliance with subsection (a).''.

TITLE VI—WEATHERIZATION, SUMMER FILL, HYDROELECTRIC LICENSING PROCEDURES, AND INVENTORY OF OIL AND GAS RESERVES

SEC. 601. CHANGES IN WEATHERIZATION PROGRAM TO PROTECT LOW-INCOME PERSONS.

(a) The matter under the heading ''ENERGY CONSERVATION (INCLUDING TRANSFER OF FUNDS)'' in title II of the Department of the Interior and Related Agencies Appropriations Act, 2000 (113 Stat. 1535, 1501A–180), is amended by striking ''grants:'' and all that follows and inserting ''grants.''.

(b) Section 415 of the Energy Conservation and Production Act (42 U.S.C. 6865) is amended—

(1) in subsection (a)(1) by striking the first sentence;

(2) in subsection (a)(2) by—

(A) striking ''(A)'';

(B) striking ''approve a State's application to waive the 40 percent requirement established in paragraph (1) if the State includes in its plan'' and inserting ''establish''; and

(C) striking subparagraph (B);

(3) in subsection (c)(1) by—

(A) striking ''paragraphs (3) and (4)'' and inserting ''paragraph (3)'',

(B) striking ''$1,600'' and inserting ''$2,500'',

(C) striking ''and'' at the end of subparagraph (C),

(D) striking the period and inserting '', and'' in subparagraph (D), and

(E) inserting after subparagraph (D) the following new subparagraph:

''(E) the cost of making heating and cooling modifications, including replacement'';

(4) in subsection (c)(3) by—

(A) striking ''1991, the $1,600 per dwelling unit limitation'' and inserting ''2000, the $2,500 per dwelling unit average'',

(B) striking ''limitation'' and inserting ''average'' each time it appears, and

(C) inserting ''the'' after ''beginning of'' in subparagraph (B); and

(5) by striking subsection (c)(4).

SEC. 602. SUMMER FILL AND FUEL BUDGETING PROGRAMS.

(a) Part C of title II of the Energy Policy and Conservation Act (42 U.S.C. 6211 et seq.) is amended by adding at the end the following:

''SEC. 273. SUMMER FILL AND FUEL BUDGETING PROGRAMS.

''(a) DEFINITIONS.—In this section:

''(1) BUDGET CONTRACT.—The term 'budget contract' means a contract between a retailer and a consumer under which the heating expenses of the consumer are spread evenly over a period of months.

''(2) FIXED-PRICE CONTRACT.—The term 'fixed-price contract' means a contract between a re-

tailer and a consumer under which the retailer charges the consumer a set price for propane, kerosene, or heating oil without regard to market price fluctuations.

''(3) PRICE CAP CONTRACT.—The term 'price cap contract' means a contract between a retailer and a consumer under which the retailer charges the consumer the market price for propane, kerosene, or heating oil, but the cost of the propane, kerosene, or heating oil may exceed a maximum amount stated in the contract.

''(b) ASSISTANCE.—At the request of the chief executive officer of a State, the Secretary shall provide information, technical assistance, and funding—

''(1) to develop education and outreach programs to encourage consumers to fill their storage facilities for propane, kerosene, and heating oil during the summer months; and

''(2) to promote the use of budget contracts, price cap contracts, fixed-price contracts, and other advantageous financial arrangements;

to avoid severe seasonal price increases for and supply shortages of those products.

''(c) PREFERENCE.—In implementing this section, the Secretary shall give preference to States that contribute public funds or leverage private funds to develop State summer fill and fuel budgeting programs.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $25,000,000 for fiscal year 2001; and

''(2) such sums as are necessary for each fiscal year thereafter.

''(e) INAPPLICABILITY OF EXPIRATION PROVISION.—Section 281 does not apply to this section.''.

(b) The table of contents in the first section of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by inserting after the item relating to section 272 the following:

''Sec. 273. Summer fill and fuel budgeting programs.''.

SEC. 603. EXPEDITED FERC HYDROELECTRIC LICENSING PROCEDURES.

The Federal Energy Regulatory Commission shall, in consultation with other appropriate agencies, immediately undertake a comprehensive review of policies, procedures and regulations for the licensing of hydroelectric projects to determine how to reduce the cost and time of obtaining a license. The Commission shall report its findings within six months of the date of enactment of this section to the Congress, including any recommendations for legislative changes.

SEC. 604. SCIENTIFIC INVENTORY OF OIL AND GAS RESERVES.

(a) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretaries of Agriculture and Energy, shall conduct an inventory of all onshore Federal lands. The inventory shall identify—

(1) the United States Geological Survey reserve estimates of the oil and gas resources underlying these lands; and

(2) the extent and nature of any restrictions or impediments to the development of such resources.

(b) REGULAR UPDATE.—Once completed, the USGS reserve estimates and the surface availability data as provided in subsection (a)(2) shall be regularly updated and made publically available.

(c) INVENTORY.—The inventory shall be provided to the Committee on Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate within two years after the date of enactment of this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to implement this section.

SEC. 605. ANNUAL HOME HEATING READINESS REPORTS.

(a) IN GENERAL.—Part A of title I of the Energy Policy and Conservation Act (42 U.S.C. 6211 et seq.) is amended by adding at the end the following:

''SEC. 108. ANNUAL HOME HEATING READINESS REPORTS.

''(a) IN GENERAL.—On or before September 1 of each year, the Secretary, acting through the Administrator of the Energy Information Agency, shall submit to Congress a Home Heating Readiness Report on the readiness of the natural gas, heating oil and propane industries to supply fuel under various weather conditions, including rapid decreases in temperature.

''(b) CONTENTS.—The Home Heating Readiness Report shall include—

''(1) estimates of the consumption, expenditures, and average price per gallon of heating oil and propane and thousand cubic feet of natural gas for the upcoming period of October through March for various weather conditions, with special attention to extreme weather, and various regions of the country;

''(2) an evaluation of—

''(A) global and regional crude oil and refined product supplies;

''(B) the adequacy and utilization of refinery capacity;

''(C) the adequacy, utilization, and distribution of regional refined product storage capacity;

''(D) weather conditions;

''(E) the refined product transportation system;

''(F) market inefficiencies; and

''(G) any other factor affecting the functional capability of the heating oil industry and propane industry that has the potential to affect national or regional supplies and prices;

''(3) recommendations on steps that the Federal, State, and local governments can take to prevent or alleviate the impact of sharp and sustained increases in the price of natural gas, heating oil and propane; and

''(4) recommendations on steps that companies engaged in the production, refining, storage, transportation of heating oil or propane, or any other activity related to the heating oil industry or propane industry, can take to prevent or alleviate the impact of sharp and sustained increases in the price of heating oil and propane.

''(c) INFORMATION REQUESTS.—The Secretary may request information necessary to prepare the Home Heating Readiness Report from companies described in subsection (b)(4).''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—The Energy Policy and Conservation Act is amended—

(1) in the table of contents in the first section (42 U.S.C. prec. 6201), by inserting after the item relating to section 106 the following:

''Sec. 107. Major fuel burning stationary source.
''Sec. 108. Annual home heating readiness reports.'';

and

(2) in section 107 (42 U.S.C. 6215), by striking ''SEC. 107. (a) No Governor'' and inserting the following:

''SEC. 107. MAJOR FUEL BURNING STATIONARY SOURCE.

''(a) No Governor''.

TITLE VII—NATIONAL OIL HEAT RESEARCH ALLIANCE ACT OF 2000

SEC. 701. SHORT TITLE.

This title may be cited as the ''National Oilheat Research Alliance Act of 2000''.

SEC. 702. FINDINGS.

Congress finds that—

(1) oilheat is an important commodity relied on by approximately 30,000,000 Americans as an efficient and economical energy source for commercial and residential space and hot water heating;

(2) oilheat equipment operates at efficiencies among the highest of any space heating energy source, reducing fuel costs and making oilheat an economical means of space heating;

(3) the production, distribution, and marketing of oilheat and oilheat equipment plays a significant role in the economy of the United States, accounting for approximately $12,900,000,000 in expenditures annually and employing millions of Americans in all aspects of the oilheat industry;

(4) only very limited Federal resources have been made available for oilheat research, development, safety, training, and education efforts, to the detriment of both the oilheat industry and its 30,000,000 consumers; and

(5) the cooperative development, self-financing, and implementation of a coordinated national oilheat industry program of research and development, training, and consumer education is necessary and important for the welfare of the oilheat industry, the general economy of the United States, and the millions of Americans that rely on oilheat for commercial and residential space and hot water heating.

SEC. 703. DEFINITIONS.

In this title:

(1) ALLIANCE.—The term ''Alliance'' means a national oilheat research alliance established under section 704.

(2) CONSUMER EDUCATION.—The term ''consumer education'' means the provision of information to assist consumers and other persons in making evaluations and decisions regarding oilheat and other nonindustrial commercial or residential space or hot water heating fuels.

(3) EXCHANGE.—The term ''exchange'' means an agreement that—

(A) entitles each party or its customers to receive oilheat from the other party; and

(B) requires only an insubstantial portion of the volumes involved in the exchange to be settled in cash or property other than the oilheat.

(4) INDUSTRY TRADE ASSOCIATION.—The term ''industry trade association'' means an organization described in paragraph (3) or (6) of section 501(c) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code and is organized for the purpose of representing the oilheat industry.

(5) NO. 1 DISTILLATE.—The term ''No. 1 distillate'' means fuel oil classified as No. 1 distillate by the American Society for Testing and Materials.

(6) NO. 2 DYED DISTILLATE.—The term ''No. 2 dyed distillate'' means fuel oil classified as No. 2 distillate by the American Society for Testing and Materials that is indelibly dyed in accordance with regulations prescribed by the Secretary of the Treasury under section 4082(a)(2) of the Internal Revenue Code of 1986.

(7) OILHEAT.—The term ''oilheat'' means—

(A) No. 1 distillate; and

(B) No. 2 dyed distillate;

that is used as a fuel for nonindustrial commercial or residential space or hot water heating.

(8) OILHEAT INDUSTRY.—

(A) IN GENERAL.—The term ''oilheat industry'' means—

(i) persons in the production, transportation, or sale of oilheat; and

(ii) persons engaged in the manufacture or distribution of oilheat utilization equipment.

(B) EXCLUSION.—The term ''oilheat industry'' does not include ultimate consumers of oilheat.

(9) PUBLIC MEMBER.—The term ''public member'' means a member of the Alliance described in section 705(c)(1)(F).

(10) QUALIFIED INDUSTRY ORGANIZATION.—The term ''qualified industry organization'' means the National Association for Oilheat Research and Education or a successor organization.

(11) QUALIFIED STATE ASSOCIATION.—The term ''qualified State association'' means the industry trade association or other organization that the qualified industry organization or the Alliance determines best represents retail marketers in a State.

(12) RETAIL MARKETER.—The term ''retail marketer'' means a person engaged primarily in the sale of oilheat to ultimate consumers.

(13) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(14) WHOLESALE DISTRIBUTOR.—The term ''wholesale distributor'' means a person that—

(A)(i) produces No. 1 distillate or No. 2 dyed distillate;

(ii) imports No. 1 distillate or No. 2 dyed distillate; or

(iii) transports No. 1 distillate or No. 2 dyed distillate across State boundaries or among local marketing areas; and

(B) sells the distillate to another person that does not produce, import, or transport No. 1 distillate or No. 2 dyed distillate across State boundaries or among local marketing areas.

(15) STATE.—The term ''State'' means the several States, except the State of Alaska.

SEC. 704. REFERENDA.

(a) CREATION OF PROGRAM.—

(1) IN GENERAL.—The oilheat industry, through the qualified industry organization, may conduct, at its own expense, a referendum among retail marketers and wholesale distributors for the establishment of a national oilheat research alliance.

(2) REIMBURSEMENT OF COST.—The Alliance, if established, shall reimburse the qualified industry organization for the cost of accounting and documentation for the referendum.

(3) CONDUCT.—A referendum under paragraph (1) shall be conducted by an independent auditing firm.

(4) VOTING RIGHTS.—

(A) RETAIL MARKETERS.—Voting rights of retail marketers in a referendum under paragraph (1) shall be based on the volume of oilheat sold in a State by each retail marketer in the calendar year previous to the year in which the referendum is conducted or in another representative period.

(B) WHOLESALE DISTRIBUTORS.—Voting rights of wholesale distributors in a referendum under paragraph (1) shall be based on the volume of No. 1 distillate and No. 2 dyed distillate sold in a State by each wholesale distributor in the calendar year previous to the year in which the referendum is conducted or in another representative period, weighted by the ratio of the total volume of No. 1 distillate and No. 2 dyed distillate sold for nonindustrial commercial and residential space and hot water heating in the State to the total volume of No. 1 distillate and No. 2 dyed distillate sold in that State.

(5) ESTABLISHMENT BY APPROVAL OF TWO-THIRDS.—

(A) IN GENERAL.—Subject to subparagraph (B), on approval of persons representing two-thirds of the total volume of oilheat voted in the retail marketer class and two-thirds of the total weighted volume of No. 1 distillate and No. 2 dyed distillate voted in the wholesale distributor class, the Alliance shall be established and shall be authorized to levy assessments under section 707.

(B) REQUIREMENT OF MAJORITY OF RETAIL MARKETERS.—Except as provided in subsection (b), the oilheat industry in a State shall not participate in the Alliance if less than 50 percent of the retail marketer vote in the State approves establishment of the Alliance.

(6) CERTIFICATION OF VOLUMES.—Each person voting in the referendum shall certify to the independent auditing firm the volume of oilheat, No. 1 distillate, or No. 2 dyed distillate represented by the vote of the person.

(7) NOTIFICATION.—Not later than 90 days after the date of enactment of this title, a qualified State association may notify the qualified industry organization in writing that a referendum under paragraph (1) will not be conducted in the State.

(b) SUBSEQUENT STATE PARTICIPATION.—The oilheat industry in a State that has not participated initially in the Alliance may subsequently elect to participate by conducting a referendum under subsection (a).

(c) TERMINATION OR SUSPENSION.—

(1) IN GENERAL.—On the initiative of the Alliance or on petition to the Alliance by retail marketers and wholesale distributors representing 25 percent of the volume of oilheat or weighted No. 1 distillate and No. 2 dyed distillate in each class, the Alliance shall, at its own expense, hold a referendum, to be conducted by an independent auditing firm selected by the Alliance, to determine whether the oilheat industry favors termination or suspension of the Alliance.

(2) VOLUME PERCENTAGES REQUIRED TO TERMINATE OR SUSPEND.—Termination or suspension shall not take effect unless termination or suspension is approved by persons representing more than one-half of the total volume of oilheat voted in the retail marketer class or more than one-half of the total volume of weighted No. 1 distillate and No. 2 dyed distillate voted in the wholesale distributor class.

(3) TERMINATION BY A STATE.—A State may elect to terminate participation by notifying the Alliance that 50 percent of the oilheat volume in the State has voted in a referendum to withdraw.

(d) CALCULATION OF OILHEAT SALES.—For the purposes of this section and section 705, the volume of oilheat sold annually in a State shall be determined on the basis of information provided by the Energy Information Administration with respect to a calendar year or other representative period.

SEC. 705. MEMBERSHIP.

(a) SELECTION.—

(1) IN GENERAL.—Except as provided in subsection (c)(1)(C), the qualified industry organization shall select members of the Alliance representing the oilheat industry in a State from a list of nominees submitted by the qualified State association in the State.

(2) VACANCIES.—A vacancy in the Alliance shall be filled in the same manner as the original selection.

(b) REPRESENTATION.—In selecting members of the Alliance, the qualified industry organization shall make best efforts to select members that are representative of the oilheat industry, including representation of—

(1) interstate and intrastate operators among retail marketers;

(2) wholesale distributors of No. 1 distillate and No. 2 dyed distillate;

(3) large and small companies among wholesale distributors and retail marketers; and

(4) diverse geographic regions of the country.

(c) NUMBER OF MEMBERS.—

(1) IN GENERAL.—The membership of the Alliance shall be as follows:

(A) One member representing each State with oilheat sales in excess of 32,000,000 gallons per year.

(B) If fewer than 24 States are represented under subparagraph (A), 1 member representing each of the States with the highest volume of annual oilheat sales, as necessary to cause the total number of States represented under subparagraph (A) and this subparagraph to equal 24.

(C) 5 representatives of retail marketers, 1 each to be selected by the qualified State associations of the 5 States with the highest volume of annual oilheat sales.

(D) 5 additional representatives of retail marketers.

(E) 21 representatives of wholesale distributors.

(F) 6 public members, who shall be representatives of significant users of oilheat, the oilheat research community, State energy officials, or other groups knowledgeable about oilheat.

(2) FULL-TIME OWNERS OR EMPLOYEES.—Other than the public members, Alliance members shall be full-time owners or employees of members of the oilheat industry, except that members described in subparagraphs (C), (D), and (E) of paragraph (1) may be employees of the qualified industry organization or an industry trade association.

(d) COMPENSATION.—Alliance members shall receive no compensation for their service, nor shall Alliance members be reimbursed for expenses relating to their service, except that public members, on request, may be reimbursed for reasonable expenses directly related to participation in meetings of the Alliance.

(e) TERMS.—

(1) IN GENERAL.—Subject to paragraph (4), a member of the Alliance shall serve a term of 3 years, except that a member filling an unexpired term may serve a total of 7 consecutive years.

(2) TERM LIMIT.—A member may serve not more than 2 full consecutive terms.

(3) FORMER MEMBERS.—A former member of the Alliance may be returned to the Alliance if the member has not been a member for a period of 2 years.

(4) INITIAL APPOINTMENTS.—Initial appointments to the Alliance shall be for terms of 1, 2, and 3 years, as determined by the qualified industry organization, staggered to provide for the subsequent selection of one-third of the members each year.

SEC. 706. FUNCTIONS.

(a) IN GENERAL.—

(1) PROGRAMS, PROJECTS; CONTRACTS AND OTHER AGREEMENTS.—The Alliance—

(A) shall develop programs and projects and enter into contracts or other agreements with other persons and entities for implementing this title, including programs—

(i) to enhance consumer and employee safety and training;

(ii) to provide for research, development, and demonstration of clean and efficient oilheat utilization equipment; and

(iii) for consumer education; and

(B) may provide for the payment of the costs of carrying out subparagraph (A) with assessments collected under section 707.

(2) COORDINATION.—The Alliance shall coordinate its activities with industry trade associations and other persons as appropriate to provide efficient delivery of services and to avoid unnecessary duplication of activities.

(3) ACTIVITIES.—

(A) EXCLUSIONS.—Activities under clause (i) or (ii) of paragraph (1)(A) shall not include advertising, promotions, or consumer surveys in support of advertising or promotions.

(B) RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACTIVITIES.—

(i) IN GENERAL.—Research, development, and demonstration activities under paragraph (1)(A)(ii) shall include—

(I) all activities incidental to research, development, and demonstration of clean and efficient oilheat utilization equipment; and

(II) the obtaining of patents, including payment of attorney's fees for making and perfecting a patent application.

(ii) EXCLUDED ACTIVITIES.—Research, development, and demonstration activities under paragraph (1)(A)(ii) shall not include research, development, and demonstration of oilheat utilization equipment with respect to which technically feasible and commercially feasible operations have been verified, except that funds may be provided for improvements to existing equipment until the technical feasibility and commercial feasibility of the operation of those improvements have been verified.

(b) PRIORITIES.—In the development of programs and projects, the Alliance shall give priority to issues relating to—

(1) research, development, and demonstration;

(2) safety;

(3) consumer education; and

(4) training.

(c) ADMINISTRATION.—

(1) OFFICERS; COMMITTEES; BYLAWS.—The Alliance—

(A) shall select from among its members a chairperson and other officers as necessary;

(B) may establish and authorize committees and subcommittees of the Alliance to take specific actions that the Alliance is authorized to take; and

(C) shall adopt bylaws for the conduct of business and the implementation of this title.

(2) SOLICITATION OF OILHEAT INDUSTRY COMMENT AND RECOMMENDATIONS.—The Alliance shall establish procedures for the solicitation of oilheat industry comment and recommendations

on any significant contracts and other agreements, programs, and projects to be funded by the Alliance.

(3) ADVISORY COMMITTEES.—The Alliance may establish advisory committees consisting of persons other than Alliance members.

(4) VOTING.—Each member of the Alliance shall have 1 vote in matters before the Alliance.

(d) ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—The administrative expenses of operating the Alliance (not including costs incurred in the collection of assessments under section 707) plus amounts paid under paragraph (2) shall not exceed 7 percent of the amount of assessments collected in any calendar year, except that during the first year of operation of the Alliance such expenses and amounts shall not exceed 10 percent of the amount of assessments.

(2) REIMBURSEMENT OF THE SECRETARY.—

(A) IN GENERAL.—The Alliance shall annually reimburse the Secretary for costs incurred by the Federal Government relating to the Alliance.

(B) LIMITATION.—Reimbursement under subparagraph (A) for any calendar year shall not exceed the amount that the Secretary determines is twice the average annual salary of 1 employee of the Department of Energy.

(e) BUDGET.—

(1) PUBLICATION OF PROPOSED BUDGET.—Before August 1 of each year, the Alliance shall publish for public review and comment a proposed budget for the next calendar year, including the probable costs of all programs, projects, and contracts and other agreements.

(2) SUBMISSION TO THE SECRETARY AND CONGRESS.—After review and comment under paragraph (1), the Alliance shall submit the proposed budget to the Secretary and Congress.

(3) RECOMMENDATIONS BY THE SECRETARY.—The Secretary may recommend for inclusion in the budget programs and activities that the Secretary considers appropriate.

(4) IMPLEMENTATION.—The Alliance shall not implement a proposed budget until the expiration of 60 days after submitting the proposed budget to the Secretary.

(f) RECORDS; AUDITS.—

(1) RECORDS.—The Alliance shall—

(A) keep records that clearly reflect all of the acts and transactions of the Alliance; and

(B) make the records available to the public.

(2) AUDITS.—

(A) IN GENERAL.—The records of the Alliance (including fee assessment reports and applications for refunds under section 707(b)(4)) shall be audited by a certified public accountant at least once each year and at such other times as the Alliance may designate.

(B) AVAILABILITY OF AUDIT REPORTS.—Copies of each audit report shall be provided to the Secretary, the members of the Alliance, and the qualified industry organization, and, on request, to other members of the oilheat industry.

(C) POLICIES AND PROCEDURES.—

(i) IN GENERAL.—The Alliance shall establish policies and procedures for auditing compliance with this title.

(ii) CONFORMITY WITH GAAP.—The policies and procedures established under clause (i) shall conform with generally accepted accounting principles.

(g) PUBLIC ACCESS TO ALLIANCE PROCEEDINGS.—

(1) PUBLIC NOTICE.—The Alliance shall give at least 30 days' public notice of each meeting of the Alliance.

(2) MEETINGS OPEN TO THE PUBLIC.—Each meeting of the Alliance shall be open to the public.

(3) MINUTES.—The minutes of each meeting of the Alliance shall be made available to and readily accessible by the public.

(h) ANNUAL REPORT.—Each year the Alliance shall prepare and make publicly available a report that—

(1) includes a description of all programs, projects, and contracts and other agreements undertaken by the Alliance during the previous year and those planned for the current year; and

(2) details the allocation of Alliance resources for each such program and project.

SEC. 707. ASSESSMENTS.

(a) RATE.—The assessment rate shall be equal to two-tenths-cent per gallon of No. 1 distillate and No. 2 dyed distillate.

(b) COLLECTION RULES.—

(1) COLLECTION AT POINT OF SALE.—The assessment shall be collected at the point of sale of No. 1 distillate and No. 2 dyed distillate by a wholesale distributor to a person other than a wholesale distributor, including a sale made pursuant to an exchange.

(2) RESPONSIBILITY FOR PAYMENT.—A wholesale distributor—

(A) shall be responsible for payment of an assessment to the Alliance on a quarterly basis; and

(B) shall provide to the Alliance certification of the volume of fuel sold.

(3) NO OWNERSHIP INTEREST.—A person that has no ownership interest in No. 1 distillate or No. 2 dyed distillate shall not be responsible for payment of an assessment under this section.

(4) FAILURE TO RECEIVE PAYMENT.—

(A) REFUND.—A wholesale distributor that does not receive payments from a purchaser for No. 1 distillate or No. 2 dyed distillate within 1 year of the date of sale may apply for a refund from the Alliance of the assessment paid.

(B) AMOUNT.—The amount of a refund shall not exceed the amount of the assessment levied on the No. 1 distillate or No. 2 dyed distillate for which payment was not received.

(5) IMPORTATION AFTER POINT OF SALE.—The owner of No. 1 distillate or No. 2 dyed distillate imported after the point of sale—

(A) shall be responsible for payment of the assessment to the Alliance at the point at which the product enters the United States; and

(B) shall provide to the Alliance certification of the volume of fuel imported.

(6) LATE PAYMENT CHARGE.—The Alliance may establish a late payment charge and rate of interest to be imposed on any person who fails to remit or pay to the Alliance any amount due under this title.

(7) ALTERNATIVE COLLECTION RULES.—The Alliance may establish, or approve a request of the oilheat industry in a State for, an alternative means of collecting the assessment if another means is determined to be more efficient or more effective.

(c) SALE FOR USE OTHER THAN AS OILHEAT.—No. 1 distillate and No. 2 dyed distillate sold for uses other than as oilheat are excluded from the assessment.

(d) INVESTMENT OF FUNDS.—Pending disbursement under a program, project or contract or other agreement the Alliance may invest funds collected through assessments, and any other funds received by the Alliance, only—

(1) in obligations of the United States or any agency of the United States;

(2) in general obligations of any State or any political subdivision of a State;

(3) in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System; or

(4) in obligations fully guaranteed as to principal and interest by the United States.

(e) STATE, LOCAL, AND REGIONAL PROGRAMS.—

(1) COORDINATION.—The Alliance shall establish a program coordinating the operation of the Alliance with the operator of any similar State, local, or regional program created under State law (including a regulation), or similar entity.

(2) FUNDS MADE AVAILABLE TO QUALIFIED STATE ASSOCIATIONS.—

(A) IN GENERAL.—

(i) BASE AMOUNT.—The Alliance shall make available to the qualified State association of each State an amount equal to 15 percent of the amount of assessments collected in the State.

(ii) ADDITIONAL AMOUNT.—

(I) IN GENERAL.—A qualified State association may request that the Alliance provide to the association any portion of the remaining 85 percent of the amount of assessments collected in the State.

(II) REQUEST REQUIREMENTS.—A request under this clause shall—

(aa) specify the amount of funds requested;

(bb) describe in detail the specific uses for which the requested funds are sought;

(cc) include a commitment to comply with this title in using the requested funds; and

(dd) be made publicly available.

(III) DIRECT BENEFIT.—The Alliance shall not provide any funds in response to a request under this clause unless the Alliance determines that the funds will be used to directly benefit the oilheat industry.

(IV) MONITORING; TERMS, CONDITIONS, AND REPORTING REQUIREMENTS.—The Alliance shall—

(aa) monitor the use of funds provided under this clause; and

(bb) impose whatever terms, conditions, and reporting requirements that the Alliance considers necessary to ensure compliance with this title.

SEC. 708. MARKET SURVEY AND CONSUMER PROTECTION.

(a) PRICE ANALYSIS.—Beginning 2 years after establishment of the Alliance and annually thereafter, the Secretary of Commerce, using only data provided by the Energy Information Administration and other public sources, shall prepare and make available to the Congress, the Alliance, the Secretary of Energy, and the public, an analysis of changes in the price of oilheat relative to other energy sources. The oilheat price analysis shall compare indexed changes in the price of consumer grade oilheat to a composite of indexed changes in the price of residential electricity, residential natural gas, and propane on an annual national average basis. For purposes of indexing changes in oilheat, residential electricity, residential natural gas, and propane prices, the Secretary of Commerce shall use a 5-year rolling average price beginning with the year 4 years prior to the establishment of the Alliance.

(b) AUTHORITY TO RESTRICT ACTIVITIES.—If in any year the 5-year average price composite index of consumer grade oilheat exceeds the 5-year rolling average price composite index of residential electricity, residential natural gas, and propane in an amount greater than 10.1 percent, the activities of the Alliance shall be restricted to research and development, training, and safety matters. The Alliance shall inform the Secretary of Energy and the Congress of any restriction of activities under this subsection. Upon expiration of 180 days after the beginning of any such restriction of activities, the Secretary of Commerce shall again conduct the oilheat price analysis described in subsection (a). Activities of the Alliance shall continue to be restricted under this subsection until the price index excess is 10.1 percent or less.

SEC. 709. COMPLIANCE.

(a) IN GENERAL.—The Alliance may bring a civil action in United States district court to compel payment of an assessment under section 707.

(b) COSTS.—A successful action for compliance under this section may also require payment by the defendant of the costs incurred by the Alliance in bringing the action.

SEC. 710. LOBBYING RESTRICTIONS.

No funds derived from assessments under section 707 collected by the Alliance shall be used to influence legislation or elections, except that the Alliance may use such funds to formulate and submit to the Secretary recommendations for amendments to this title or other laws that would further the purposes of this title.

SEC. 711. DISCLOSURE.

Any consumer education activity undertaken with funds provided by the Alliance shall include a statement that the activities were supported, in whole or in part, by the Alliance.

SEC. 712. VIOLATIONS.

(a) PROHIBITION.—It shall be unlawful for any person to conduct a consumer education activity, undertaken with funds derived from assessments collected by the Alliance under section 707, that includes—

(1) a reference to a private brand name;

(2) a false or unwarranted claim on behalf of oilheat or related products; or

(3) a reference with respect to the attributes or use of any competing product.

(b) COMPLAINTS.—

(1) IN GENERAL.—A public utility that is aggrieved by a violation described in subsection (a) may file a complaint with the Alliance.

(2) TRANSMITTAL TO QUALIFIED STATE ASSOCIATION.—A complaint shall be transmitted concurrently to any qualified State association undertaking the consumer education activity with respect to which the complaint is made.

(3) CESSATION OF ACTIVITIES.—On receipt of a complaint under this subsection, the Alliance, and any qualified State association undertaking the consumer education activity with respect to which the complaint is made, shall cease that consumer education activity until—

(A) the complaint is withdrawn; or

(B) a court determines that the conduct of the activity complained of does not constitute a violation of subsection (a).

(c) RESOLUTION BY PARTIES.—

(1) IN GENERAL.—Not later than 10 days after a complaint is filed and transmitted under subsection (b), the complaining party, the Alliance, and any qualified State association undertaking the consumer education activity with respect to which the complaint is made shall meet to attempt to resolve the complaint.

(2) WITHDRAWAL OF COMPLAINT.—If the issues in dispute are resolved in those discussions, the complaining party shall withdraw its complaint.

(d) JUDICIAL REVIEW.—

(1) IN GENERAL.—A public utility filing a complaint under this section, the Alliance, a qualified State association undertaking the consumer education activity with respect to which a complaint under this section is made, or any person aggrieved by a violation of subsection (a) may seek appropriate relief in United States district court.

(2) RELIEF.—A public utility filing a complaint under this section shall be entitled to temporary and injunctive relief enjoining the consumer education activity with respect to which a complaint under this section is made until—

(A) the complaint is withdrawn; or

(B) the court has determined that the consumer education activity complained of does not constitute a violation of subsection (a).

(e) ATTORNEY'S FEES.—

(1) MERITORIOUS CASE.—In a case in Federal court in which the court grants a public utility injunctive relief under subsection (d), the public utility shall be entitled to recover an attorney's fee from the Alliance and any qualified State association undertaking the consumer education activity with respect to which a complaint under this section is made.

(2) NONMERITORIOUS CASE.—In any case under subsection (d) in which the court determines a complaint under subsection (b) to be frivolous and without merit, the prevailing party shall be entitled to recover an attorney's fee.

(f) SAVINGS CLAUSE.—Nothing in this section shall limit causes of action brought under any other law.

SEC. 713. SUNSET.

This title shall cease to be effective as of the date that is 4 years after the date on which the Alliance is established.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GREENWOOD and Mr. MARKEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.10 ADDITIONAL COSPONSORS—H.R. 1239

Mr. MARKEY, by unanimous consent, was authorized to be considered as the first sponsor of the bill (H.R. 1239) to designate certain lands in Alaska as wilderness, as originally introduced by the late Representative Bruce F. Vento; for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7(b)(4) of rule XII.

¶114.11 MORGAN STATION

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 5143) to designate the facility of the United States Postal Service located at 3160 Irvin Cobb Drive, in Paducah, Kentucky, as the ''Morgan Station''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.12 TIM LEE CARTER POST OFFICE

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 5144) to designate the facility of the United States Postal Service located at 203 West Paige Street, in Tompkinsville, Kentucky, as the ''Tim Lee Carter Post Office Building''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.13 MARJORY WILLIAMS SCRIVENS POST OFFICE

Mr. LATOURETTE moved to suspend the rules and pass the bill (H.R. 5068) to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Marjory Williams Scrivens Post Office''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Mr. DAVIS of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.14 ITALIAN-AMERICAN HERITAGE MONTH

Mr. LATOURETTE moved to suspend the rules and agree to the following resolution (H. Res. 347):

Whereas Italians, like Amerigo Vespucci and Christopher Columbus, were some of the first explorers to discover the American continents and illustrate the geography;

Whereas Italians and Italian Americans have made great contributions to America's society economically, culturally, and politically;

Whereas Italian Americans have won prestigious prizes, such as the Nobel Prize, the Pritzker Award for architecture, and the Fields Medal for mathematics;

Whereas Italians and Italian Americans invented pianos, violins, calendars, radios, telescopes, compasses, microscopes, thermometers, eye glasses, steam engines, typewriters, and batteries;

Whereas Italian Americans have toiled and labored while helping to build our Nation's infrastructure, including railroads, tunnels, highways, and subways;

Whereas a great many Americans have enjoyed the entertainment provided by Italian Americans, such as Hall of Fame baseball player Joe DiMaggio, singer and songwriter Frank Sinatra, world-renowned composer Henry Mancini, and Oscar-winning actor Robert DeNiro;

Whereas great Italian American political figures, such as Fiorella La Guardia (who was both Mayor of, then Congressman from, New York City), Anthony Celebrezze (who, in the Kennedy administration, was the first Italian American Cabinet member), and

Antonin Scalia (who, in 1982, became the first Italian American Supreme Court Justice), have enriched the political process and brought national pride to our country;

Whereas over 5.4 million Italians immigrated to the United States between 1820 and 1991, which today has resulted in over 26 million Americans of Italian descent in the United States, making them the fifth largest ethnic group; and

Whereas the Massachusetts Legislature has designated the month of October as ''Italian-American Heritage Month'' in Massachusetts: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideas of ''Italian-American Heritage Month'' and recognizes the significant contributions that Italian Americans have made to the United States.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. LATOURETTE and Mr. CAPUANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶114.15 COASTAL BARRIER RESOURCES

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 1752) to reauthorize and amend the Coastal Barrier Resources Act.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. CHRISTENSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.16 PALMETTO BEND CONVEYANCE

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 1474) providing conveyance of the Palmetto Bend project to the State of Texas.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. CHRISTENSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.17 LIBERTY MEMORIAL

Mr. HANSEN moved to suspend the rules and agree to the following concurrent resolution of the Senate (S. Con. Res. 114):

Whereas over 4 million Americans served in World War I, however, there is no nationally recognized symbol honoring the service of such Americans;

Whereas in 1919, citizens of Kansas City expressed an outpouring of support, raising over $2,000,000 in 2 weeks, which was a fundraising accomplishment unparalleled by any other city in the United States irrespective of population;

Whereas on November 1, 1921, the monument site was dedicated marking the only time in history that the 5 Allied military leaders (Lieutenant General Baron Jacques of Belgium, General Armando Diaz of Italy, Marshal Ferdinand Foch of France, General John J. Pershing of the United States, and Admiral Lord Earl Beatty of Great Britain) were together at one place;

Whereas during a solemn ceremony on Armistice Day in 1924, President Calvin Coolidge marked the beginning of a 3-year construction project by the laying of the cornerstone of the Liberty Memorial;

Whereas the 217-foot Memorial Tower topped with 4 stone ''Guardian Spirits'' representing courage, honor, patriotism, and sacrifice, rises above the observation deck, making the Liberty Memorial a noble tribute to all who served;

Whereas during a rededication of the Liberty Memorial in 1961, former Presidents Harry S. Truman and Dwight D. Eisenhower recognized the memorial as a constant reminder of the sacrifices during World War I and the progress that followed;

Whereas the Liberty Memorial is the only public museum in the United States specifically dedicated to the history of World War I; and

Whereas the Liberty Memorial is internationally known as a major center of World War I remembrance: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Liberty Memorial in Kansas City, Missouri, is recognized as a national World War I symbol, honoring those who defended liberty and our country through service in World War I.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. CHRISTENSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.18 DENALI NATIONAL PARK

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 698) to review the suitability and feasibility of recovering costs of high altitude rescues at Denali National Park and Preserve in the State of Alaska, and for other purposes.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. CHRISTENSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.19 NATIONAL LAW ENFORCEMENT MUSEUM

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 1438) to establish the National Law Enforcement Museum on Federal land in the District of Columbia.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. CHRISTENSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.20 HAMILTON GRANGE

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 5478) to authorize the Secretary of the Interior to acquire by donation suitable land to serve as the new location for the home of Alexander Hamilton, commonly known as the Hamilton Grange, and to authorize the relocation of the Hamilton Grange to the acquired land.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HANSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.21 CALIFORNIA TRAIL

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 2749) to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the setting of the western portion of the United States; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. CHRISTENSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.22 ERIE CANALWAY NATIONAL HERITAGE CORRIDOR

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 5375) to establish the Erie Canalway National Heritage Corridor in the State of New York, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. HANSEN and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. CHRISTENSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceeding on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.23 OLDER AMERICANS AMENDMENTS

Mr. McKEON moved to suspend the rules and pass the bill (H.R. 782) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2000 through 2003; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. McKEON and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GOODLING demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶114.24 COMPUTER SECURITY ENHANCEMENT

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 2413) to amend the National Institute of Standards and Technology Act to enhance the ability of the National Institute of Standards and Technology to improve computer security, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. SENSENBRENNER and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HALL of Texas objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.25 NATIONAL SCIENCE EDUCATION

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 4271) to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. SENSENBRENNNER and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

Ms. Eddie Bernice JOHNSON of Texas demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶114.26 AMERICAN MUSEUM OF SCIENCE AND ENERGY

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 4940) to designate the museum operated by the Secretary of Energy in Oak Ridge, Tennessee, as the ''American Museum of Science and Energy'', and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. SENSENBRENNER and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HALL of Texas objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.27 ITALIAN AMERICANS CIVIL LIBERTIES

Mrs. BONO moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 2442) to provide for the preparation of a Government report detailing injustices suffered by Italian Americans during World War II, and a formal acknowledgement of such injustices by the President:

Page 3, line 11, strike out ''Inspector'' and insert ''*Attorney*''.

Page 3, line 11, strike out ''of the Department of Justice''

Page 5, line 7, strike out ''why some'' and insert ''*whether*''.

Page 5, line 9, strike out ''while'' and insert ''*and if so, why*''.

Page 7, strike out line 1

Page 7, line 2, before ''The'' insert: *(5)*

Page 7, line 2, strike out ''shall'' and insert ''*should*''.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mrs. BONO and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.28 MERIT SYSTEMS RESOLUTION

Mrs. BONO moved to suspend the rules and pass the bill (H.R. 3312) to clarify the Administrative Dispute Resolution Act of 1996 to authorize the Merit Systems Protection Board to establish under such Act a 3-year pilot program that will provide a voluntary early intervention alternative dispute resolution process to assist Federal agencies and employees in resolving certain personnel actions and disputes in administrative programs; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mrs. BONO and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to clarify the Administrative Dispute Resolution Act of 1996 to authorize the Merit Systems Protection Board to establish under such Act a 3-year pilot program that will provide a voluntary early intervention alternative dispute resolution process to assist Federal agencies and employees in resolving certain personnel actions.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.29 GAMING CLARIFICATION

Mrs. BONO moved to suspend the rules and pass the bill of the Senate (S. 893) to amend title 46, United States Code, to provide equitable treatment with respect to State and local income taxes for certain individuals who perform duties on vessels.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mrs. BONO and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.30 AMBER PLAN

Mr. CHABOT moved to suspend the rules and agree to the following resolution (H. Res. 605):

Whereas communities should implement an emergency alert plan such as the Amber Plan to expedite the recovery of abducted children;

Whereas the Amber Plan, a partnership between law enforcement agencies and media officials, assists law enforcement, parents, and local communities to respond immediately to the most serious child abduction cases;

Whereas the Amber Plan was created in 1996 in memory of 9-year-old Amber Hagerman who was kidnapped and murdered in Arlington, Texas;

Whereas in response to community concern, the Association of Radio Managers with the assistance of area law enforcement in Arlington, Texas, created the Amber Plan;

Whereas, to date, the Amber Plan is credited with saving the lives of at least 9 children nationwide;

Whereas the National Center for Missing and Exploited Children endorses the Amber Plan and is promoting the use of such emergency alert plans nationwide;

Whereas the Amber Plan is responsible for reuniting children with their searching parents: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that Amber Plan is a powerful tool in fighting child abductions and should be used across the United States.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. CHABOT and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶114.31 AMERICA'S LAW ENFORCEMENT AND MENTAL HEALTH

Mr. CHABOT moved to suspend the rules and pass the bill of the Senate (S. 1865) to provide grants to establish demonstration mental health courts.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. CHABOT and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SCOTT objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.32 SUDAN PEACE

Mr. GILMAN moved to suspend the rules and pass the bill of the Senate (S. 1453) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan; as amended.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. GILMAN and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LANTOS objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. HANSEN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

¶114.33 ASSASSINATION OF FATHER JOHN KAISER

Mr. GILMAN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 410):

Whereas Father John Kaiser, a Catholic of the Order of the Mill Hill Missionaries and a native of Minnesota who served as a missionary in the Kisii and Ngong Dioceses in the Republic of Kenya for 36 years advocating the rights of all Kenyans, was shot dead on August 23, 2000;

Whereas Father Kaiser was a frequently outspoken advocate on issues of human rights and against the injustice of government corruption in Kenya;

Whereas fellow priests have stated that Father Kaiser had told them the night before he was killed that he feared for his life;

Whereas the brutal murders of Father Stallone, Father Graiff, and Father Luigi Andeni, all of the Marsabit Diocese, and the circumstances of the murder of Brother Larry Timons of the Nakuru Diocese, and that of Father Martin Boyle of the Eldoret Diocese have not yet been satisfactorily investigated nor have the perpetrators of the murders been brought to justice, raising growing concern over the rule of law and the justice system in Kenya;

Whereas Father Kaiser's death is one more example of the hostile actions being directed against Kenyan civil society and in particular human rights groups and advocates;

Whereas the report of a Kenyan governmental commission, known as the Akiwumi Commission, on the investigation into the politically motivated ethnic violence between 1992–1997 in Kenya's Great Rift Valley, has not yet been released, in spite of several requests by numerous church leaders and human rights organizations to have the Commission's findings released to the public;

Whereas documents were found on Father Kaiser's body that he had intended to hand over to the Akiwumi Commission;

Whereas the Kenyan Human Rights Commission has expressed the fear that the

progress in the struggle for democracy, the rule of law, respect for human rights, and the basic needs of all Kenyans achieved during the last few years is jeopardized by the current Kenyan Government;

Whereas the Kenyan Human Rights Commission has expressed concern over the continued blatant violations of the rule of law and the constitution, acts of torture, and murder and rape by the Kenyan security forces;

Whereas private armies that work with the police are known to exist in Kenya and the Government of Kenya encourages informal repression as a means of intimidating and denying citizens their rights; and

Whereas the human rights movement in Kenya is in need of international support and solidarity for the important work they are doing: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) condemns the violent deaths of Father John Kaiser and others who worked to promote human rights and justice in the Republic of Kenya and expresses its outrage with respect to such deaths;

(2) calls for an independent investigation of such deaths, in addition to the initiatives of the Government of Kenya;

(3) calls on the Secretary of State, acting through the Assistant Secretary for Democracy, Human Rights, And Labor, to prepare and submit to the Congress, not later than December 15, 2000, a report on the progress of the independent investigation and initiatives of the Government of Kenya described in paragraph (2);

(4) calls for the findings of such independent investigation to be made public; and

(5) calls on the President to support such independent investigation through all diplomatic means.

The SPEAKER pro tempore, Mr. HANSEN, recognized Mr. GILMAN and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. HANSEN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

On motion of Mr. GILMAN, by unanimous consent, the Committee on International Relations was discharged from further consideration of the concurrent resolution of Senate (S. Con. Res. 146) condemning the assassination of Father John Kaiser and others in Kenya, and calling for a thorough investigation to be conducted in those cases, a report on the progress made in such an investigation to be submitted to Congress by December 15, 2000, and a final report on such an investigation to be made public, and for other purposes.

When said concurrent resolution was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

By unanimous consent, H. Con. Res. 410, a similar concurrent resolution, was laid on the table.

¶114.34 GOVERNMENT IN AFGHANISTAN

Mr. GILMAN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 414); as amended:

Whereas Afghanistan has existed as a sovereign nation since 1747, maintaining its independence, neutrality, and dignity;

Whereas Afghanistan had maintained its own decisionmaking through a traditional process called a ''Loya Jirgah'', or Grand Assembly, by selecting, respecting, and following the decisions of their leaders;

Whereas recently warlords, factional leaders, and foreign regimes have laid siege to Afghanistan, leaving the landscape littered with landmines, making the most fundamental activities dangerous;

Whereas in recent years, and especially since the Taliban came to power in 1996, Afghanistan has become a haven for terrorist activity, has produced most of the world's opium supply, and has become infamous for its human rights abuses, particularly abuses against women and children;

Whereas the former King of Afghanistan, Mohammed Zahir Shah, ruled the country peacefully for 40 years, and after years in exile retains his popularity and support; and

Whereas former King Mohammed Zahir Shah plans to convene an emergency ''Loya Jirgah'' to reestablish a stable government, with no desire to regain power or reestablish a monarchy, and the Department of State supports such ongoing efforts: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the United States—

(1) supports democratic efforts that respect the human and political rights of all ethnic and religious groups in Afghanistan, including the effort to establish a ''Loya Jirgah'' process that would lead to the people of Afghanistan determining their own destiny through a democratic process and free and fair elections; and

(2) supports the continuing efforts of former King Mohammed Zahir Shah and other responsible parties searching for peace to convene a Loya Jirgah—

(A) to reestablish a representative government in Afghanistan that respects the rights of all ethnic groups, including the right to govern their own affairs through inclusive institution building and a democratic process;

(B) to bring freedom, peace, and stability to Afghanistan; and

(C) to end terrorist activities, illicit drug production, and human rights abuses in Afghanistan.

The SPEAKER pro tempore, Mr. THORNBERRY, recognized Mr. GILMAN and Mr. LANTOS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LANTOS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶114.35 MIDDLE EAST VIOLENCE

Mr. GILMAN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 426):

Whereas the Arab-Israeli conflict must be resolved by peaceful negotiation;

Whereas since 1993 Israel and the Palestinians have been engaged in intensive negotiations over the future of the West Bank and Gaza;

Whereas the United States, through its consistent support of Israel and the cause of peace, made the current peace process possible;

Whereas the underlying basis of those negotiations was recognition of the Palestine Liberation Organization (PLO) by Israel in exchange for the renunciation of violence by the PLO and its Chairman Yasser Arafat, first expressed in a letter to then-Israeli Prime Minister Yitzhak Rabin dated September 9, 1993, in which Mr. Arafat stated: ''[T]he PLO renounces the use of terrorism and other acts of violence, and will assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations and discipline violators.'';

Whereas as a result of those negotiations, the Palestinians now fully control over 40 percent of the West Bank and Gaza, with over 95 percent of the Palestinian population under the civil administration of the Palestinian Authority;

Whereas as a result of peace negotiations, Israel turned over control of these areas to the Palestinian Authority with the clear understanding and expectation that the Palestinians would maintain order and security there;

Whereas the Palestinian Authority, with the assistance of Israel and the international community, created a strong police force, almost twice the number allowed under the Oslo Accords, specifically to maintain public order;

Whereas the Government of Israel made clear to the world its commitment to peace at Camp David, where it expressed its readiness to take wide-ranging and painful steps in order to bring an end to the conflict, but these proposals were rejected by Chairman Arafat;

Whereas perceived provocations must only be addressed at the negotiating table;

Whereas it is only through negotiations, and not through violence, that the Palestinians can hope to achieve their political aspirations;

Whereas even in the face of the desecration of Joseph's Tomb, a Jewish holy site in the West Bank, the Government of Israel has made it clear that it will withdraw forces from Palestinian areas if the Palestinian Authority maintains order in those areas; and

Whereas the Palestinian leadership not only did too little for far too long to control the violence, but in fact encouraged it: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) expresses its solidarity with the state and people of Israel at this time of crisis;

(2) condemns the Palestinian leadership for encouraging the violence and doing so little for so long to stop it, resulting in the senseless loss of life;

(3) calls upon the Palestinian leadership to refrain from any exhortations to public incitement, urges the Palestinian leadership to vigorously use its security forces to act im-

mediately to stop all violence, to show respect for all holy sites, and to settle all grievances through negotiations;

(4) commends successive Administrations on their continuing efforts to achieve peace in the Middle East;

(5) urges the current Administration to use its veto power at the United Nations Security Council to ensure that the Security Council does not again adopt unbalanced resolutions addressing the uncontrolled violence in the areas controlled by the Palestinian Authority; and

(6) calls on all parties involved in the Middle East conflict to make all possible efforts to reinvigorate the peace process in order to prevent further senseless loss of life by all sides.

The SPEAKER pro tempore, Mr. THORNBERRY, recognized Mr. GILMAN and Mr. RAHALL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LANTOS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. THORNBERRY, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶114.36 MANUFACTURED HOUSING IMPROVEMENT

Mr. LEACH moved to suspend the rules and pass the bill of the Senate (S. 1452) to modernize the requirements under the National Manufactured Housing Construction and Safety Standards of 1974 and to establish a balanced consensus process for the development, revision, and interpretation of Federal construction and safety standards for manufactured homes; as amended.

The SPEAKER pro tempore, Mr. THORNBERRY, recognized Mr. LEACH and Mr. LAFALCE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to expand homeownership in the United States, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.37 FINANCIAL CONTRACT NETTING IMPROVEMENT

Mr. LEACH moved to suspend the rules and pass the bill (H.R. 1161) to revise the banking and bankruptcy insolvency laws with respect to the termination and netting of financial contracts, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. THORNBERRY, recognized Mr. LEACH and Mr. BENTSEN each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.38 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO ACCOMPANY H.R. 4656

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 634):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4656) to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site. All points of order against the bill and against its consideration are waived. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Resources; and (2) one motion to recommit.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 196 / Nays 181

¶114.39 [Roll No. 541]

YEAS—196

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

NAYS—181

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur

Kennedy
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Waters
Watt (NC)
Waxman
Wexler
Woolsey
Wu
Wynn

NOT VOTING—55

Becerra
Bilbray
Bilirakis
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Castle
Chenoweth-Hage
Crowley
Cubin
Danner
Deal
DeGette
Delahunt
DeLay
Dickey
Duncan
Engel
Fattah
Fletcher
Forbes
Fowler
Franks (NJ)
Gilman
Goode
Green (WI)
Hall (OH)
Hastings (FL)
Hilleary
Hyde
John
King (NY)
Klink
Kolbe
Lazio
Lewis (CA)
McCollum
McIntosh
Meek (FL)
Menendez
Mica
Ney
Nussle
Peterson (PA)
Shaw
Shays
Stupak
Talent
Visclosky
Watts (OK)
Weiner
Weygand
Wise
Wolf

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶114.40 H. CON. RES. 414 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 414) relating to the reestablishment of representative government in Afghanistan; as amended.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 381 / Nays 0

¶114.41 [Roll No. 542]

YEAS—381

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Metcalf
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—51

Becerra
Bilbray
Bilirakis
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Castle
Chenoweth-Hage
Crowley
Cubin
Danner
Deal
Delahunt
DeLay
Dickey
Duncan
Engel
Fattah
Forbes
Fowler
Franks (NJ)
Goode
Green (WI)
Hastings (FL)
Hilleary
Houghton
Hyde
John
King (NY)
Klink
Kolbe
Lazio
Lewis (CA)
McCollum
McIntosh
Meek (FL)
Menendez
Mica
Ney
Nussle
Peterson (PA)
Shaw
Stupak
Talent
Visclosky
Watts (OK)
Weiner
Weygand
Wise
Wolf

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶114.42 H.R. 4271—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4271) to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

It was decided in the negative ..... { Yeas ..... 215 / Nays ..... 156 / Answered present 4

¶114.43 [Roll No. 543]

YEAS—215

Aderholt
Allen
Armey
Bachus
Baker
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bereuter
Berkley
Biggert
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Coble
Collins
Combest
Cook
Cooksey
Costello
Cox
Cramer
Cunningham
Davis (VA)
Diaz-Balart
Dingell
Doolittle
Doyle
Dreier
Dunn

Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hobson
Hoeffel
Hoekstra
Holden
Holt
Horn
Houghton
Hulshof
Hutchinson
Inslee
Isakson
Istook
Jackson (IL)
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
Kingston
Kleczka
Knollenberg
Kuykendall
LaFalce
LaHood
Largent
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lipinski
Lucas (OK)
Maloney (CT)
Martinez
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Metcalf
Miller (FL)
Mollohan
Moore
Moran (KS)
Moran (VA)
Myrick
Nethercutt
Northup
Norwood
Obey
Olver
Ose
Oxley
Packard
Pascrell
Pease
Petri
Phelps
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Saxton
Scarborough
Sensenbrenner
Sessions
Shadegg
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Traficant
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NAYS—156

Abercrombie
Ackerman
Andrews
Archer
Baca
Baird
Baldacci
Baldwin
Bentsen
Berman
Berry
Blumenauer
Bonior
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Crane
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
DeMint
Deutsch
Dicks
Dixon
Doggett
Dooley
Edwards
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gonzalez
Gordon
Green (TX)
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hooley
Hostettler
Hoyer
Jefferson
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kucinich
Lampson
Lantos
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
Meehan
Meeks (NY)
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Ortiz
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Schaffer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Spratt
Stark
Stenholm
Strickland
Tancredo
Thompson (CA)
Thompson (MS)
Thurman
Tiahrt
Tierney
Toomey
Towns
Turner
Udall (NM)
Velazquez
Waters
Watt (NC)
Waxman
Wexler
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—4

Coburn
Jackson-Lee (TX)
Johnson, E. B.
Larson

NOT VOTING—57

Barr
Becerra
Bilbray
Bilirakis
Brady (PA)
Brown (FL)
Brown (OH)
Burton
Campbell
Castle
Chenoweth-Hage
Crowley
Cubin
Danner
Deal
Delahunt
DeLay
Dickey
Duncan
Engel
Fattah
Forbes
Fowler
Franks (NJ)
Goode
Green (WI)
Gutierrez
Hastings (FL)
Hilleary
Hunter
Hyde
John
King (NY)
Klink
Kolbe
Lazio
Lewis (CA)
McCollum
McIntosh
Meek (FL)
Menendez
Mica
Ney
Nussle
Peterson (PA)
Pickett
Roukema
Shaw
Stump
Stupak
Talent
Visclosky
Watts (OK)
Weiner
Weygand
Wise
Wolf

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill, as amended, was not passed.

¶114.44 S. 1752—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1752) to reauthorize and amend the Coastal Barrier Resources Act.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.45 S. 1474—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1474) providing conveyance of the Palmetto Bend project to the State of Texas.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.46 S. CON. RES. 114—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrrent resolution of the Senate (S. Con. Res. 114) recognizing the Liberty memorial in Kansas City, Missouri, as a national World War I symbol honoring those who defended liberty and our country through service in World War I.

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.47 S. 698—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 698) to review the suitability and feasibility of recovering costs of high altitude rescues at Denali National Park and Preserve in the State of Alaska, and for other purposes.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.48 S. 1438—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1438) to establish the National Law Enforcement Museum on Federal land in the District of Columbia.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.49 H.R. 5478—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5478) to authorize the Secretary of the Interior to acquire by donation suitable land to serve as the new location for the home of Alexander Hamilton, commonly known as the Hamilton Grange, and to authorize the relocation of the Hamilton Grange to the acquired land.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.50 S. 2749—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2749) to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the setting of the western portion of the United States; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

¶114.51 H.R. 5375—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5375) to establish the Erie Canalway National Heritage Corridor in the State of New York, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

Mr. HINCHEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 25, 2000.

¶114.52 BRING THEM HOME ALIVE

On motion of Mr. SMITH of Texas, by unanimous consent, the bill of the Senate (S. 484) to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.53 RELIEF OF PERSIAN GULF EVACUEES

On motion of Mr. SMITH of Texas, by unanimous consent, the bill (H.R. 3646) for the relief of certain Persian Gulf evacuees; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. ADJUSTMENT OF STATUS FOR CERTAIN PERSIAN GULF EVACUEES.

(a) IN GENERAL.—The Attorney General shall adjust the status of each alien referred to in subsection (b) to that of an alien lawfully admitted for permanent residence if the alien—

(1) applies for such adjustment;

(2) has been physically present in the United States for at least 1 year and is physically present in the United States on the date the application for such adjustment is filed;

(3) is admissible to the United States as an immigrant, except as provided in subsection (c); and

(4) pays a fee (determined by the Attorney General) for the processing of such application.

(b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STATUS.—The benefits provided in subsection (a) shall apply to the following aliens:

(1) Waddah Al-Zireeni, Enas Al-Zireeni, and Anwaar Al-Zireeni.

(2) Salah Mohamed Abu Eljibat, Ghada Mohamed Abu Eljibat, and Tareq Salah Abu Eljibat.

(3) Jehad Mustafa, Amal Mustafa, and Raed Mustafa.

(4) Shaher M. Abed.

(5) Zaid H. Khan and Nadira P. Khan.

(6) Rawhi M. Abu Tabanja, Basima Fareed Abu Tabanja, and Mohammed Rawhi Abu Tabanja.

(7) Reuben P. D'Silva, Anne P. D'Silva, Natasha Andrew Collette D'Silva, and Agnes D'Silva.

(8) Abbas I. Bhikhapurawala, Nafisa Bhikhapurawala, and Tasnim Bhikhapurawala.

(9) Fayez Sharif Ezzir, Abeer Muharram Ezzir, Sharif Fayez Ezzir, and Mohammed Fayez Ezzir.

(10) Issam Musleh, Nadia Khader, and Duaa Musleh.

(11) Ahmad Mohammad Khalil, Mona Khalil, and Sally Khalil.

(12) Husam Al-Khadrah and Kathleen Al-Khadrah.

(13) Nawal M. Hajjawi.

(14) Isam S. Naser and Samar I. Naser.

(15) Amalia Arsua.

(16) Feras Taha, Bernardina Lopez-Taha, and Yousef Taha.

(17) Mahmood M. Alessa and Nadia Helmi Abusoud.

(18) Emad R. Jawwad.

(19) Mohammed Ata Alawamleh, Zainab Abueljebain, and Nizar Alawamleh.

(20) Yacoub Ibrahim and Wisam Ibrahim.

(21) Tareq S. Shehadah and Inas S. Shehadah.

(22) Basim A. Al-Ali and Nawal B. Al-Ali.

(23) Hael Basheer Atari and Hanaa Al Moghrabi.

(24) Fahim N. Mahmoud, Firnal Mahmoud, Alla Mahmoud, and Ahmad Mahmoud.

(25) Tareq A. Attari.

(26) Azmi A. Mukahal, Wafa Mukahal, Yasmin A. Mukahal, and Ahmad A. Mukahal.

(27) Nabil Ishaq El-Hawwash, Amal Nabil El Hawwash, and Ishaq Nabil El-Hawwash.

(28) Samir Ghalayini, Ismat F. Abujaber, and Wasef Ghalayini.

(29) Iman Mallah, Rana Mallah, and Mohanned Mallah.

(30) Mohsen Mahmoud and Alia Mahmoud.

(31) Nijad Abdelrahman, Najwa Yousef Abdelrahman, and Faisal Abdelrahman.

(32) Nezam Mahdawi, Sohad Mahdawi, and Bassam Mahdawi.

(33) Khalid S. Mahmoud and Fawziah Mahmoud.

(34) Wael I. Saymeh, Zatelhimma N. Al Sahafie, Duaa W. Saymeh, and Ahmad W. Saymeh.

(35) Ahmed Mohammed Jawdat Anis Naji.

(36) Sesinando P. Suaverdez, Maria Cristina Sylvia P. Suaverdez, and Sesinando Paguio Suaverdez II.

(37) Hanan Said and Yasmin Said.

(38) Hani Salem, Manal Salem, Tasnim Salem, and Suleiman Salem.

(39) Ihsan Mohammed Adwan, Hanan Mohammed Adwan, Maha Adwan, Nada M. Adwan, Reem Adwan, and Lina A. Adwan.

(40) Ziyad Al Ajjouri and Dima Al Ajjouri.

(41) Essam K. Taha.

(42) Salwa S. Beshay, Alexan L. Basta, Rehan Basta, and Sherif Basta.

(43) Latifa Hussin, Anas Hussin, Ahmed Hussin, Ayman Hussin, and Assma Hussin.

(44) Farah Bader Shaath and Rawan Bader Shaath.

(45) Bassam Barqawi and Amal Barqawi.

(46) Nabil Abdel Raoof Maswadeh.

(47) Nizam I. Wattar and Mohamed Ihssan Wattar.

(48) Wail F. Shbib and Ektimal Shbib.

(49) Reem Rushdi Salman and Rasha Talat Salman.

(50) Khalil A. Awadalla and Eman K. Awadalla.

(51) Nabil A. Alyadak, Majeda Sheta, Iman Alyadak, and Wafa Alyadak.

(52) Mohammed A. Ariqat, Hitaf M. Ariqat, Ruba Ariqat, Renia Ariqat, and Reham Ariqat.

(53) Hazem A. Al-Masri.

(54) Tawfiq M. Al-Taher and Rola T. Al-Taher.

(55) Nadeem Mirza.

(c) WAIVER OF CERTAIN GROUNDS FOR INADMISSIBILITY.—The provisions of paragraphs (4), (5), and (7)(A) of section 212(a) of the Immigration and Nationality Act shall not apply to adjustment of status under this Act.

(d) OFFSET IN NUMBER OF VISAS AVAILABLE.—Upon each granting to an alien of the status of having been lawfully admitted for permanent residence under this section, the Secretary of State shall instruct the proper officer to reduce by one, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

On motion of Mr. SMITH of Texas, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.54 RECOGNIZING SLAVE LABORERS IN THE U.S. CAPITOL CONSTRUCTION

On motion of Mr. EHLERS, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 130):

Whereas the United States Capitol stands as a symbol of democracy, equality, and freedom to the entire world;

Whereas the year 2000 marks the 200th anniversary of the opening of this historic structure for the first session of Congress to be held in the new Capital City;

Whereas slavery was not prohibited throughout the United States until the ratification of the 13th amendment to the Constitution in 1865;

Whereas previous to that date, African American slave labor was both legal and common in the District of Columbia and the adjoining States of Maryland and Virginia;

Whereas public records attest to the fact that African American slave labor was used in the construction of the United States Capitol;

Whereas public records further attest to the fact that the five-dollar-per-month payment for that African American slave labor was made directly to slave owners and not to the laborer; and

Whereas African Americans made significant contributions and fought bravely for freedom during the American Revolutionary War: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) the Speaker of the House of Representatives and the President pro tempore of the Senate shall establish a special task force to study the history and contributions of these slave laborers in the construction of the United States Capitol; and

(2) such special task force shall recommend to the Speaker of the House of Representatives and the President pro tempore of the Senate an appropriate recognition for these slave laborers which could be displayed in a prominent location in the United States Capitol.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.55 PRINTING OF ''THE UNITED STATES CAPITOL''

On motion of Mr. EHLERS, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following concurrent resolution of the Senate (S. Con. Res. 141):

Resolved by the Senate (the House of Representatives concurring), That (a) a revised edition of the publication entitled ''The United States Capitol'' (referred to as ''the pamphlet'') shall be reprinted as a Senate document.

(b) There shall be printed a total of 2,850,000 copies of the pamphlet in English and seven other languages at a cost not to exceed $165,900 for distribution as follows:

(1)(A) 206,000 copies of the pamphlet in the English language for the use of the Senate with 2,000 copies distributed to each Member;

(B) 886,000 copies of the pamphlet in the English language for the use of the House of Representatives with 2,000 copies distributed to each Member; and

(C) 1,758,000 copies of the pamphlet for distribution to the Capitol Guide Service in the following languages:

(i) 908,000 copies in English;

(ii) 100,000 copies in each of the following seven languages: Spanish, German, French, Russian, Japanese, Italian, and Korean; and

(iii) 150,000 copies in Chinese.

(2) If the total printing and production costs of copies in paragraph (1) exceed $165,900, such number of copies of the pamphlet as does not exceed total printing and production costs of $165,900, shall be printed with distribution to be allocated in the same proportion as in paragraph (1) as it relates to numbers of copies in the English language.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.56 LAKE TAHOE BASIN LAND CONVEYANCE

Mr. HANSEN, pursuant to House Resolution 634, called up the bill (H.R. 4656) to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site.

When said bill was considered.

After debate,

Pursuant to House Resolution 634, the previous question was ordered.

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

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.57 H.R. 2413—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2413) to amend the National Institute of Standards and Technology Act to enhance the ability of the National Institute of Standards and Technology to improve computer security, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.58 H.R. 4940—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4940) to designate the museum operated by the Secretary of Energy in Oak Ridge, Tennessee, as the ''American Museum of Science and Energy'', and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.59 S. 1865—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1865) to provide grants to establish demonstration mental health courts.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.60 S. 1453—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1453) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.61 HERBERT H. BATEMAN EDUCATIONAL CENTER

On motion of Mr. HANSEN, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill (H.R. 5388) to designate the building proposed to be located within the boundaries of the Chincoteague National Wildlife Refuge, as the ''Herbert H. Bateman Educational and Administrative Center''.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.62 SAINT HELENA SCENIC AREA

On motion of Mr. HANSEN, by unanimous consent, the bill (H.R. 468) to establish the Saint Helena Island National Scenic Area; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Page 4, line 1, strike out all after ''REQUIREMENTS.—'' down to and including ''Forest.'' in line 5 and insert: *Within 3 years of the acquisition of 50 percent of the land authorized for acquisition under section 7, the Secretary shall develop an amendment to the land and resources management plan for the Hiawatha National Forest which will direct management of the scenic area.*

On motion of Mr. HANSEN, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.63 GREAT SAND DUNES NATIONAL PARK

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 2547) to provide for the establishment of the Great Sand Dunes National Park and Preserve and the Baca National Wildlife Refuge in the State of Colorado, and for other purposes.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. HANSEN and Mr. UDALL of Colorado, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HEFLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Wednesday, October 25, 2000.

¶114.64 HARRIET TUBMAN SITES

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 2345) to direct the Secretary of the Interior to conduct a special resource study concerning the preservation and public use of sites associated with Harriet Tubman located in Auburn, New York, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.65 NATIONAL MARINE SANCTUARIES

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 1482) to amend the National Marine Sanctuaries Act, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.66 PYRAMID OF REMEMBRANCE FOUNDATION

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 1804) to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.67 HAWAII WATER REUSE AND RECLAMATION

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 1694) to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii; as amended.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶114.68 ALA KAHAKAI TRAIL

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 700) to amend the National Trails Systems Act to designate the Ala Kahakai Trail as a National Historic Trail.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.69 HAWAII VOLCANOES NATIONAL PARK

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 938) to eliminate restrictions on the acquisition of certain land contiguous to Hawaii Volcanoes National Park, and for other purposes.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.70 AGREEING TO THE AMENDMENT OF THE SENATE WITH AN AMENDMENT TO H.R. 4868

Mr. CRANE moved to suspend the rules and agree to the following resolution (H. Res. 644):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill H.R. 4868, with the amendment of the Senate thereto, and to have concurred in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tariff Suspension and Trade Act of 2000''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—TARIFF PROVISIONS

Sec. 1001. Reference; expired provisions.

Subtitle A—Temporary Duty Suspensions and Reductions

CHAPTER 1—NEW DUTY SUSPENSIONS AND REDUCTIONS

Sec. 1101. HIV/AIDS drug.
Sec. 1102. HIV/AIDS drug.
Sec. 1103. Triacetoneamine.
Sec. 1104. Instant print film in rolls.
Sec. 1105. Color instant print film.
Sec. 1106. Mixtures of sennosides and mixtures of sennosides and their salts.
Sec. 1107. Cibacron red LS–B HC.
Sec. 1108. Cibacron brilliant blue FN–G.
Sec. 1109. Cibacron scarlet LS–2G HC.
Sec. 1110. MUB 738 INT.
Sec. 1111. Fenbuconazole.
Sec. 1112. 2,6-Dichlorotoluene.
Sec. 1113. 3-Amino-3-methyl-1-pentyne.
Sec. 1114. Triazamate.
Sec. 1115. Methoxyfenozide.
Sec. 1116. 1-Fluoro-2-nitrobenzene.
Sec. 1117. PHBA.
Sec. 1118. THQ (toluhydroquinone).
Sec. 1119. 2,4-Dicumylphenol.
Sec. 1120. Certain cathode-ray tubes.
Sec. 1121. Other cathode-ray tubes.
Sec. 1122. Certain raw cotton.
Sec. 1123. Rhinovirus drug.
Sec. 1124. Butralin.
Sec. 1125. Branched dodecylbenzene.
Sec. 1126. Certain fluorinated compound.
Sec. 1127. Certain light absorbing photo dye.
Sec. 1128. Filter Blue Green photo dye.
Sec. 1129. Certain light absorbing photo dyes.
Sec. 1130. 4,4′-Difluorobenzophenone.
Sec. 1131. A fluorinated compound.
Sec. 1132. DiTMP.
Sec. 1133. HPA.
Sec. 1134. APE.
Sec. 1135. TMPDE.
Sec. 1136. TMPME.
Sec. 1137. Tungsten concentrates.
Sec. 1138. 2 Chloro Amino Toluene.
Sec. 1139. Certain ion-exchange resins.
Sec. 1140. 11-Aminoundecanoic acid.
Sec. 1141. Dimethoxy butanone (DMB).
Sec. 1142. Dichloro aniline (DCA).
Sec. 1143. Diphenyl sulfide.
Sec. 1144. Trifluralin.
Sec. 1145. Diethyl imidazolidinone (DMI).
Sec. 1146. Ethalfluralin.
Sec. 1147. Benfluralin.
Sec. 1148. 3-Amino-5-mercapto-1,2,4-triazole (AMT).
Sec. 1149. Diethyl phosphorochlorodothioate (DEPCT).
Sec. 1150. Refined quinoline.
Sec. 1151. DMDS.
Sec. 1152. Vision inspection systems.
Sec. 1153. Anode presses.
Sec. 1154. Trim and form machines.
Sec. 1155. Certain assembly machines.
Sec. 1156. Thionyl chloride.
Sec. 1157. Phenylmethyl hydrazinecarboxylate.
Sec. 1158. Tralkoxydim formulated.
Sec. 1159. KN002.
Sec. 1160. KL084.
Sec. 1161. IN–N5297.
Sec. 1162. Azoxystrobin formulated.
Sec. 1163. Fungaflor 500 EC.
Sec. 1164. Norbloc 7966.
Sec. 1165. Imazalil.
Sec. 1166. 1,5-Dichloroanthraquinone.
Sec. 1167. Ultraviolet dye.
Sec. 1168. Vinclozolin.
Sec. 1169. Tepraloxydim.
Sec. 1170. Pyridaben.
Sec. 1171. 2-Acetylnicotinic acid.
Sec. 1172. SAMe.
Sec. 1173. Procion crimson H-EXL.
Sec. 1174. Dispersol crimson SF grains.
Sec. 1175. Procion navy H-EXL.
Sec. 1176. Procion yellow H-EXL.
Sec. 1177. 2-Phenylphenol.
Sec. 1178. 2-Methoxy-1-propene.
Sec. 1179. 3,5-Difluoroaniline.
Sec. 1180. Quinclorac.
Sec. 1181. Dispersol black XF grains.
Sec. 1182. Fluroxypyr, 1-methylheptyl ester (FME).
Sec. 1183. Solsperse 17260.
Sec. 1184. Solsperse 17000.
Sec. 1185. Solsperse 5000.
Sec. 1186. Certain TAED chemicals.
Sec. 1187. Isobornyl acetate.
Sec. 1188. Solvent blue 124.
Sec. 1189. Solvent blue 104.
Sec. 1190. Pro-jet magenta 364 stage.
Sec. 1191. 4-Amino-2,5-dimethoxy-N-phenylbenzene sulfonamide.
Sec. 1192. Undecylenic acid.
Sec. 1193. 2-Methyl-4-chlorophenoxyacetic acid.
Sec. 1194. Iminodisuccinate.
Sec. 1195. Iminodisuccinate salts and aqueous solutions.
Sec. 1196. Poly(vinyl chloride) (PVC) self-adhesive sheets.
Sec. 1197. 2-Butyl-2-ethylpropanediol.
Sec. 1198. Cyclohexadec-8-en-1-one.
Sec. 1199. Paint additive chemical.
Sec. 1200. o-Cumyl-octylphenol.
Sec. 1201. Certain polyamides.
Sec. 1202. Mesamoll.
Sec. 1203. Vulkalent E/C.
Sec. 1204. Baytron M.
Sec. 1205. Baytron C–R.
Sec. 1206. Baytron P.
Sec. 1207. Molds for use in certain DVDs.
Sec. 1208. KN001 (a hydrochloride).
Sec. 1209. Certain compound optical microscopes.
Sec. 1210. DPC 083.
Sec. 1211. DPC 961.
Sec. 1212. Petroleum sulfonic acids, sodium salts.
Sec. 1213. Pro-jet cyan 1 press paste.
Sec. 1214. Pro-jet black ALC powder.
Sec. 1215. Pro-jet fast yellow 2 RO feed.
Sec. 1216. Solvent yellow 145.
Sec. 1217. Pro-jet fast magenta 2 RO feed.
Sec. 1218. Pro-jet fast cyan 2 stage.
Sec. 1219. Pro-jet cyan 485 stage.
Sec. 1220. Triflusulfuron methyl formulated product.
Sec. 1221. Pro-jet fast cyan 3 stage.
Sec. 1222. Pro-jet cyan 1 RO feed.
Sec. 1223. Pro-jet fast black 287 NA paste/liquid feed.
Sec. 1224. 4-(cyclopropyl-α-hydroxymethylene)-3,5-dioxo-cyclohexanecarboxylic acid ethyl ester.
Sec. 1225. 4''-epimethylamino-4''-deoxyavermectin B_{1a} and B_{1b} benzoates.
Sec. 1226. Formulations containing 2-[4-[(5-chloro-3-fluoro-2-pyridinyl)oxy]-phenoxy]-2-propynyl ester.
Sec. 1227. Mixtures of 2-(2-chloroethoxy) - N - [[4-methoxy-6-methyl - 1,3,5 - triazin - 2-yl) - mino]carbonyl-benzenesulfonamide] and 3,6-dichloro - 2 - methoxybenzoic acid.

Sec. 1228. (E,E)-α-(methoxyimino) - 2 - [[[[1-[3-(trifluoro- methyl)phenyl]-ethylidene]amino] oxy]methyl]benzeneacetic acid, methyl ester.
Sec. 1229. Formulations containing sulfur.
Sec. 1230. Mixtures of 3-(6-methoxy-4-methyl-1,3,5-triazin - 2 - yl)-1-[2-(2-chloroethoxy)-phenylsulfonyl]-urea.
Sec. 1231. Mixtures of 4-cyclopropyl-6-methyl - N - phenyl-2-pyrimidinamine-4-(2,2-difluoro-1,3-benzodioxol-4-yl)-1H-pyrrole-3-carbonitrile.
Sec. 1232. (R)-2-[2,6-Dimethylphenyl)-methoxyacetylamino]propionic acid, methyl ester and (S)-2-[2,6-Dimethylphenyl)-methoxyacetylamino]propionic acid, methyl ester.
Sec. 1233. Mixtures of benzothiadiazole-7-carbothioic acid, S-methyl ester.
Sec. 1234. Benzothialdiazole-7-carbothioic acid, S-methyl ester.
Sec. 1235. O-(4-bromo-2-chlorophenyl)-O-ethyl-S-propyl phosphorothioate.
Sec. 1236. 1-[[2-(2,4-Dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]-methyl]-1H-1,2,4-triazole.
Sec. 1237. Tetrahydro-3-methyl-N-nitro-5-[[2-phenylthio)-5-thiazolyl]-4H-1,3,5-oxadiazin-4-imine.
Sec. 1238. 1-(4-Methoxy-6-methyltriazin-2-yl)-3-[2-(3,3,3-trifluoropropyl)-phenylsulfonyl]-urea.
Sec. 1239. 4,5-Dihydro-6-methyl-4-[(3-pyridinylmethylene)amino]-1,2,4-triazin-3(2H)-one.
Sec. 1240. 4-(2,2-Difluoro-1,3-benzodioxol-4-yl)-1H-pyrrole-3-carbonitrile.
Sec. 1241. Mixtures of 2-(((((4,6-dimethoxypyrimidin - 2 - yl)aminocarbonyl)) aminosulfonyl))-N,N - dimethyl-3-pyridine- carboxamide and application adjuvants.
Sec. 1242. Monochrome glass envelopes.
Sec. 1243. Ceramic coater.
Sec. 1244. Pro-jet black 263 stage.
Sec. 1245. Pro-jet fast black 286 paste.
Sec. 1246. Bromine-containing compounds.
Sec. 1247. Pyridinedicarboxylic acid.
Sec. 1248. Certain semiconductor mold compounds.
Sec. 1249. Solvent blue 67.
Sec. 1250. Pigment blue 60.
Sec. 1251. Menthyl anthranilate.
Sec. 1252. 4-Bromo-2-fluoroacetanilide.
Sec. 1253. Propiophenone.
Sec. 1254. m-chlorobenzaldehyde.
Sec. 1255. Ceramic knives.
Sec. 1256. Stainless steel railcar body shells.
Sec. 1257. Stainless steel railcar body shells of 148-passenger capacity.
Sec. 1258. Pendimethalin.
Sec. 1259. 3,5-Dibromo-4-hydoxybenzonitril ester and inerts.
Sec. 1260. 3,5-Dibromo-4-hydoxybenzonitril.
Sec. 1261. Isoxaflutole.
Sec. 1262. Cyclanilide technical.
Sec. 1263. R115777.
Sec. 1264. Bonding machines.
Sec. 1265. Glyoxylic acid.
Sec. 1266. Fluoride compounds.
Sec. 1267. Cobalt boron.
Sec. 1268. Certain steam or other vapor generating boilers used in nuclear facilities.
Sec. 1269. Fipronil technical.
Sec. 1270. KL540.

CHAPTER 2—EXISTING DUTY SUSPENSIONS AND REDUCTIONS

Sec. 1301. Extension of certain existing duty suspensions and reductions.
Sec. 1302. Technical correction.
Sec. 1303. Effective date.

Subtitle B—Other Tariff Provisions

CHAPTER 1—LIQUIDATION OR RELIQUIDATION OF CERTAIN ENTRIES

Sec. 1401. Certain telephone systems.
Sec. 1402. Color television receiver entries.
Sec. 1403. Copper and brass sheet and strip.
Sec. 1404. Antifriction bearings.
Sec. 1405. Other antifriction bearings.
Sec. 1406. Printing cartridges.
Sec. 1407. Liquidation or reliquidation of certain entries of N,N-dicyclohexyl-2-benzothiazolesulfenamide.
Sec. 1408. Certain entries of tomato sauce preparation.
Sec. 1409. Certain tomato sauce preparation entered in 1990 through 1992.
Sec. 1410. Certain tomato sauce preparation entered in 1989 through 1995.
Sec. 1411. Certain tomato sauce preparation entered in 1989 and 1990.
Sec. 1412. Neoprene synchronous timing belts.
Sec. 1413. Reliquidation of drawback claim number R74–10343996.
Sec. 1414. Reliquidation of certain drawback claims filed in 1996.
Sec. 1415. Reliquidation of certain drawback claims relating to exports of merchandise from May 1993 to July 1993.
Sec. 1416. Reliquidation of certain drawback claims relating to exports claims filed between April 1994 and July 1994.
Sec. 1417. Reliquidation of certain drawback claims relating to juices.
Sec. 1418. Reliquidation of certain drawback claims filed in 1997.
Sec. 1419. Reliquidation of drawback claim number WJU1111031–7.
Sec. 1420. Liquidation or reliquidation of certain entries of athletic shoes.
Sec. 1421. Reliquidation of certain drawback claims relating to juices.
Sec. 1422. Drawback of finished petroleum derivatives.
Sec. 1423. Reliquidation of certain entries of self-tapping screws.
Sec. 1424. Reliquidation of certain entries of vacuum cleaners.
Sec. 1425. Liquidation or reliquidation of certain entries of conveyor chains.

CHAPTER 2—SPECIAL CLASSIFICATION RELATING TO PRODUCT DEVELOPMENT AND TESTING

Sec. 1431. Short title.
Sec. 1432. Findings; purpose.
Sec. 1433. Amendments to Harmonized Tariff Schedule of the United States.
Sec. 1434. Regulations relating to entry procedures and sales of prototypes.
Sec. 1435. Effective date.

CHAPTER 3—PROHIBITION ON IMPORTATION OF PRODUCTS MADE WITH DOG OR CAT FUR

Sec. 1441. Short title.
Sec. 1442. Findings and purposes.
Sec. 1443. Prohibition on importation of products made with dog or cat fur.

CHAPTER 4—MISCELLANEOUS PROVISIONS

Sec. 1451. Alternative mid-point interest accounting methodology for underpayment of duties and fees.
Sec. 1452. Exception from making report of arrival and formal entry for certain vessels.
Sec. 1453. Designation of San Antonio International Airport for customs processing of certain private aircraft arriving in the United States.
Sec. 1454. International travel merchandise.
Sec. 1455. Change in rate of duty of goods returned to the United States by travelers.
Sec. 1456. Treatment of personal effects of participants in international athletic events.
Sec. 1457. Collection of fees for customs services for arrival of certain ferries.
Sec. 1458. Establishment of drawback based on commercial interchangeability for certain rubber vulcanization accelerators.
Sec. 1459. Cargo inspection.
Sec. 1460. Treatment of certain multiple entries of merchandise as single entry.
Sec. 1461. Report on customs procedures.
Sec. 1462. Drawbacks for recycled materials.
Sec. 1463. Preservation of certain reporting requirements.
Sec. 1464. Importation of gum arabic.
Sec. 1465. Customs services at the Detroit Metropolitan Airport.

Subtitle C—Effective Date

Sec. 1471. Effective date.

TITLE II—OTHER TRADE PROVISIONS

Sec. 2001. Trade adjustment assistance for certain workers affected by environmental remediation or closure of a copper mining facility.
Sec. 2002. Chief Agricultural Negotiator.

TITLE III—EXTENSION OF NONDISCRIMINATORY TREATMENT TO GEORGIA

Sec. 3001. Findings.
Sec. 3002. Termination of application of title IV of the Trade Act of 1974 to Georgia.

TITLE IV—IMPORTED CIGARETTE COMPLIANCE

Sec. 4001. Short title.
Sec. 4002. Modifications to rules governing reimportation of tobacco products.
Sec. 4003. Technical amendment to the Balanced Budget Act of 1997.
Sec. 4004. Requirements applicable to imports of certain cigarettes.

TITLE I—TARIFF PROVISIONS

SEC. 1001. REFERENCE; EXPIRED PROVISIONS.

(a) REFERENCE.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision, the reference shall be considered to be made to a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007).

(b) EXPIRED PROVISIONS.—Subchapter II of chapter 99 is amended by striking the following headings:

9902.07.10	9902.29.89	9902.30.55
9902.08.07	9902.29.94	9902.30.57
9902.29.10	9902.29.99	9902.30.61
9902.29.14	9902.30.00	9902.30.62
9902.29.22	9902.30.05	9902.30.81
9902.29.25	9902.30.08	9902.30.82
9902.29.27	9902.30.11	9902.30.85
9902.29.30	9902.30.13	9902.30.88
9902.29.31	9902.30.14	9902.30.94
9902.29.33	9902.30.15	9902.30.95
9902.29.38	9902.30.21	9902.30.97
9902.29.39	9902.30.23	9902.31.05
9902.29.40	9902.30.25	9902.38.07
9902.29.41	9902.30.27	9902.39.08
9902.29.42	9902.30.30	9902.39.10
9902.29.47	9902.30.32	9902.44.21
9902.29.48	9902.30.34	9902.57.02
9902.29.49	9902.30.35	9902.62.01
9902.29.56	9902.30.36	9902.62.04
9902.29.59	9902.30.37	9902.64.02
9902.29.64	9902.30.39	9902.70.12
9902.29.70	9902.30.40	9902.70.13
9902.29.71	9902.30.42	9902.70.14
9902.29.73	9902.30.43	9902.70.15
9902.29.77	9902.30.46	9902.78.01
9902.29.78	9902.30.47	9902.84.47
9902.29.79	9902.30.48	9902.85.40
9902.29.80	9902.30.50	9902.85.44
9902.29.81	9902.30.51	9902.98.00
9902.29.83	9902.30.52	
9902.29.84		

Subtitle A—Temporary Duty Suspensions and Reductions

CHAPTER 1—NEW DUTY SUSPENSIONS AND REDUCTIONS

SEC. 1101. HIV/AIDS DRUG.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.98	[4R- [3(2S*,3S*), 4R*]]-3-[2-Hydroxy-3-[(3-hydroxy-2-methyl- benzoyl)amino]-1-oxo-4-phenylbutyl]-5,5-dimethyl-N-[(2-methylphenyl)-methyl]-4-thiazolidine-carboxamide (CAS No. 186538–00–1) (provided for in subheading 2930.90.90)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1102. HIV/AIDS DRUG.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.99	5-[(3,5-Dichlorophenyl)-thio]-4-(1-methylethyl)-1-(4-pyridinylmethyl)-1H-imidazole-2-methanol carbamate (CAS No. 178979–85–6) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1103. TRIACETONEAMINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.80	2,2,6,6-Tetramethyl-4-piperidine (CAS No. 826–36–8) (provided for in subheading 2933.39.61)	Free	Free	No change	On or before 12/31/2003	".

SEC. 1104. INSTANT PRINT FILM IN ROLLS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.37.02	Instant print film, in rolls (provided for in subheading 3702.20.00)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1105. COLOR INSTANT PRINT FILM.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.37.01	Instant print film of a kind used for color photography (provided for in subheading 3701.20.00)	2.8%	No change	No change	On or before 12/31/2003	".

SEC. 1106. MIXTURES OF SENNOSIDES AND MIXTURES OF SENNOSIDES AND THEIR SALTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.75	Mixtures of sennosides and mixtures of sennosides and their salts (provided for in subheading 2938.90.00)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1107. CIBACRON RED LS–B HC.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.04	Reactive Red 270 (CAS No. 155522–05–7) (provided for in subheading 3204.16.30) ...	Free	No change	No change	On or before 12/31/2003	".

SEC. 1108. CIBACRON BRILLIANT BLUE FN–G.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.88	6,13-Dichloro-3,10-bis[[2-[[4-fluoro-6-[(2-sulfonyl)amino]-1,3,5-triazin-2-yl]amino]propyl]amino]-4,11-triphenodioxazinedisulfonic acid lithium sodium salt (CAS No. 163062–28–0) (provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1109. CIBACRON SCARLET LS–2G HC.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.86	Reactive Red 268 (CAS No. 152397–21–2) (provided for in subheading 3204.16.30) ...	Free	No change	No change	On or before 12/31/2003	".

SEC. 1110. MUB 738 INT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.91	2-Amino-4-(4-aminobenzoylamino)-benzenesulfonic acid (CAS No. 167614–37–1) (provided for in subheading 2924.29.70)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1111. FENBUCONAZOLE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.87	α-(2-(4-Chlorophenyl)ethyl-α-phenyl-1H-1,2,4-triazole-1-propanenitrile (Fenbuconazole) (CAS No. 114369–43–6) (provided for in subheading 2933.90.06) ...	Free	No change	No change	On or before 12/31/2003	".

SEC. 1112. 2,6-DICHLOROTOLUENE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.32.82*	*2,6-Dichlorotoluene (CAS No. 118–69–4) (provided for in subheading 2903.69.70)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1113. 3-AMINO-3-METHYL-1-PENTYNE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.32.84*	*3-Amino-3-methyl-1-pentyne (CAS No. 18369–96–5) (provided for in subheading 2921.19.60)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1114. TRIAZAMATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.32.89*	*Acetic acid, [[1-[(dimethylamino)carbonyl]-3-(1,1-dimethylethyl)-1H-1,2,4-triazol-5-yl]thio]-, ethyl ester (CAS No. 112143–82–5) (provided for in subheading 2933.90.17)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1115. METHOXYFENOZIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.32.93*	*Benzoic acid, 3-methoxy-2-methyl-,2-(3,5-dimethylbenzoyl)-2-(1,1-dimethylethyl)hydrazide (CAS No. 161050–58–4) (provided for in subheading 2928.00.25)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1116. 1-FLUORO-2-NITROBENZENE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.29.04*	*1-Fluoro-2-nitrobenzene (CAS No. 001493–27–2) (provided for in subheading 2904.90.30)*	*Free*	*Free*	*No change*	*On or before 12/31/2003*	".

SEC. 1117. PHBA.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.29.03*	*p-Hydroxybenzoic acid (CAS No. 99–96–7) (provided for in subheading 2918.29.22)*	*Free*	*Free*	*No change*	*On or before 12/31/2003*	".

SEC. 1118. THQ (TOLUHYDROQUINONE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.29.05*	*Toluhydroquinone, (CAS No. 95–71–6) (provided for in subheading 2907.29.90)*	*Free*	*Free*	*No change*	*On or before 12/31/2003*	".

SEC. 1119. 2,4-DICUMYLPHENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.19.80*	*2,4-Dicumylphenol (CAS No. 2772–45–4) (provided for in subheading 2907.19.20 or 2907.19.80)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1120. CERTAIN CATHODE-RAY TUBES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.85.42*	*Cathode-ray data/graphic display tubes, color, with a less than 90 degree deflection (provided for in subheading 8540.60.00)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1121. OTHER CATHODE-RAY TUBES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.85.41*	*Cathode-ray data/graphic display tubes, color, with a phosphor dot screen pitch smaller than 0.4 mm, and with a less than 90 degree deflection (provided for in subheading 8540.40.00)*	*1%*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1122. CERTAIN RAW COTTON.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	*9902.52.01*	*Cotton, not carded or combed, having a staple length under 31.75 mm (1¼ inches), described in general note 15 of the tariff schedule and entered pursuant to its provisions (provided for in subheading 5201.00.22)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*

	9902.52.03	Cotton, not carded or combed, having a staple length under 31.75 mm (1¼ inches), described in additional U.S. note 7 of chapter 52 and entered pursuant to its provisions (provided for in subheading 5201.00.34)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1123. RHINOVIRUS DRUG.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.32.97	(2E,4S)-4-(((2R,5S)-2-((4-Fluorophenyl)-methyl)-6-methyl-5-(((5-methyl-3-isoxazolyl)-carbonyly) amino)-1,4-dioxoheptyl)-amino)-5-((3S)-2-oxo-3-pyrrolidinyl)-2-pentenoic acid, ethyl ester (CAS No. 223537–30–2) (provided for in subheading 2934.90.39)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1124. BUTRALIN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.38.00	N-sec-Butyl-4-tert-butyl-2,6-dinitroaniline (CAS No. 33629–47–9) or preparations thereof (provided for in subheading 2921.42.90 or 3808.31.15)	Free	Free	No change	On or before 12/31/2003	''.

SEC. 1125. BRANCHED DODECYLBENZENE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.01	Branched dodecylbenzenes (CAS No. 123–01–3) (provided for in subheading 2902.90.30)	Free	Free	No change	On or before 12/31/2003	''.

SEC. 1126. CERTAIN FLUORINATED COMPOUND.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.32.96	(4-Fluorophenyl)-[3-[(4-fluorophenyl)-ethynyl]phenyl]methanone (provided for in subheading 2914.70.40)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1127. CERTAIN LIGHT ABSORBING PHOTO DYE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.55	4-Chloro-3-[4-[[4-(dimethylamino)phenyl]methylene]-4,5-dihydro-3-methyl-5-oxo-1H-pyrazol-yl]benzenesulfonic acid, compound with pyridine (1:1) (CAS No. 160828–81–9) (provided for in subheading 2934.90.90)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1128. FILTER BLUE GREEN PHOTO DYE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.32.62	Iron chloro-5,6-diamino-1,3-naphthalenedisulfonate complexes (CAS No. 85187–44–6) (provided for in subheading 2942.00.10)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1129. CERTAIN LIGHT ABSORBING PHOTO DYES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.34	4-[4-[3-[4-(Dimethylamino)phenyl]-2-propenylidene]-4,5-dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl]benzenesulfonic acid, compound with N,N-diethylethanamine (1:1) (CAS No. 109940–17–2); 4-[3-[3-Carboxy-5-hydroxy-1-(4-sulfophenyl)-1H-pyrazole-4-yl]-2-propenylidene]-4,5-dihydro-5-oxo-1-(4-sulfophenyl)-1H-pyrazole-3-carboxylic acid, sodium salt, compound with N,N-diethylethanamine (CAS No. 90066–12–9); 4-[4,5-dihydro-4-[[5-hydroxy-3-methyl-1-(4-sulfophenyl)-1H- pyrazol-4-yl]methylene]-3-methyl-5-oxo-1H-pyrazol-1-yl]benzenesulfonic acid, dipotassium salt (CAS No. 94266–02–1); 4-[4-[[4-(Dimethylamino)-phenyl]methylene]-4,5-dihydro-3-methyl-5-oxo-1H-pyrazol-l-yl]benzenesulfonic acid, potassium salt (CAS No. 27268–31–1); 4,5-dihydro-5-oxo-4-[(phenylamino)methylene]-1-(4-sulfophenyl)-1H-pyrazole-3-carboxylic acid, disodium salt; and 4-[5-[3-Carboxy-5-hydroxy-1-(4-sulfophenyl)-1H-pyrazol-4-yl]-2,4- pentadienylidene]-4,5-dihydro-5-oxo-1-(4-sulfophenyl)-1H-pyrazole-3-carboxylic acid, tetrapotassium salt (CAS No. 134863–74–4) (all of the foregoing provided for in subheading 2933.19.30)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1130. 4,4'-DIFLUOROBENZOPHENONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.32.85	Bis(4-fluorophenyl)methanone (CAS No. 345–92–6) (provided for in subheading 2914.70.40)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1131. A FLUORINATED COMPOUND.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.14	(4-Fluorophenyl)phenylmethanone (CAS No. 345–83–5) (provided for in subheading 2914.70.40)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1132. DiTMP.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.10	Di-trimethylolpropane (CAS No. 23235–61–2 (provided for in subheading 2909.49.60)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1133. HPA.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.09	Hydroxypivalic acid (CAS No. 4835–90–9) (provided for in subheading 2918.19.90)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1134. APE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.15	Allyl pentaerythritol (CAS No. 1471–18–7) (provided for in subheading 2909.49.60)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1135. TMPDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.58	Trimethylolpropane, diallyl ether (CAS No. 682–09–7) (provided for in subheading 2909.49.60)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1136. TMPME.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.59	Trimethylolpropane monoallyl ether (provided for in subheading 2909.49.60)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1137. TUNGSTEN CONCENTRATES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.26.11	Tungsten concentrates (provided for in subheading 2611.00.60)	Free	No Change	No change	On or before 12/31/2003	".

SEC. 1138. 2 CHLORO AMINO TOLUENE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.62	2-Chloro-p-toluidine (CAS No. 95–74–9) (provided for in subheading 2921.43.80)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1139. CERTAIN ION-EXCHANGE RESINS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.39.30	Ion-exchange resin, comprising a copolymer of 2-propenenitrile with diethenylbenzene, ethenylethylbenzene and 1,7-octadiene, hydrolyzed (CAS No. 130353–60–5) (provided for in subheading 3914.00.60)	Free	No change	No change	On or before 12/31/2003	
	9902.39.31	Ion-exchange resin, comprising a copolymer of 2-propenenitrile with 1,2,4-triethylenylcyclohexane, hydrolyzed (CAS No. 109961–42–4) (provided for in subheading 3914.00.60)	Free	No change	No change	On or before 12/31/2003	
	9902.39.32	Ion-exchange resin, comprising a copolymer of 2-propenenitrile with diethenylbenzene, hydrolyzed (CAS No. 135832–76–7) (provided for in subheading 3914.00.60)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1140. 11-AMINOUNDECANOIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.49	11-Aminoundecanoic acid (CAS No. 2432–99–7) (provided for in subheading 2922.49.40)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1141. DIMETHOXY BUTANONE (DMB).

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	9902.29.16	4,4-Dimethoxy-2-butanone (CAS No. 5436–21–5) (provided for in subheading 2914.50.50)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1142. DICHLORO ANILINE (DCA).

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	*9902.29.17*	*2,6-Dichloro aniline (CAS No. 608–31–1) (provided for in subheading 2921.42.90)* ...	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1143. DIPHENYL SULFIDE.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	*9902.29.06*	*Diphenyl sulfide (CAS No. 139–66–2) (provided for in subheading 2930.90.29)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1144. TRIFLURALIN.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	*9902.29.02*	*α,α,α-Trifluoro-2,6-dinitro-p-toluidine (CAS No. 1582–09–8) (provided for in subheading 2921.43.15)*	*3.3%*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1145. DIETHYL IMIDAZOLIDINONE (DMI).

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	*9902.29.26*	*1,3-Diethyl-2-imidazolidinone (CAS No. 80–73–9) (provided for in subheading 2933.29.90)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1146. ETHALFLURALIN.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	*9902.30.49*	*N-Ethyl-N-(2-methyl-2-propenyl)-2,6-dinitro-4-(trifluoromethyl)- benzenamine (CAS No. 55283–68–6) (provided for in subheading 2921.43.80)*	*3.5%*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1147. BENFLURALIN.

Subchapter II of chapter 99 is amended by striking heading 9902.29.59 and by inserting the following new heading:

"	*9902.29.59*	*N-Butyl-N-ethyl-α,α,α-trifluoro-2,6-dinitro-p-toluidine (CAS No. 1861–40–1) (provided for in subheading 2921.43.80)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1148. 3-AMINO-5-MERCAPTO-1,2,4-TRIAZOLE (AMT).

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	*9902.29.08*	*3-Amino-5-mercapto-1,2,4-triazole (CAS No. 16691–43–3) (provided for in subheading 2933.90.97)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1149. DIETHYL PHOSPHOROCHLORODOTHIOATE (DEPCT).

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	*9902.29.58*	*O,O-Diethyl phosphorochlorodothioate (CAS No. 2524–04–1) (provided for in subheading 2920.10.50)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1150. REFINED QUINOLINE.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	*9902.29.61*	*Quinoline (CAS No. 91–22–5) (provided for in subheading 2933.40.70)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1151. DMDS.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	*9902.33.92*	*2,2-Dithiobis(8-fluoro-5-methoxy)-1,2,4- triazolo[1,5-c] pyrimidine (CAS No. 166524–74–9) (provided for in subheading 2933.59.80)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1152. VISION INSPECTION SYSTEMS.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	*9902.90.20*	*Automated visual inspection systems of a kind used for physical inspection of capacitors (provided for in subheadings 9031.49.90 and 9031.80.80)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1153. ANODE PRESSES.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

‘‘	9902.84.70	Presses for pressing tantalum powder into anodes (provided for in subheading 8462.99.80)	Free	No change	No change	On or before 12/31/2003	’’.

SEC. 1154. TRIM AND FORM MACHINES.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

‘‘	9902.84.40	Trimming and forming machines used in the manufacture of surface mounted electronic components other than semiconductors prior to marking (provided for in subheadings 8462.21.80, 8462.29.80, and 8463.30.00)	Free	No change	No change	On or before 12/31/2003	’’.

SEC. 1155. CERTAIN ASSEMBLY MACHINES.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

‘‘	9902.84.30	Assembly machines for assembling anodes to lead frames (provided for in subheading 8479.89.97)	Free	No change	No change	On or before 12/31/2003	’’.

SEC. 1156. THIONYL CHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.28.01	Thionyl chloride (CAS No. 7719–09–7) (provided for in subheading 2812.10.50)	Free	Free	No change	On or before 12/31/2003	’’.

SEC. 1157. PHENYLMETHYL HYDRAZINECARBOXYLATE.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

‘‘	9902.29.96	Phenylmethyl hydrazinecarboxylate (CAS No. 5331–43–1) (provided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2003	’’.

SEC. 1158. TRALKOXYDIM FORMULATED.

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new headings:

‘‘	9902.06.62	2-[1-(Ethoxyimino)-propyl]-3-hydroxy-5-(2,4,6-trimethylphenyl)-2-cyclohexen-1-one (Tralkoxydim) (CAS No. 87820–88–0) (provided for in subheading 2925.20.60)	Free	No change	No change	On or before 12/31/2001	
	9902.06.01	Mixtures of 2-[1-(Ethoxyimino)-propyl]-3-hydroxy-5-(2,4,6-trimethylphenyl)-2-cyclohexen-1-one (Tralkoxydim) (CAS No. 87820–88–0) and application adjuvants (provided for in subheading 3808.30.15)	Free	No change	No change	On or before 12/31/2001	’’.

(b) CALENDAR YEAR 2002.—

(1) IN GENERAL.—Headings 9902.06.62 and 9902.06.01, as added by subsection (a), are amended—

(A) by striking ‘‘Free’’ each place it appears and inserting ‘‘1.1%’’; and

(B) by striking ‘‘On or before 12/31/2001’’ each place it appears and inserting ‘‘On or before 12/31/2002’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2002.

(c) CALENDAR YEAR 2003.—

(1) IN GENERAL.—Headings 9902.06.62 and 9902.06.01, as added by subsection (a), are amended—

(A) by striking ‘‘1.1%’’ each place it appears and inserting ‘‘2.3%’’; and

(B) by striking ‘‘On or before 12/31/2002’’ each place it appears and inserting ‘‘On or before 12/31/2003’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2003.

SEC. 1159. KN002.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

‘‘	9902.29.63	2-[2,4-Dichloro-5-hydroxyphenyl)-hydrazono]-1-piperidine-carboxylic acid, methyl ester (CAS No. 159393–46–1) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2003	’’.

SEC. 1160. KL084.

(a) CALENDAR YEAR 2000.—Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

‘‘	9902.29.69	2-Imino-1-methoxycarbonyl-piperidine hydrochloride (CAS No. 159393–48–3) (provided for in subheading 2933.39.61)	5.4%	No change	No change	On or before 12/31/2000	’’.

(b) CALENDAR YEAR 2001.—

(1) IN GENERAL.—Heading 9902.29.69, as added by subsection (a), is amended—

(A) by striking ‘‘5.4%’’ and inserting ‘‘4.7%’’; and

(B) by striking ‘‘On or before 12/31/2000’’ and inserting ‘‘On or before 12/31/2001’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2001.

(c) CALENDAR YEAR 2002.—

(1) IN GENERAL.—Heading 9902.29.69, as added by subsection (a), is amended—

(A) by striking ‘‘4.7%’’ and inserting ‘‘4.0%’’; and

(B) by striking ‘‘On or before 12/31/2001’’ and inserting ‘‘On or before 12/31/2002’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2002.

(d) CALENDAR YEAR 2003.—

(1) IN GENERAL.—Heading 9902.29.69, as added by subsection (a), is amended—

(A) by striking ‘‘4.0%’’ and inserting ‘‘3.3%’’; and

(B) by striking ‘‘On or before 12/31/2002’’ and inserting ‘‘On or before 12/31/2003’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2003.

SEC. 1161. IN–N5297.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“	9902.29.35	2-(Methoxycarbonyl)- benzylsulfonamide (CAS No. 59777–72–9) (provided for in subheading 2935.00.75)	Free	No change	No change	On or before 12/31/2003	”.

SEC. 1162. AZOXYSTROBIN FORMULATED.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

“	9902.38.01	Methyl (E)-2-2[6-(2-cyanophenoxy)-pyrimidin-4-xloxy]phenyl-3-methoxyacrylate (CAS No. 131860–33–8) (provided for in subheading 3808.20.15)	5.7%	No change	No change	On or before 12/31/2003	”.

SEC. 1163. FUNGAFLOR 500 EC.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“	9902.38.09	Mixtures of enilconazole (CAS No. 35554–44–0 or 73790–28–0) and application adjuvants (provided for in subheading 3808.20.15)	Free	No change	No change	On or before 12/31/2003	”.

SEC. 1164. NORBLOC 7966.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“	9902.29.22	2-(2’-Hydroxy-5’- methacrylyloxyethylphenyl)-2H-benzotriazole (CAS No. 96478–09–0) (provided for in subheading 2933.90.79)	Free	No change	No change	On or before 12/31/2003	”.

SEC. 1165. IMAZALIL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“	9902.29.10	Enilconazole (CAS No. 35554–44–0 or 73790–28–0) (provided for in subheading 2933.29.35)	Free	No change	No change	On or before 12/31/2003	”.

SEC. 1166. 1,5-DICHLOROANTHRAQUINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“	9902.29.14	1,5-Dichloroanthraquinone (CAS No. 82–46–2) (provided for in subheading 2914.70.40)	Free	Free	No change	On or before 12/31/2003	”.

SEC. 1167. ULTRAVIOLET DYE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“	9902.28.19	9-Anthracene-carboxylic acid, (triethoxysilyl)-methyl ester (provided for in subheading 2931.00.30)	Free	No change	No change	On or before 12/31/2003	”.

SEC. 1168. VINCLOZOLIN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“	9902.38.20	3-(3,5-Dichlorophenyl)-5-ethenyl-5-methyl-2,4-oxazolidinedione (CAS No. 50471–44–8) (provided for in subheading 2934.90.12)	Free	No change	No change	On or before 12/31/2003	”.

SEC. 1169. TEPRALOXYDIM.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“	9902.32.64	Mixtures of E-2-[1-[[(3-chloro-2-propenyl)oxy]-imino]propyl]-3-hydroxy-5-(tetrahydro-2H-pyran-4-yl)-2-cyclohexen-1-one (CAS No. 149979–41–9) and application adjuvants (provided for in subheading 3808.30.50)	Free	No change	No change	On or before 12/31/2003	”.

SEC. 1170. PYRIDABEN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“	9902.38.30	4-Chloro-2-(1,1-dimethylethyl)-5-(((4-(1,1-dimethylethyl)phenyl)-methyl)thio)-3-(2H)-pyridazinone (CAS No. 96489–71–3) (provided for in subheading 2933.90.22)	Free	No change	No change	On or before 12/31/2003	”.

SEC. 1171. 2-ACETYLNICOTINIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“	9902.29.02	2-Acetylnicotinic acid (CAS No. 89942–59–6) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2003	”.

SEC. 1172. SAMe.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.21.06	Food supplement preparation of S-adenosylmethionine 1,4-butanedisulfonate (CAS No. 101020–79–5) (provided for in subheading 2106.90.99)	5.5%	No change	No change	On or before 12/31/2003	".

SEC. 1173. PROCION CRIMSON H-EXL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.60	1,5-Naphthalene-disulfonic acid, 2-((8-((4-chloro-6-((3-(((4-chloro-6-((7-((1,5-disulfo-2-naphthalenyl)-azo)-8-hydroxy-3,6-disulfo-1-naphthalenyl)amino)-1,3,5-triazin-2-yl)amino)-methyl)phenyl)-amino)-1,3,5-triazin-2-yl)amino)-1-hydroxy-3,6-disulfo-2-naphthalenyl)-azo)-, octa- (CAS No. 186554–26–7) (provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1174. DISPERSOL CRIMSON SF GRAINS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.05	Mixture of 3-phenyl-7-(4-propoxyphenyl)benzo-(1,2-b:4,5-b')-difuran-2,6-dione (CAS No. 79694–17–0); 4-(2,6-dihydro-2,6-dioxo)-7-phenylbenzo-(1,2-b:4,5-b')-difuran-3-ylphenoxyacetic acid, 2-ethoxyethyl ester (CAS No. 126877–05–2); and 4-(2,6-dihydro-2,6-dioxo-7-(4-propoxphenyl)-benzo-(1,2-b:4,5-b')-difuran-3-yl)-phenoxy)phenoxy)-acetic acid, 2-ethoxyethyl ester (CAS No. 126877–06–3) (the foregoing mixture provided for in subheading 3204.11.35)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1175. PROCION NAVY H-EXL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.50	Mixture of 2,7-naphthalenedisulfonic acid, 4-amino-3,6-bis[[5-[[4-chloro-6-[(2-methyl-4-sulfophenyl)amino]-1,3,5-triazin-2-yl]amino]-2-sulfophenyl]azo]-5-hydroxy-, hexasodium salt (CAS No. 186554–27–8); and 1,5-Naphthalenedisulfonic acid, 2-((8-((4-chloro-6-((3-(((4-chloro-6-((7-((1,5-disulfo-2-naphthalenyl)azo)-8-hydroxy-3,6-disulfo-1-naphthalenyl)amino)-1,3,5-triazin-2-yl)-amino)methyl)-phenyl)amino)-1,3,5-triazin-2-yl)amino)-1-hydroxy-3,6-disulfo-2-naphthalenyl)azo)-, octa- (CAS No. 186554–26–7) (the foregoing mixture provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1176. PROCION YELLOW H-EXL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.46	Reactive yellow 138:1 mixed with non-color dispersing agent, anti-dusting agent and water (CAS No. 72906–25–3) (the foregoing provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1177. 2-PHENYLPHENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.25	2-Phenylphenol (CAS No. 90–43–7) (provided for in subheading 2907.19.80)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1178. 2-METHOXY-1-PROPENE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.27	2-Methoxy-1-propene (CAS No. 116–11–0) (provided for in subheading 2909.19.18)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1179. 3,5-DIFLUOROANILINE.

(a) CALENDAR YEARS 2000 AND 2001.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.56	3,5-Difluoroaniline (CAS No. 372–39–4) (provided for in subheading 2921.42.65)	7.4%	No change	No change	On or before 12/31/2001	".

(b) CALENDAR YEAR 2002.—

(1) IN GENERAL.—Heading 9902.29.56, as added by subsection (a), is amended—

(A) by striking "7.4%" and inserting "6.7%"; and

(B) by striking "On or before 12/31/2001" and inserting "On or before 12/31/2002".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2002.

(c) CALENDAR YEAR 2003.—

(1) IN GENERAL.—Heading 9902.29.56, as added by subsection (a), is amended—

(A) by striking "6.7%" and inserting "6.3%"; and

(B) by striking "On or before 12/31/2002" and inserting "On or before 12/31/2003".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2003.

SEC. 1180. QUINCLORAC.

(a) CALENDAR YEARS 2000 AND 2001.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.47	3,7-Dichloro-8-quinolinecarboxylic acid (CAS No. 84087–01–4) (provided for in subheading 2933.40.30)	6.8%	No change	No change	On or before 12/31/2001	".

(b) CALENDAR YEAR 2002.—

(1) IN GENERAL.—Heading 9902.29.47, as added by subsection (a), is amended—

(A) by striking ''6.8%'' and inserting ''5.9%''; and

(B) by striking ''On or before 12/31/2001'' and inserting ''On or before 12/31/2002''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2002.

(c) CALENDAR YEAR 2003.—

(1) IN GENERAL.—Heading 9902.29.47, as added by subsection (a), is amended—

(A) by striking ''5.9%'' and inserting ''5.4%''; and

(B) by striking ''On or before 12/31/2002'' and inserting ''On or before 12/31/2003''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2003.

SEC. 1181. DISPERSOL BLACK XF GRAINS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.32.81	Mixture of Disperse blue 284, Disperse brown 19 and Disperse red 311 with non-color dispersing agent (provided for in subheading 3204.11.35)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1182. FLUROXYPYR, 1-METHYLHEPTYL ESTER (FME).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.77	Fluoroxypyr, 1-methylheptyl ester (1-Methylheptyl ((4-amino-3,5-dichloro-6-fluoro-2-pyridinyl)oxy)acetate) (CAS No. 81406–37–3) (provided for in subheading 2933.39.25)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1183. SOLSPERSE 17260.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.38.29	12-Hydroxyoctadecanoic acid, reaction product with N,N-dimethyl-1,3-propanediamine, dimethyl sulfate, quaternized, 60 percent solution in toluene (CAS No. 70879–66–2) (provided for in subheading 3824.90.28)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1184. SOLSPERSE 17000.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.38.02	12-Hydroxyoctadecanoic acid, reaction product with N,N-dimethyl, 1, 3-propanediamine, dimethyl sulfate, quaternized (CAS No. 70879–66–2) (provided for in subheading 3824.90.40)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1185. SOLSPERSE 5000.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.38.03	1-Octadecanaminium, N,N-dimethyl-N-octadecyl-, (Sp-4-2)-[29H,31H-phthalocyanine-2-sulfonato(3-)-N^{29},N^{30},N^{31},N^{32}]cuprate(1-) (CAS No. 70750–63–9) (provided for in subheading 3824.90.28)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1186. CERTAIN TAED CHEMICALS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.70	Tetraacetylethylenediamine (CAS Nos. 10543–57–4) (provided for in subheading 2924.10.10)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1187. ISOBORNYL ACETATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.29.71	Isobornyl acetate (CAS No. 125–12–2) (provided for in subheading 2915.39.45)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1188. SOLVENT BLUE 124.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.32.73	Solvent blue 124 (CAS No. 29243–26–3) (provided for in subheading 3204.19.20)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1189. SOLVENT BLUE 104.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.32.72	Solvent blue 104 (CAS No. 116–75–6) (provided for in subheading 3204.19.20)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1190. PRO-JET MAGENTA 364 STAGE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

''	9902.85.00	5-[4-(4,5-Dimethyl-2-sulfophenylamino)-6-hydroxy-[1,3,5-triazin-2-yl amino]-4-hydroxy-3-(1-sulfonaphthalen-2-ylazo)naphthalene-2,7-disulfonic acid, sodium ammonium salt (provided for in subheading 3204.14.30)	Free	No change	No change	On or before 12/31/2003	''.

SEC. 1191. 4-AMINO-2,5-DIMETHOXY-N-PHENYLBENZENE SULFONAMIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	*9902.29.73*	*4-Amino-2,5-dimethoxy-N-phenylbenzene sulfonamide (CAS No. 52298–44–9) (provided for in subheading 2935.00.10)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	’’.

SEC. 1192. UNDECYLENIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	*9902.29.78*	*10-Undecylenic acid (CAS No. 112–38–9) (provided for in subheading 2916.19.30)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	’’.

SEC. 1193. 2-METHYL-4-CHLOROPHENOXYACETIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	*9902.29.81*	*2-Methyl-4-chlorophenoxyacetic acid (CAS No. 94–74–6) and its 2-ethylhexyl ester (CAS No. 29450–45–1) (provided for in subheading 2918.90.20); and 2-Methyl-4-chlorophenoxy-acetic acid, dimethylamine salt (CAS No. 2039–46–5) (provided for in subheading 2921.19.60)*	*2.6%*	*No change*	*No change*	*On or before 12/31/2003*	’’.

SEC. 1194. IMINODISUCCINATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	*9902.29.83*	*Mixtures of sodium salts of iminodisuccinic acid (provided for in subheading 3824.90.90)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	’’.

SEC. 1195. IMINODISUCCINATE SALTS AND AQUEOUS SOLUTIONS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	*9902.38.10*	*Mixtures of sodium salts of iminodisuccinic acid, dissolved in water (provided for in subheading 3824.90.90)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	’’.

SEC. 1196. POLY(VINYL CHLORIDE) (PVC) SELF-ADHESIVE SHEETS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	*9902.39.01*	*Poly(vinyl chloride) (PVC) self-adhesive sheets, of a kind used to make bandages (provided for in subheading 3919.10.20)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	’’.

SEC. 1197. 2-BUTYL-2-ETHYLPROPANEDIOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	*9902.29.84*	*2-Butyl-2-ethylpropane-1,3-diol (CAS No. 115–84–4) (provided for in subheading 2905.39.90)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	’’.

SEC. 1198. CYCLOHEXADEC-8-EN-1-ONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	*9902.29.85*	*Cyclohexadec-8-en-1-one (CAS No. 3100–36–5) (provided for in subheading 2914.29.50)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	’’.

SEC. 1199. PAINT ADDITIVE CHEMICAL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	*9902.29.33*	*N-Cyclopropyl-N′-(1,1-dimethylethy)-6-(methylthio)-1,3,5-triazine-2,4-diamine (CAS No. 28159–98–0) (provided for in subheading 2933.69.60)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	’’.

SEC. 1200. o-CUMYL-OCTYLPHENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.86	o-Cumyl-octylphenol (CAS No. 73936–80–8) (provided for in subheading 2907.19.80)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1201. CERTAIN POLYAMIDES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.39.08	Micro-porous, ultrafine, spherical forms of polyamide-6, polyamide-12, and polyamide-6,12 powders (CAS No. 25038–54–4, 25038–74–8, and 25191–04–1) (provided for in subheading 3908.10.00)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1202. MESAMOLL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.14	Mixture of phenyl esters of C_{10}–C_{18} alkylsulfonic acids (CAS No. 70775–94–9) (provided for in subheading 3812.20.10)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1203. VULKALENT E/C.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.31	Mixtures of N-phenyl-N-((trichloromethyl)thio)-benzenesulfonamide, calcium carbonate, and mineral oil (provided for in 3824.90.28)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1204. BAYTRON M.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.87	3,4-Ethylenedioxythiophene (CAS No. 126213–50–1) (provided for in subheading 2934.90.90)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1205. BAYTRON C–R.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.15	Aqueous catalytic preparations based on iron (III) toluenesulfonate (CAS No. 77214–82–5) (provided for in subheading 3815.90.50)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1206. BAYTRON P.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.39.15	Aqueous dispersions of poly(3,4-ethylenedioxythiophene) poly-(styrenesulfonate) (cationic) (CAS No. 155090–83–8) (provided for in subheading 3911.90.25)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1207. MOLDS FOR USE IN CERTAIN DVDs.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.84.19	Molds for use in the manufacture of digital versatile discs (DVDs) (provided for in subheading 8480.71.80)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1208. KN001 (A HYDROCHLORIDE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.88	2,4-Dichloro-5-hydrazinophenol monohydrochloride (CAS No. 189573–21–5) (provided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1209. CERTAIN COMPOUND OPTICAL MICROSCOPES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.98.07	Compound optical microscopes: whether or not stereoscopic and whether or not provided with a means for photographing the image; especially designed for semiconductor inspection; with full encapsulation of all moving parts above the stage; meeting "cleanroom class 1" criteria; having a horizontal distance between the optical axis and C-shape microscope stand of 8" or more; and fitted with special microscope stages having a lateral movement range of 6" or more in each direction and containing special sample holders for semiconductor wafers, devices, and masks (provided for in heading 9011.20.80)	Free	No Change	No change	On or before 12/31/2003	".

SEC. 1210. DPC 083.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.29.92*	*(S)-6-Chloro-3,4-dihydro-4E-cyclopropylethnyl-4-trifluoromethyl-2(1H)-quinazolinone (CAS No. 214287–99–7) (provided for in subheading 2933.90.46)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1211. DPC 961.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.20.05*	*(S)-6-Chloro-3,4-dihydro-4-cyclopropylethynyl-4-trifluoromethyl-2(1H)-quinazolinone (CAS No. 214287–88–4) (provided for in subheading 2933.90.46)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1212. PETROLEUM SULFONIC ACIDS, SODIUM SALTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.34.01*	*Petroleum sulfonic acids, sodium salts (CAS No. 68608–26–4) (provided for in subheading 3402.11.50)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1213. PRO-JET CYAN 1 PRESS PASTE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.32.20*	*Direct blue 199 acid (CAS No. 80146–12–9) (provided for in subheading 3204.14.30)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1214. PRO-JET BLACK ALC POWDER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.32.23*	*Direct black 184 (provided for in subheading 3204.14.30)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1215. PRO-JET FAST YELLOW 2 RO FEED.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.29.99*	*Direct yellow 173 (provided for in subheading 3204.14.30)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1216. SOLVENT YELLOW 145.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.30.46*	*Solvent yellow 145 (CAS No. 27425–55–4) (provided for in subheading 3204.19.25)* ..	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1217. PRO-JET FAST MAGENTA 2 RO FEED.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.32.24*	*Direct violet 107 (provided for in subheading 3204.14.30)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1218. PRO-JET FAST CYAN 2 STAGE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.32.17*	*Direct blue 307 (provided for in subheading 3204.14.30)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1219. PRO-JET CYAN 485 STAGE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.32.25*	*[(2-Hydroxyethylsulfamoyl)-sulfophthalocyaninato] copper (II), mixed isomers (provided for in subheading 3204.14.30)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1220. TRIFLUSULFURON METHYL FORMULATED PRODUCT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	*9902.38.50*	*Methyl 2-[[[[[-4-(dimethylamino)-6-(2,2,2-trifluoroethoxy)-1,3,5-triazin-2-yl]amino]carbonyl]amino]sulfonyl]-3-methylbenzoate (CAS No. 126535–15–7) (provided for in subheading 3808.30.15)*	*Free*	*No change*	*No change*	*On or before 12/31/2003*	".

SEC. 1221. PRO-JET FAST CYAN 3 STAGE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.30.11	[29H,31H-Phthalocyaninato(2-) -xN29,xN30,xN31,xN32] copper,[[2-[4-(2-aminoethyl)-1-piperazinyl]-ethyl]amino]sulfonylamino-sulfonyl[(2-hydroxy-ethyl)amino]-sulfonyl [[2-[[2-(1-piperazinyl)ethyl]-amino)ethyl]-amino]sulfonyl sulfo derivatives and their sodium salts (provided for in subheading 3204.14.30) ...	Free	No change	No change	On or before 12/31/2003	’’.

SEC. 1222. PRO-JET CYAN 1 RO FEED.

(a) CALENDAR YEAR 2000.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.65	Direct blue 199 sodium salt (CAS No. 90295–11–7) (provided for in subheading 3204.14.30)	9.5%	No change	No change	On or before 12/31/2000	’’.

(b) CALENDAR YEAR 2001.—

(1) IN GENERAL.—Heading 9902.32.65, as added by subsection (a), is amended—

(A) by striking ‘‘9.5%’’ and inserting ‘‘8.5%’’; and

(B) by striking ‘‘On or before 12/31/2000’’ and inserting ‘‘On or before 12/31/2001’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2001.

(c) CALENDAR YEAR 2002.—

(1) IN GENERAL.—Heading 9902.32.65, as added by subsection (a) and amended by subsection (b), is further amended—

(A) by striking ‘‘8.5%’’ and inserting ‘‘7.4%’’; and

(B) by striking ‘‘On or before 12/31/2001’’ and inserting ‘‘On or before 12/31/2002’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2001.

SEC. 1223. PRO-JET FAST BLACK 287 NA PASTE/LIQUID FEED.

(a) CALENDAR YEAR 2000.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.32.67	Direct black 195 (CAS No. 160512–93–6) (provided for in subheading 3204.14.30)	7.8%	No change	No change	On or before 12/31/2000	’’.

(b) CALENDAR YEAR 2001.—

(1) IN GENERAL.—Heading 9902.32.67, as added by subsection (a), is amended—

(A) by striking ‘‘7.8%’’ and inserting ‘‘7.1%’’; and

(B) by striking ‘‘On or before 12/31/2000’’ and inserting ‘‘On or before 12/31/2001’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2001.

(c) CALENDAR YEAR 2002.—

(1) IN GENERAL.—Heading 9902.32.67, as added by subsection (a) and amended by subsection (b), is further amended—

(A) by striking ‘‘7.1%’’ and inserting ‘‘6.4%’’; and

(B) by striking ‘‘On or before 12/31/2001’’ and inserting ‘‘On or before 12/31/2002’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2001.

SEC. 1224. 4-(CYCLOPROPYL-α-HYDROXYMETHYLENE)-3,5-DIOXO-CYCLOHEXANECARBOXYLIC ACID ETHYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.93	4-(Cyclopropyl-α-hydroxymethylene)-3,5-dioxo-cyclohexanecarboxylic acid, ethyl ester (CAS No. 95266–40–3) (provided for in subheading 2918.90.50)	Free	No change	No change	On or before 12/31/2003	’’.

SEC. 1225. 4”-EPIMETHYLAMINO-4”-DEOXYAVERMECTIN B_{1a} AND B_{1b} BENZOATES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.29.94	4’’-Epimethyl-amino-4’’-deoxyavermectin B_{1a} and B_{1b} benzoates (CAS No. 137512–74–4, 155569–91–8, or 179607–18–2) (provided for in subheading 2938.90.00)	Free	No change	No change	On or before 12/31/2003	’’.

SEC. 1226. FORMULATIONS CONTAINING 2-[4-[(5-CHLORO-3-FLUORO-2-PYRIDINYL)OXY]-PHENOXY]-2-PROPYNYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.38.51	Propanoic acid, 2-[4-[(5-chloro-3-fluoro-2-pyridinyl)oxy]-phenoxy]-2-propynyl ester (CAS No. 105512–06–9) (provided for in subheading 3808.30.15)	3%	No change	No change	On or before 12/31/2003	’’.

SEC. 1227. MIXTURES OF 2-(2-CHLOROETHOXY)-$_N$-[[4-METHOXY-6-METHYL-1,3,5-TRIAZIN-2-YL)AMINO] ARBONYLBENZENESULFONAMIDE] AND 3,6-DICHLORO-2-METHOXYBENZOIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

‘‘	9902.38.21	Mixtures of 2-(2-chloroethoxy)-N-[[4-methoxy-6-methyl-1,3,5-triazin-2-yl)amino]carbonylbenzene-sulfonamide] (CAS No. 82097–50–5) and 3,6-dichloro-2-methoxybenzoic acid (CAS No. 1918–00–9) with application adjuvants (provided for in subheading 3808.30.15)	Free	No change	No change	On or before 12/31/2003	’’.

SEC. 1228. ($_{E,E}$)-α-(METHOXYIMINO)-2-[[[[1-[3-(TRIFLUOROMETHYL)PHENYL]-ETHYLIDENE] AMINO]OXY]METHYL] BENZENEACETIC ACID, METHYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.41	(E,E)-α-(Methoxyimino)-2-[[[[1-[3-(trifluoromethyl)phenyl]- ethylidene]amino]oxy]- methyl]benzeneacetic acid, methyl ester (CAS No. 141517–21–7) (provided for in subheading 2929.90.20)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1229. FORMULATIONS CONTAINING SULFUR.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.13	Mixtures of sulfur (80 percent by weight) and application adjuvants (CAS No. 7704–34–9) (provided for in subheading 3808.20.50)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1230. MIXTURES OF 3-(6-METHOXY-4-METHYL-1,3,5-TRIAZIN-2-YL)-1-[2-(2-CHLOROETHOXY)-PHENYLSULFONYL]-UREA.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.52	Mixtures of 3-(6-methoxy-4-methyl-1,3,5-triazin-2-yl)-1-[2-(2-chloroethoxy)-phenylsulfonyl]-urea (CAS No. 82097–50–5) and application adjuvants (provided for in subheading 3808.30.15)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1231. MIXTURES OF 4-CYCLOPROPYL-6-METHYL-$_{N}$-PHENYL-2-PYRIMIDINAMINE-4-(2,2-DIFLUORO-1,3-BENZODIOXOL-4-YL)-1$_{H}$-PYRROLE-3-CARBONITRILE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.53	Mixtures of 4-cyclopropyl-6-methyl-N-phenyl-2-pyrimidinamine-4-(2,2-difluoro-1,3-benzodioxol-4-yl)-1H-pyrrole-3-carbonitrile (CAS No. 131341–86–1) and application adjuvants (provided for in subheading 3808.20.15)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1232. (R)-2-[2,6-DIMETHYLPHENYL)-METHOXYACETYLAMINO]PROPIONIC ACID, METHYL ESTER AND (S)-2-[2,6-DIMETHYLPHENYL)-METHOXYACETYLAMINO]PROPIONIC ACID, METHYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.31	(R)-2-[2,6-Dimethylphenyl)-methoxyacetylamino]propionic acid, methyl ester and (S)-2-[2,6-Dimethylphenyl)-methoxyacetylamino]propionic acid, methyl ester (CAS No. 69516–34–3) (both of the foregoing provided for in subheading 2924.29.47)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1233. MIXTURES OF BENZOTHIADIAZOLE-7-CARBOTHIOIC ACID, $_{S}$-METHYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.22	Mixtures of benzothiadiazole-7-carbothioic acid, S-methyl ester (CAS No. 135158–54–2) and application adjuvants (provided for in subheading 3808.20.15)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1234. BENZOTHIALDIAZOLE-7-CARBOTHIOIC ACID, $_{S}$-METHYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.42	Benzothialdiazole-7-carbothioic acid, S-methyl ester (CAS No. 135158–54–2) (provided for in subheading 2934.90.12)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1235. $_{O}$-(4-BROMO-2-CHLOROPHENYL)-$_{O}$-ETHYL-$_{S}$-PROPYL PHOSPHOROTHIOATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.30	O-(4-Bromo-2-chlorophenyl)-O-ethyl-S-propyl phosphorothioate (CAS No. 41198–08–7) (provided for in subheading 2930.90.10)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1236. 1-[[2-(2,4-DICHLOROPHENYL)-4-PROPYL-1,3-DIOXOLAN-2-YL]-METHYL]-1$_{H}$-1,2,4-TRIAZOLE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.80	1-[[2-(2,4-Dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]-methyl]-1H-1,2,4-triazole (CAS No. 60207–90–1) (provided for in subheading 2934.90.12)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1237. TETRAHYDRO-3-METHYL-N-NITRO-5-[[2-PHENYLTHIO)-5-THIAZOLYL]-4$_{H}$-1,3,5-OXADIAZIN-4-IMINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.76	Tetrahydro-3-methyl-N-nitro-5-[[2-phenylthio)-5-thiazolyl]-4-H-1,3,5-oxadiazin-4-imine (CAS No. 192439–46–6) (provided for in subheading 2934.10.10)	4.3%	No change	No change	On or before 12/31/2003	".

SEC. 1238. 1-(4-METHOXY-6-METHYLTRIAZIN-2-YL)-3-[2-(3,3,3-TRIFLUOROPROPYL)-PHENYLSULFONYL]-UREA.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.28.40	1-(4-Methoxy-6-methyltriazin-2-yl)-3-[2-(3,3,3-trifluoropropyl)-phenylsulfonyl]-urea (CAS No. 94125–34–5) (provided for in subheading 2935.00.75)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1239. 4,5-DIHYDRO-6-METHYL-4-[(3-PYRIDINYLMETHYLENE)AMINO]-1,2,4-TRIAZIN-3(2$_{H}$)-ONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.28.94	4,5-Dihydro-6-methyl-4-[(3-pyridinylmethylene)amino]-1,2,4-triazin-3(2H)-one (CAS No. 123312–89–0) (provided for in subheading 2933.69.60)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1240. 4-(2,2-DIFLUORO-1,3-BENZODIOXOL-4-YL)-1$_{H}$-PYRROLE-3-CARBONITRILE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.97	4-(2,2-Difluoro-1,3-benzodioxol-4-yl)-1H-pyrrole-3-carbonitrile (CAS No. 131341–86–1) (provided for in subheading 2934.90.12)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1241. MIXTURES OF 2-(((((4,6-DIMETHOXYPYRIMIDIN-2-YL)AMINOCARBONYL)) AMINOSULFONYL))-$_{N,N}$-DIMETHYL-3-PYRIDINECARBOXAMIDE AND APPLICATION ADJUVANTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.69	Mixtures of 2-(((((4,6-dimethoxypyrimidin-2-yl)aminocarbonyl))aminosulfonyl))-N,N-dimethyl-3-pyridinecarboxamide and application adjuvants (CAS No. 111991–09–4) (provided for in subheading 3808.30.15)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1242. MONOCHROME GLASS ENVELOPES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.70.01	Monochrome glass envelopes (provided for in subheading 7011.20.40)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1243. CERAMIC COATER.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	9902.84.00	Ceramic coater for laying down and drying ceramic (provided for in subheading 8479.89.97)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1244. PRO-JET BLACK 263 STAGE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.13	5-[4-(7-Amino-1-hydroxy-3-sulfonaphthalen-2-ylazo)-2,5-bis(2-hydroxyethoxy)-phenylazo]isophthalic acid, lithium salt (provided for in subheading 3204.14.30) ..	Free	No change	No change	On or before 12/31/2003	"

SEC. 1245. PRO-JET FAST BLACK 286 PASTE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.44	1,3-Benzenedicarboxylic acid, 5-[[4-[(7-amino-1-hydroxy-3-sulfo-2-naphthalenyl)azo-6-sulfo-1-naphthalenylazo]-, sodium salt (CAS No. 201932–24–3) (provided for in subheading 3204.14.30)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1246. BROMINE-CONTAINING COMPOUNDS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.28.08	2-Bromoethanesulfonic acid, sodium salt (CAS No. 4263–52–9) (provided for in subheading 2904.90.50)	Free	No change	No change	On or before 12/31/2003	
	9902.28.09	4,4'-Dibromobiphenyl (CAS No. 92–86–4) (provided for in subheading 2903.69.70)	Free	No change	No change	On or before 12/31/2003	
	9902.28.10	4-Bromotoluene (CAS No. 106–38–7) (provided for in subheading 2903.69.70)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1247. PYRIDINEDICARBOXYLIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.29.38	1,4-Dihydro-2,6-dimethyl-1,4-diphenyl-3,5-pyridinedicarboxylic acid, dimethyl ester (CAS No. 83300–85–0) (provided for in subheading 2933.90.79)	Free	No change	No change	On or before 12/31/2003	
	9902.29.39	1-[2-[2-Chloro-3-[(1,3-dihydro-1,3,3-trimethyl-2H-indol-2-ylidene)ethylidene]-1-cyclopenten-1-yl]ethenyl]-1,3,3-trimethyl-3H-indolium salt with trifluoromethanesulfonic acid (1:1) (CAS No. 128433–68–1) (provided for in subheading 2933.90.24)	Free	No change	No change	On or before 12/31/2003	
	9902.29.40	N-[4-[5-[4-(Dimethylamino)-phenyl]-1,5-diphenyl-2,4-pentadienylidene]-2,5-cyclohexadien-1-ylidene]-N-methylmethanaminium salt with trifluoromethanesulfonic acid (1:1) (CAS No. 100237–71–6) (provided for in subheading 2921.49.45)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1248. CERTAIN SEMICONDUCTOR MOLD COMPOUNDS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.39.07	Thermosetting epoxide molding compounds of a kind suitable for use in the manufacture of semiconductor devices, via transfer molding processes, containing 70 percent or more of silica, by weight, and having less than 75 parts per million of combined water-extractable content of chloride, bromide, potassium and sodium (provided for in subheading 3907.30.00)	3.5%	No change	No change	On or before 12/31/2003	".

SEC. 1249. SOLVENT BLUE 67.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.53	Solvent blue 67 (CAS No. 81457–65–0) (provided for in subheading 3204.19.11)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1250. PIGMENT BLUE 60.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.08	Pigment blue 60 (CAS No. 81–77–6) (provided for in subheading 3204.17.90)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1251. MENTHYL ANTHRANILATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.08.10	Menthyl anthranilate (CAS No. 134–09–08) (provided for in subheading 2922.49.27)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1252. 4-BROMO-2-FLUOROACETANILIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.28.15	4-Bromo-2-fluoroacetanilide (CAS No. 326–66–9) (provided for in subheading 2924.21.50)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1253. PROPIOPHENONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.28.16	Propiophenone (CAS No. 93–55–0) (provided for in subheading 2914.39.90)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1254. m-CHLOROBENZALDEHYDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.28.17	m-Chlorobenzaldehyde (CAS No. 587–04–2) (provided for in subheading 2913.00.40)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1255. CERAMIC KNIVES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.69.01	Knives having ceramic blades, such blades containing over 90 percent zirconia by weight (provided for in subheading 6911.10.80 or 6912.00.48)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1256. STAINLESS STEEL RAILCAR BODY SHELLS.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	9902.86.07	Railway car body shells of stainless steel, the foregoing which are designed for gallery type railway cars each having an aggregate capacity of 138 passengers on two enclosed levels (provided for in subheading 8607.99.10)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1257. STAINLESS STEEL RAILCAR BODY SHELLS OF 148-PASSENGER CAPACITY.

Subchapter II of chapter 99 is amended by inserting in the numerical sequence the following new heading:

"	9902.86.08	Railway car body shells of stainless steel, the foregoing which are designed for use in gallery type cab control railway cars each having an aggregate capacity of 148 passengers on two enclosed levels (provided for in subheading 8607.99.10)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1258. PENDIMETHALIN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.21.42	N-(Ethylpropyl)-3,4-dimethyl-2,6-dinitroaniline (Pendimethalin) (CAS No. 40487–42–1) (provided for in subheading 2921.49.50)	1.1%	No change	No change	On or before 12/31/2003	".

SEC. 1259. 3,5-DIBROMO-4-HYDOXYBENZONITRIL ESTER AND INERTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.04	Mixtures of octanoate and heptanoate esters of bromoxynil (3,5-Dibromo-4-hydroxybenzonitrile) (CAS Nos. 1689–99–2 and 56634–95–8) with application adjuvants (provided for in subheading 3808.30.15)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1260. 3,5-DIBROMO-4-HYDOXYBENZONITRIL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.28.18	Bromoxynil (3,5-dibromo-4-hydroxybenzonitrile), octanoic acid ester (CAS No. 1689–99–2) (provided for in subheading 2926.90.25)	4.2%	No change	No change	On or before 12/31/2003	".

SEC. 1261. ISOXAFLUTOLE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.79	4-(2-Methanesulfonyl-4-trifluoromethylbenzoyl)-5-cyclopropylisoxazole (CAS No. 141112–29–0) (provided for in subheading 2934.90.15)	1.0%	No change	No change	On or before 12/31/2003	".

SEC. 1262. CYCLANILIDE TECHNICAL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.64	1-(2,4-Dichlorophenylaminocarbonyl)-cyclopropanecarboxylic acid (CAS No. 113136–77–9) (provided for in subheading 2924.29.47)	5.7%	No change	No change	On or before 12/31/2003	".

SEC. 1263. R115777.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.33.40	(R)-6-[Amino(4-chlorophenyl)(1-methyl-1H-imidazol-5-yl)methyl]-4-(3-chlorophenyl)-1-methyl-2(1H)-quinoline (CAS No. 192185–72–1) (provided for in subheading 2933.40.26)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1264. BONDING MACHINES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.84.16	Bonding machines for use in the manufacture of digital versatile discs (DVDs) (provided for in subheading 8479.89.97)	1.7%	No change	No change	On or before 12/31/2003	".

SEC. 1265. GLYOXYLIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.13	Glyoxylic acid (CAS No. 298–12–4) (provided for in subheading 2918.30.90)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1266. FLUORIDE COMPOUNDS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.28.20	Ammonium bifluoride (CAS No. 1341–49–7) (provided for in subheading 2826.11.10)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1267. COBALT BORON.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.80.05	Cobalt boron (provided for in subheading 8105.10.30)	Free	No change	No change	On or before 12/31/2003	".

SEC. 1268. CERTAIN STEAM OR OTHER VAPOR GENERATING BOILERS USED IN NUCLEAR FACILITIES.

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.84.02	Watertube boilers with a steam production exceeding 45 t per hour, for use in nuclear facilities (provided for in subheading 8402.11.00)	4.9%	No change	No change	On or before 12/31/2003	".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to goods—

(1) entered, or withdrawn from warehouse, for consumption, on or after the 15th day after the date of enactment of this Act; and

(2) purchased pursuant to a binding contract entered into on or before the date of the enactment of this Act.

SEC. 1269. FIPRONIL TECHNICAL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.98	5-Amino-1-(2,6-dichloro-4-(trifluoromethyl)phenyl)-4-((l,r,s)-(trifluromethylsulfinyl))-1H-pyrazole-3-carbonitrile (CAS No. 120068–37–3) (provided for in subheading 2933.19.23)	5.6%	No change	No change	On or before 12/31/2003	".

SEC. 1270. KL540.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.29.91	Methyl-4-trifluoromethoxyphenyl-N-(chlorocarbonyl) carbamate (CAS No. 173903–15–6) (provided for in subheading 2924.29.70)	Free	No change	No change	On or before 12/31/2003	".

CHAPTER 2—EXISTING DUTY SUSPENSIONS AND REDUCTIONS

SEC. 1301. EXTENSION OF CERTAIN EXISTING DUTY SUSPENSIONS AND REDUCTIONS.

(a) EXISTING DUTY SUSPENSIONS.—Each of the following headings is amended by striking out the date in the effective period column and inserting "12/31/2003":

(1) Heading 9902.32.12 (relating to DEMT).

(2) Heading 9902.39.07 (relating to a certain polymer).

(3) Heading 9902.29.07 (relating to 4-hexylresorcinol).

(4) Heading 9902.29.37 (relating to certain sensitizing dyes).

(5) Heading 9902.32.07 (relating to certain organic pigments and dyes).

(6) Heading 9902.71.08 (relating to certain semi-manufactured forms of gold).

(7) Heading 9902.33.59 (relating to DPX–E6758).

(8) Heading 9902.33.60 (relating to rimsulfuron).

(9) Heading 9902.70.03 (relating to rolled glass).

(10) Heading 9902.72.02 (relating to ferroboron).

(11) Heading 9902.70.06 (relating to substrates of synthetic quartz or synthetic fused silica).

(12) Heading 9902.32.90 (relating to diiodomethyl-p-tolylsulfone).

(13) Heading 9902.32.92 (relating to β-bromo-β-nitrostyrene).

(14) Heading 9902.32.06 (relating to yttrium).

(15) Heading 9902.32.55 (relating to methyl thioglycolate).

(b) EXISTING DUTY REDUCTION.—Heading 9902.29.68 (relating to Ethylene/tetrafluoroethylene copolymer (ETFE)) is amended by striking out the date in the effective period column and inserting "12/31/2003".

(c) OTHER MODIFICATIONS.—

(1) METHYL ESTERS.—

(A) CALENDAR YEAR 2001.—

(i) IN GENERAL.—Heading 9902.38.24 (relating to methyl esters) is amended—

(I) by striking "Free" and inserting "1.6%"; and

(II) by striking "12/31/2000" and inserting "12/31/2001".

(ii) EFFECTIVE DATE.—The amendments made by clause (i) shall take effect on January 1, 2001.

(B) CALENDAR YEAR 2002.—

(i) IN GENERAL.—Heading 9902.38.24, as amended by subparagraph (A), is amended—

(I) by striking "1.6%" and inserting "1.8%"; and

(II) by striking "12/31/2001" and inserting "12/31/2002".

(ii) EFFECTIVE DATE.—The amendments made by clause (i) shall take effect on January 1, 2002.

(C) CALENDAR YEAR 2003.—

(i) IN GENERAL.—Heading 9902.38.24, as amended by subparagraph (B), is amended—

(I) by striking "1.8%" and inserting "1.9%"; and

(II) by striking "12/31/2002" and inserting "12/31/2003".

(ii) EFFECTIVE DATE.—The amendments made by clause (i) shall take effect on January 1, 2003.

(2) CERTAIN MANUFACTURING EQUIPMENT.—Headings 9902.84.83, 9902.84.85, 9902.84.87, 9902.84.89, and 9902.84.91 (relating to certain manufacturing equipment) are each amended—

(A) by striking "4011.91.50" each place it appears and inserting "4011.91";

(B) by striking "4011.99.40" each place it appears and inserting "4011.99"; and

(C) by striking "86 cm" each place it appears and inserting "63.5 cm".

(3) CARBAMIC ACID (U–9069).— Heading 9902.33.61 (relating to carbamic acid (U–9069)) is amended—

(A) by striking "7.6%" and inserting "Free"; and

(B) by striking the date in the effective period column and inserting "12/31/2003".

(4) DPX–E9260.— Heading 9902.33.63 (relating to DPX–E9260) is amended—

(A) by striking "5.3%" and inserting "Free"; and

(B) by striking the date in the effective period column and inserting "12/31/2003".

SEC. 1302. TECHNICAL CORRECTION.

Heading 9902.32.70 is amended by striking "(provided for in subheading 2916.39.45)" and inserting "(provided for in subheading 2916.39.75)".

SEC. 1303. EFFECTIVE DATE.

Except as otherwise provided in this chapter, the amendments made by this chapter apply to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2001.

Subtitle B—Other Tariff Provisions

CHAPTER 1—LIQUIDATION OR RELIQUIDATION OF CERTAIN ENTRIES

SEC. 1401. CERTAIN TELEPHONE SYSTEMS.

(a) IN GENERAL.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520), or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate those entries listed in subsection (c), in accordance with the final decision of the Department of Commerce of February 7, 1990 (case number A580–803–001).

(b) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid by the Customs Service within 90 days after such liquidation or reliquidation.

(c) ENTRY LIST.—The entries referred to in subsection (a) are the following:

Entry number	Date of entry	Port
E85–0001814–6	10/05/89	Miami, FL
E85–0001844–3	10/30/89	Miami, FL
E85–0002268–4	07/21/90	Miami, FL
E85–0002510–9	12/15/90	Miami, FL
E85–0002511–7	12/15/90	Miami, FL
E85–0002509–1	12/15/90	Miami, FL
E85–0002527–3	12/12/90	Miami, FL
E85–0002550–0	12/20/90	Miami, FL
102–0121558–8	12/11/91	Miami, FL
E85–0002654–5	04/08/91	Miami, FL
E85–0002703–0	05/01/91	Miami, FL
E85–0002778–2	06/05/91	Miami, FL
E85–0002909–3	08/05/91	Miami, FL
E85–0002913–5	08/02/91	Miami, FL
102–0120990–4	10/18/91	Miami, FL
102–0120668–6	09/03/91	Miami, FL
102–0517007–8	11/20/91	Miami, FL
102–0122145–3	03/05/91	Miami, FL
102–0121173–6		Miami, FL
102–0121559–6		Miami, FL
E85–0002636–2		Miami, FL

SEC. 1402. COLOR TELEVISION RECEIVER ENTRIES.

(a) IN GENERAL.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520), or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate those entries listed in subsection (c) in accordance with the final results of the administrative reviews, covering the periods from April 1, 1989, through March 31, 1990, and from April 1, 1990, through March 31, 1991, undertaken by the International Trade Administration of the Department of Commerce for such entries (case number A–583–009).

(b) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a), with interest provided for by law on the liquidation or reliquidation of entries, shall be paid by the Customs Service within 90 days after such liquidation or reliquidation.

(c) ENTRY LIST.—The entries referred to in subsection (a) are the following:

Entry number	Date of entry
509–0210046–5	August 18, 1989
815–0908228–5	June 25, 1989
707–0836829–8	April 4, 1990
707–0836940–3	April 12, 1990
707–0837161–5	April 25,1990
707–0837231–6	May 3, 1990
707–0837497–3	May 17, 1990
707–0837498–1	May 24, 1990
707–0837612–7	May 31, 1990
707–0837817–2	June 13, 1990
707–0837949–3	June 19, 1990
707–0838712–4	August 7, 1990
707–0839000–3	August 29, 1990
707–0839234–8	September 15, 1990
707–0839284–3	September 12, 1990
707–0839595–2	October 2, 1990
707–0840048–9	November 1, 1990
707–0840049–7	November 1, 1990
707–0840176–8	November 8, 1990

SEC. 1403. COPPER AND BRASS SHEET AND STRIP.

(a) IN GENERAL.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520), or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate those entries listed in subsection (c).

(b) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a), with interest accrued from the date of entry, shall be paid by the Customs Service within 90 days after such liquidation or reliquidation.

(c) ENTRY LIST.—The entries referred to in subsection (a) are the following:

Entry number	Date of entry	Date of liquidation
110–1197671–6	10/18/86	7/6/92
110–1198090–8	12/19/86	1/23/87
110–1271919–8	11/12/86	11/6/87
110–1272332–3	11/26/86	11/20/87
110–1955373–1	12/17/86	7/26/96
110–1271914–9	11/12/86	11/6/87
110–1279006–6	09/09/87	8/26/88
110–1279699–8	10/06/87	11/6/87
110–1280399–2	11/03/87	12/11/87
110–1280557–5	11/11/87	12/28/87
110–1280780–3	11/24/87	01/29/88
110–1281399–1	12/16/87	2/12/88
110–1282632–4	02/17/88	3/18/88
110–1286027–3	02/26/88	2/17/89
110–1286056–2	02/23/88	2/12/89
719–0736650–5	07/27/87	3/13/92
110–1285877–2	09/08/88	06/02/89
110–1285885–5	09/08/88	06/02/89
110–1285959–8	09/13/88	06/02/89
110–1286057–0	03/01/88	04/01/88
110–1286061–2	03/02/88	02/24/89
110–1286120–6	03/13/88	03/03/89
110–1286122–2	03/13/88	03/03/89
110–1286123–0	03/13/88	03/03/89
110–1286124–8	03/13/88	03/03/89
110–1286133–9	03/20/88	04/15/88
110–1286134–7	03/20/88	04/15/88
110–1286151–1	03/15/88	09/15/89
110–1286194–1	03/22/88	08/24/90
110–1286262–6	04/04/88	06/09/89
110–1286264–2	03/30/88	06/09/89
110–1286293–1	04/09/88	06/02/89
110–1286294–9	04/09/88	06/02/89
110–1286330–1	04/13/88	06/02/89
110–1286332–7	04/13/88	06/02/89
110–1286376–4	04/20/88	06/02/89
110–1286398–8	04/29/88	06/02/89
110–1286399–6	04/29/88	06/02/89
110–1286418–4	05/06/88	06/02/89
110–1286419–2	05/06/88	06/02/89
110–1286465–5	05/13/88	06/02/89
110–1286467–1	05/13/88	06/02/89
110–1286488–7	05/20/88	07/01/88
110–1286489–5	05/20/88	07/01/88
110–1286490–3	05/20/88	07/01/88
110–1286567–8	05/27/88	06/02/89
110–1286578–5	06/03/88	06/02/89
110–1286579–3	06/03/88	06/02/89
110–1286638–7	06/10/88	06/02/89
110–1286683–3	06/17/88	06/02/89
110–1286685–8	06/17/88	06/02/89
110–1286703–9	06/24/88	07/29/88
110–1286725–2	06/24/88	06/02/89
110–1286740–1	07/01/88	06/02/89
110–1286824–3	07/08/88	06/02/89
110–1286863–1	07/20/88	06/02/89
110–1286910–0	07/24/88	06/02/89
110–1286913–4	07/29/88	06/02/89
110–1286942–3	07/26/88	09/09/88
110–1286990–2	08/02/88	06/02/89
110–1287007–4	08/05/88	06/02/89
110–1287058–7	08/09/88	06/02/89
110–1287195–7	09/22/88	06/02/89
110–1287376–3	09/29/88	06/02/89
110–1287377–1	09/29/88	06/02/89
110–1287378–9	09/29/88	06/02/89
110–1287573–5	10/06/88	06/02/89
110–1287581–8	10/06/88	06/02/89
110–1287756–6	10/11/88	06/29/90
110–1287762–4	10/11/88	06/02/89
110–1287780–6	10/14/88	06/02/89
110–1287783–0	10/14/88	06/02/89
110–1287906–7	10/18/88	06/02/89
110–1288061–0	10/25/88	06/02/89
110–1288086–7	10/27/88	06/02/89
110–1288229–3	11/03/88	06/02/89
110–1288370–5	11/08/88	06/29/90
110–1288408–3	11/10/88	06/29/90
110–1288688–0	11/24/88	06/02/89
110–1288692–2	11/24/88	06/02/89
110–1288847–2	11/29/88	06/29/90
110–1289041–1	12/07/88	06/02/89
110–1289248–2	12/22/88	06/02/89
110–1289250–8	12/21/88	06/02/89
110–1289260–7	12/22/88	06/02/89
110–1289376–1	12/29/88	06/02/89
110–1289588–1	01/15/89	06/02/89
110–0935207–8	01/05/90	03/13/92
110–1294738–5	10/31/89	03/20/90
110–1204990–1	06/08/89	09/29/89
11036694146	01/17/91	12/18/92
11036706841	03/06/91	2/19/93
11036725270	05/24/91	2/19/93
110–1231352–1	07/24/88	08/26/88
110–1231359–6	07/31/88	09/09/88
110–1286029–9	02/25/88	03/25/88
110–1286078–6	03/04/88	04/08/88
110–1286079–4	03/04/88	06/29/90
110–1286107–3	03/10/88	04/08/88
110–1286153–7	03/11/88	04/15/88
110–1286154–5	03/17/88	04/22/88
110–1286155–2	03/31/88	04/22/88
110–1286203–0	03/24/88	06/29/90
110–1286218–8	03/18/88	04/22/88
110–1286241–0	03/31/88	03/24/89
110–1286272–5	03/31/88	08/03/90
110–1286278–2	04/04/88	08/03/90
110–1286362–4	04/21/88	06/29/90
110–1286447–3	05/06/88	06/29/90
110–1286448–1	05/06/88	06/29/90
110–1286472–1	05/11/88	06/29/90
110–1286664–3	06/16/88	06/29/90
110–1286666–8	06/16/88	07/13/90
110–1286889–6	07/22/88	08/03/90
110–1286982–9	08/04/88	06/29/90
110–1287022–3	08/11/88	06/29/90
110–1804941–8	05/04/88	07/29/94
037–0022571–1	01/05/89	02/17/89
110–1135050–8	04/01/89	02/19/93
110–1135292–6	04/23/89	02/19/93
110–1135479–9	05/04/89	12/28/92
110–1136014–3	06/01/89	02/19/93
110–1136111–7	06/09/89	02/19/93
110–1136287–5	06/15/89	12/28/92
110–1136678–5	07/14/88	02/19/93
110–1136815–3	07/17/89	12/28/92
110–1137008–4	07/17/89	02/19/93
110–1137010–0	07/28/89	02/19/93
110–1231614–4	12/06/88	02/17/89
110–1231630–0	12/13/88	02/17/89
110–1231666–4	12/30/88	02/17/89
110–1231694–6	01/16/89	03/24/89
110–1231708–4	01/30/89	03/24/89
110–1231767–0	03/12/89	07/14/89
110–1232086–4	07/27/89	12/01/89
110–1287256–7	09/20/88	09/08/89
110–1287285–6	09/22/88	09/15/89
110–1287442–3	09/29/88	06/29/90
110–1287491–0	09/27/88	06/29/90
110–1287631–1	09/29/88	06/29/90
110–1287693–1	10/06/88	06/29/90
110–1288491–9	11/10/88	06/29/90
110–1288492–7	11/10/88	06/29/90
110–1288937–1	12/08/88	06/29/90
110–1710118–6	01/27/89	01/13/89
110–1137082–9	09/03/89	2/19/93
110–1138058–8	10/11/89	2/19/93
110–1138059–6	09/28/89	2/19/93
110–1138691–6	11/02/89	2/19/93
110–1138698–1	11/02/89	2/19/93
110–1139217–9	12/09/89	2/19/93
110–1139218–7	12/09/89	12/21/89
110–1139219–5	12/02/89	2/19/93
110–1139481–1	01/05/90	2/19/93
110–1140423–0	02/17/90	2/19/93
110–1140641–7	03/08/90	2/19/93
110–1141086–4	04/01/90	2/19/93
110–1142313–1	06/06/90	2/19/93
110–1142728–0	06/30/90	2/19/93
110–1232095–5	08/06/89	12/01/89
110–1232136–7	09/02/89	12/29/89
110–1293737–8	08/29/89	8/21/92
110–1293738–6	08/31/89	8/21/92
110–1293859–0	09/07/89	8/21/92
110–1293861–6	09/06/89	8/21/92
110–1294009–1	09/14/89	8/21/92
110–1294111–5	09/19/89	8/21/92
110–1294328–5	10/05/89	8/21/92
110–1294685–8	10/24/89	8/21/92
110–1294686–6	10/24/89	8/21/92
110–1294798–9	10/31/89	8/21/92
110–1295026–4	11/09/89	8/21/92
110–1295087–6	11/14/89	3/16/90
110–1295088–4	11/16/89	8/21/92
110–1295089–2	11/16/89	8/21/92
110–1295245–0	11/21/89	8/21/92
110–1295493–6	12/05/89	8/21/92
110–1295497–7	12/05/89	8/21/92
110–1295898–6	12/28/89	8/21/92
110–1295903–4	12/28/89	8/21/92
110–1296025–5	01/04/90	8/21/92
110–1296161–8	01/11/90	8/21/92
11011443535	09/25/90	12/18/92
11011448211	10/25/90	12/18/92
11001688032	04/12/88	06/03/88
11001691390	06/01/88	06/02/88
11009971950	03/07/88	03/03/89
11009972545	04/06/88	04/21/89
11012860745	03/04/88	04/08/88
11012861024	03/08/88	04/08/88
11012862071	03/24/88	04/29/88
11012862139	03/22/88	04/22/88
11012869316	07/28/88	06/29/90
11018048717	04/25/88	05/31/88
11018051323	06/08/88	07/08/88
11018054467	07/27/88	07/27/88
11018055324	08/10/88	08/20/88
11009976470	08/29/88	09/01/89
11017086056	10/26/88	12/02/88
11018057726	09/14/88	11/04/88

Entry number	Date of entry	Date of liquidation
11018061991	11/09/88	12/30/88
11011366611	07/13/89	03/05/93
11012044811	03/18/89	04/23/93
11012053952	07/27/89	06/12/92
11012906159	03/09/89	06/29/90
11012908841	03/21/89	06/29/90
11012910227	03/28/89	06/29/90
11012911407	04/06/89	07/21/89
11012911415	04/06/89	06/29/90
11012911423	04/06/89	06/29/90
11012916240	05/04/89	06/29/90
11012922586	06/06/89	06/29/90
11012923964	06/15/89	06/29/90
11012928534	07/11/89	06/29/90
11012929771	07/19/89	06/29/90
11010060926	12/05/89	12/14/90
11012137037	10/02/90	06/12/92
11012941107	09/19/89	08/21/92
11012942238	09/28/89	08/21/92
11012943319	10/05/89	08/21/92
11012944374	10/13/89	03/02/90
11012944390	10/12/89	08/21/92
11012944408	10/13/89	08/21/92
11012946932	10/26/89	08/21/92
11012950918	11/17/89	11/09/90
11012952351	11/21/89	08/21/92
11012953821	11/29/89	08/21/92
11012954621	12/07/89	08/21/92
11012954803	12/07/89	08/21/92
11010103270	01/23/90	05/11/90
11011425391	06/16/90	02/19/93
11015255588	07/03/90	11/02/90
11018670254	01/11/90	01/22/90
11018671211	01/11/90	01/30/90
11018113123	06/06/90	
11010113105	09/06/90	01/04/91
11018133634	12/05/90	

SEC. 1404. ANTIFRICTION BEARINGS.

(a) LIQUIDATION OR RELIQUIDATION OF ENTRIES.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate those entries made at various ports, which are listed in subsection (c), in accordance with the final results of the administrative reviews, covering the periods from November 9, 1988, through April 30, 1990, from May 1, 1990, through April 30, 1991, and from May 1, 1991, through April 30, 1992, conducted by the International Trade Administration of the Department of Commerce for such entries (Case No. A–427–801).

(b) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid by the Customs Service within 90 days after such liquidation or reliquidation.

(c) ENTRY LIST.—The entries referred to in subsection (a) are the following:

Entry Number	Entry Date
(1001)016–0112010–6	May 26, 1989
(4601)016–0112028–8	June 28, 1989
(4601)016–0112126–0	December 5, 1989
(4601)016–0112132–8	December 18, 1989
(4601)016–0112164–1	February 5, 1990
(4601)016–0112229–2	April 12, 1990
(4601)016–0112211–0	March 21, 1990.

SEC. 1405. OTHER ANTIFRICTION BEARINGS.

(a) LIQUIDATION OR RELIQUIDATION OF ENTRIES.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate those entries made at various ports, which are listed in subsection (c), in accordance with the final results of the administrative reviews, covering the periods from November 9, 1988, through April 30, 1990, from May 1, 1990, through April 30, 1991, and from May 1, 1991, through April 30, 1992, conducted by the International Trade Administration of the Department of Commerce for such entries (Case No. A–427–801).

(b) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid by the Customs Service within 90 days after such liquidation or reliquidation.

(c) ENTRY LIST.—The entries referred to in subsection (a) are the following:

Entry Number	Entry Date
(4601)016–0112223–5	April 4, 1990
(4601)710–0225218–8	August 24, 1990
(4601)710–0225239–4	September 5, 1990
(4601)710–0226079–3	May 21, 1991
(1704)J50–0016544–7	January 31, 1991
(4601)016–0112237–5	April 19, 1990
(4601)710–0226033–0	May 7, 1991
(4601)710–0226078–5	May 15, 1991
(4601)710–0225181–8	August 24, 1990
(4601)710–0225381–4	October 3, 1990.

SEC. 1406. PRINTING CARTRIDGES.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to the provisions of subsection (b), the United States Customs Service shall, not later than 180 days after the receipt of the request described in subsection (b), liquidate or reliquidate each entry described in subsection (d) containing any merchandise which, at the time of the original liquidation, was classified under subheading 8517.90.08 of the Harmonized Tariff Schedule of the United States (relating to parts of facsimile machines) at the rate of duty that would have been applicable to such merchandise if the merchandise had been liquidated or reliquidated under subheading 8473.30.50 of the Harmonized Tariff Schedule of the United States (relating to parts and accessories of machines classified under heading 8471 of such Schedule).

(b) REQUESTS.—Reliquidation may be made under subsection (a) with respect to an entry described in subsection (d) only if a request therefor is filed with the Customs Service within 90 days after the date of enactment of this Act and the request contains sufficient information to enable the Customs Service to locate the entry or reconstruct the entry if it cannot be located.

(c) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.

(d) AFFECTED ENTRIES.—The entries referred to in subsection (a), filed at the port of Los Angeles, are as follows:

Date of entry	Entry number	Date of liquidation
01/29/97	112–9640193–6	05/23/97
01/30/97	112–9640390–8	05/16/97
02/01/97	112–9640130–8	05/16/97
02/21/97	112–9642191–8	06/06/97
02/18/97	112–9642236–1	06/06/97
02/24/97	112–9642831–9	06/06/97
02/28/97	112–9643311–1	06/13/97
03/07/97	112–9644155–1	06/20/97
03/14/97	112–9645020–6	06/27/97
03/18/97	112–9645367–1	07/07/97
03/20/97	112–9646067–6	07/11/97
03/20/97	112–9646027–0	07/11/97
03/24/97	112–9646463–7	07/11/97
03/26/97	112–9646461–1	07/11/97
03/24/97	112–9646390–2	07/11/97
03/31/97	112–9647021–2	07/18/97
04/04/97	112–9647329–9	07/18/97
04/07/97	112–9647935–3	02/20/98
04/11/97	112–9300307–3	02/20/98
04/11/97	112–9300157–2	02/20/98
04/24/97	112–9301788–3	03/06/98
04/25/97	112–9302061–4	03/06/98
04/28/97	112–9302268–5	03/13/98
04/25/97	112–9302328–7	03/13/98
04/25/97	112–9302453–3	03/13/98
04/25/97	112–9302438–4	03/13/98
04/25/97	112–9302388–1	03/13/98
05/30/97	112–9306611–2	10/31/97
05/02/97	112–9302488–9	03/13/98
05/09/97	112–9303720–4	03/20/98
05/06/97	112–9303761–8	03/20/98
05/14/97	112–9304827–6	03/27/98
05/16/97	112–9304932–4	03/27/98
01/02/97	112–9636637–8	04/18/97
01/10/97	112–9637688–0	04/25/97
01/06/97	112–9637316–8	04/18/97
01/31/97	112–9640064–9	05/16/97
01/28/97	112–9639734–0	05/09/97
01/25/97	112–9639410–7	05/09/97
01/24/97	112–9639109–5	05/09/97
04/04/97	112–9647321–6	07/18/97

SEC. 1407. LIQUIDATION OR RELIQUIDATION OF CERTAIN ENTRIES OF N,N-DICYCLOHEXYL-2-BENZOTHIAZOLESULFENAMIDE.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514), or any other provision of law, the Customs Service shall—

(1) not later than 90 days after receiving a request described in subsection (b), liquidate or reliquidate as free from duty the entries listed in subsection (c); and

(2) within 90 days after such liquidation or reliquidation, refund any duties paid with respect to such entries, including interest from the date of entry.

(b) REQUESTS.—Reliquidation may be made under subsection (a) with respect to an entry described in subsection (c) only if a request therefore is filed with the Customs Service within 90 days after the date of the enactment of this Act.

(c) ENTRIES.—The entries referred to in subsection (a) are as follows:

Entry Number	Entry Date
0359145–4	November 26, 1996
0359144–7	November 26, 1996
0358011–9	October 30, 1996
0358010–1	October 30, 1996
0357091–2	October 8, 1996
0356909–6	October 1, 1996
0356480–8	September 27, 1996
0356482–4	September 24, 1996
0354733–2	August 7, 1996
0355663–0	August 27, 1996
0355278–7	August 20, 1996
0353571–7	July 3, 1996
0354382–8	July 23, 1996
0354204–4	July 18, 1996
0353162–5	June 25, 1996
0351633–7	May 14, 1996
0351558–6	May 7, 1996
0351267–4	April 27, 1996
0350615–5	April 12, 1996
0349995–5	March 25, 1996
0349485–7	March 11, 1996
0349243–0	February 27, 1996
0348597–6	February 17, 1996
0347203–6	January 2, 1996
0347759–7	January 17, 1996
0346113–8	December 12, 1995
0346119–5	November 29, 1995
0345065–1	October 31, 1995
0345066–9	October 31, 1995
0343859–9	October 3, 1995
0343860–7	October 3, 1995
0342557–0	August 30, 1995
0342558–8	August 30, 1995
0341557–1	July 31, 1995
0341558–9	July 31, 1995
0340382–5	July 6, 1995
0340838–6	June 28, 1995
0339139–2	June 7, 1995
0339144–2	May 31, 1995
0337866–2	April 26, 1995
0337667–4	April 26, 1995
0347103–8	April 12, 1995
0336953–9	March 29, 1995
0336954–7	March 29, 1995
0335799–7	March 1, 1995
0335800–3	March 1, 1995
0335445–7	February 14, 1995
0335020–8	February 9, 1995
0335019–0	February 1, 1995

SEC. 1408. CERTAIN ENTRIES OF TOMATO SAUCE PREPARATION.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to the provisions of subsection (b), the United States Customs Service shall, not later than 180 days after the receipt of the request described in subsection (b), liquidate or reliquidate each entry described in subsection (d) containing any merchandise which, at the time of the original liquidation, was classified under subheading 2002.10.00 of the Harmonized Tariff Schedule of the United States (relating to tomatoes, prepared or preserved) at the rate of duty that would have been applicable to such merchandise if the merchan-

dise had been liquidated or reliquidated under subheading 2103.90.60 of the Harmonized Tariff Schedule of the United States (relating to tomato sauce preparation) on the date of entry.

(b) REQUESTS.—Reliquidation may be made under subsection (a) with respect to an entry described in subsection (d) only if a request therefor is filed with the Customs Service within 90 days after the date of the enactment of this Act and the request contains sufficient information to enable the Customs Service to locate the entry or reconstruct the entry if it cannot be located and to confirm that the entry consists of tomato sauce preparations properly classifiable under subheading 2103.90.60 of the Harmonized Tariff Schedule of the United States.

(c) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.

(d) AFFECTED ENTRIES.—The entries referred to in subsection (a) are as follows:

Entry Number	Entry Date
599–1501057–9	10/26/89
614–2717371–3	10/28/89
614–2717788–8	11/16/89
614–2717875–3	11/17/89
614–2723776–5	10/31/90
614–2725016–4	01/14/91
614–2725155–0	01/28/91
614–2725267–3	02/04/91
614–2725531–2	02/26/91
614–2725662–5	03/06/91
614–2725767–2	03/20/91
614–2725944–7	03/27/91
614–2726273–0	04/23/91
614–2726465–2	05/06/91
614–2726863–8	06/05/91
614–2727011–3	06/13/91
614–2727277–0	07/03/91
614–2727724–1	07/30/91
112–4021152–1	11/13/91
112–4021203–2	11/13/91
112–4021204–0	11/13/91
614–0081685–8	12/19/91
614–0081763–3	12/30/91
614–0082193–2	01/23/92
614–0082201–3	01/23/92
614–0082553–7	02/12/92
614–0082572–7	02/18/92
614–0082785–5	02/25/92
614–0082831–7	03/02/92
614–0083084–2	03/10/92
614–0083228–5	03/18/92
614–0083267–3	03/19/92
614–0083270–7	03/19/92
614–0083284–8	03/19/92
614–0083370–5	03/24/92
614–0083371–3	03/24/92
614–0083372–1	03/24/92
614–0083395–2	03/24/92
614–0083422–4	03/26/92
614–0083426–5	03/26/92
614–0083444–8	03/26/92
614–0083468–7	03/26/92
614–0083517–1	03/30/92
614–0083518–9	03/30/92
614–0083519–7	03/30/92
614–0083574–2	04/02/92
614–0083626–0	04/07/92
614–0083641–9	04/08/92
614–0083655–9	04/08/92
614–0083782–1	04/13/92
614–0083812–6	04/14/92
614–0083862–1	04/20/92
614–0083880–3	04/20/92
614–0083940–5	04/22/92
614–0083967–8	04/22/92
614–0084008–0	04/28/92
614–0084052–8	04/28/92
614–0084076–7	04/29/92
614–0084128–6	04/30/92
614–0084127–8	05/04/92
614–0084163–3	05/05/92
614–0084181–5	05/06/92
614–0084182–3	05/06/92
614–0084498–3	05/19/92
614–0084620–2	05/26/92
614–0084724–2	06/02/92
614–0084725–9	06/02/92
614–0084981–8	06/14/92
614–0084982–6	06/14/92
614–0084983–4	06/14/92
614–0086456–9	08/11/92
614–0086707–5	08/21/92
614–0086807–3	08/28/92
614–0086808–1	08/28/92
614–0088148–0	11/05/92
614–0088687–7	11/24/92
614–0091241–8	03/30/93
614–0091756–5	04/22/93
614–0091803–5	04/26/93
614–0096840–2	12/06/93
614–0095883–3	10/22/93
614–0095940–1	10/21/93
614–0096051–6	10/22/93
614–0096058–1	10/22/93
614–0096063–1	10/25/93
614–0096069–8	10/25/93
614–0100624–4	04/28/94
614–0100701–0	05/02/94
614–0099508–2	06/07/94
614–0002824–9	02/09/95
788–1003306–4	07/14/89

SEC. 1409. CERTAIN TOMATO SAUCE PREPARATION ENTERED IN 1990 THROUGH 1992.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to the provisions of subsection (b), the United States Customs Service shall, not later than 180 days after the receipt of the request described in subsection (b), liquidate or reliquidate each entry described in subsection (d) containing any merchandise which, at the time of the original liquidation, was classified under subheading 2002.10.00 of the Harmonized Tariff Schedule of the United States (relating to tomatoes, prepared or preserved) at the rate of duty that would have been applicable to such merchandise if the merchandise had been liquidated or reliquidated under subheading 2103.90.60 of the Harmonized Tariff Schedule of the United States (relating to tomato sauce preparation) on the date of entry.

(b) REQUESTS.—Reliquidation may be made under subsection (a) with respect to an entry described in subsection (d) only if a request therefor is filed with the Customs Service within 90 days after the date of the enactment of this Act and the request contains sufficient information to enable the Customs Service to locate the entry or reconstruct the entry if it cannot be located and to confirm that the entry consists of tomato sauce preparations properly classifiable under subheading 2103.90.60 of the Harmonized Tariff Schedule of the United States.

(c) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.

(d) AFFECTED ENTRIES.—The entries referred to in subsection (a) are as follows:

Entry Number	Entry Date
521–0010813–4	11/28/90
521–0011263–1	3/15/91
551–2047066–5	3/18/92
551–2047231–5	3/19/92
551–2047441–0	3/20/92
551–2053210–0	4/28/92
819–0565392–9	12/12/92

SEC. 1410. CERTAIN TOMATO SAUCE PREPARATION ENTERED IN 1989 THROUGH 1995.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to the provisions of subsection (b), the United States Customs Service shall, not later than 180 days after the receipt of the request described in subsection (b), liquidate or reliquidate each entry described in subsection (d) containing any merchandise which, at the time of the original liquidation, was classified under subheading 2002.10.00 of the Harmonized Tariff Schedule of the United States (relating to tomatoes, prepared or preserved) at the rate of duty that would have been applicable to such merchandise if the merchandise had been liquidated or reliquidated under subheading 2103.90.60 of the Harmonized Tariff Schedule of the United States (relating to tomato sauce preparation) on the date of entry.

(b) REQUESTS.—Reliquidation may be made under subsection (a) with respect to an entry described in subsection (d) only if a request therefor is filed with the Customs Service within 90 days after the date of the enactment of this Act and the request contains sufficient information to enable the Customs Service to locate the entry or reconstruct the entry if it cannot be located and to confirm that the entry consists of tomato sauce preparations properly classifiable under subheading 2103.90.60 of the Harmonized Tariff Schedule of the United States.

(c) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.

(d) AFFECTED ENTRIES.—The entries referred to in subsection (a) are as follows:

Entry Number	Entry Date
614–2716855–6	10–11–89
614–2717619–5	11–11–89
614–2717846–4	11–25–89
614–2722580–2	09–01–90
614–2723739–3	11–03–90
614–2722163–7	08–04–90
614–2723558–7	10–25–90
614–2723104–0	09–29–90
614–2720674–5	05–10–90
614–2721638–9	07–07–90
614–2718704–4	01–06–90
614–2718411–6	12–16–89
614–2719146–7	02–03–90
614–2719562–5	03–03–90
614–2726258–1	04–26–91
614–2726290–4	05–03–91
614–2725646–8	03–21–91
614–2725926–4	04–06–91
614–2725443–0	02–23–91
614–0081157–8	12–02–91
614–0081303–8	12–03–91
614–2725276–4	02–09–91
614–2728765–3	10–05–91
614–2729005–3	10–19–91
614–2728060–9	08–24–91
614–2727885–0	08–10–91
614–2726744–0	06–01–91
614–2726987–5	06–15–91
614–2725094–1	01–26–91
614–2724766–4	01–07–91
614–2724768–1	12–30–90
614–0084694–7	05–30–92
614–0085303–4	06–30–92
614–0081812–8	01–07–92
614–0082595–8	02–23–92
614–0083467–9	03–31–92
614–0083466–1	03–31–92
614–0083680–7	04–18–92
614–0084025–4	05–02–92
614–0092533–7	05–14–93
614–0093248–1	06–25–93
614–0095915–3	10–26–93
614–0095752–0	10–13–93
614–0095753–8	10–13–93
614–0095275–2	09–24–93
614–0095445–1	10–07–93
614–0095421–2	10–08–93
614–0095814–8	10–22–93
614–0095813–0	10–22–93
614–0095811–4	10–22–93
614–0095914–6	10–26–93
614–0102424–7	06–23–94
614–0096922–8	12–07–93
614–0001090–8	10–20–94
614–0006610–8	06–23–95
614–0004345–3	03–29–95
614–0005582–0	04–28–95

SEC. 1411. CERTAIN TOMATO SAUCE PREPARATION ENTERED IN 1989 AND 1990.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to the provisions of subsection (b), the United States Customs Service shall, not later than 180 days after the receipt of the request described in subsection (b), liquidate or reliquidate each entry described in subsection (d) containing any merchandise which, at the time of the original liquidation, was classified under subheading 2002.10.00 of the Harmonized Tariff Schedule of the United States (relating to tomatoes, prepared or preserved) at the rate of duty that would have been applicable to such merchandise if the merchandise had been liquidated or reliquidated under subheading 2103.90.60 of the Harmonized Tariff Schedule of the United States (relating to tomato sauce preparation) on the date of entry.

(b) REQUESTS.—Reliquidation may be made under subsection (a) with respect to an entry described in subsection (d) only if a request therefor is filed with the Customs Service within 90 days after the date of the enactment of this Act and the request contains sufficient information to enable the Customs Service to locate the entry or reconstruct the entry if it cannot be located and to confirm that the entry consists of tomato sauce preparations properly classifiable under subheading 2103.90.60 of the Harmonized Tariff Schedule of the United States.

(c) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.

(d) AFFECTED ENTRIES.—The entries referred to in subsection (a) are as follows:

Entry Number	Entry Date
812–0507705–0	07/27/89
812–0507847–0	08/03/89
812–0507848–8	08/03/89
812–0509191–1	10/18/89
812–0509247–1	10/25/89
812–0509584–7	11/08/89
812–0510077–9	12/08/89
812–0510659–4	01/12/90

SEC. 1412. NEOPRENE SYNCHRONOUS TIMING BELTS.

(a) IN GENERAL.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520), or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of enactment of this Act, liquidate or reliquidate the entry described in subsection (c).

(b) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of the entry under subsection (a), with interest accrued from the date of entry, shall be paid by the Customs Service within 90 days after such liquidation or reliquidation.

(c) ENTRY.—The entry referred to in subsection (a) is the following:

Entry number	Date of entry	Date of liquidation
469–0015023–9	11/14/89	3/9/90

SEC. 1413. RELIQUIDATION OF DRAWBACK CLAIM NUMBER R74–10343996.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate the drawback claim as filed described in subsection (b).

(b) DRAWBACK CLAIM.—The drawback claim referred to in subsection (a) is the following:

Export Claim Month	Drawback Claim Number	Filing Date
March 1994	R74–1034399 6	07/03/96

(c) PAYMENT OF AMOUNTS DUE.—Any amounts due pursuant to the liquidation or reliquidation of the claim described in subsection (b) shall be paid not later than 90 days after the date of such liquidation or reliquidation.

SEC. 1414. RELIQUIDATION OF CERTAIN DRAWBACK CLAIMS FILED IN 1996.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate the drawback claims as filed described in subsection (b).

(b) DRAWBACK CLAIMS.—The drawback claims referred to in subsection (a) are the following:

Export Claim Month	Drawback Claim Number	Filing Date
March 1993	R74–1034035 6	07/03/96
April 1993	R74–1034070 3	07/03/96

(c) PAYMENT OF AMOUNTS DUE.—Any amounts due pursuant to the liquidation or reliquidation of the claims described in subsection (b) shall be paid not later than 90 days after the date of such liquidation or reliquidation.

SEC. 1415. RELIQUIDATION OF CERTAIN DRAWBACK CLAIMS RELATING TO EXPORTS OF MERCHANDISE FROM MAY 1993 TO JULY 1993.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate the drawback claims as filed described in subsection (b).

(b) DRAWBACK CLAIMS.—The drawback claims referred to in subsection (a) are the following:

Export Claim Month	Drawback Claim Number	Filing Date
May 1993	R74–1034098 4	07/03/96
June 1993	R74–1034126 3	07/03/96
July 1993	R74–1034154 5	07/03/96

(c) PAYMENT OF AMOUNTS DUE.—Any amounts due pursuant to the liquidation or reliquidation of the claims described in subsection (b) shall be paid not later than 90 days after the date of such liquidation or reliquidation.

SEC. 1416. RELIQUIDATION OF CERTAIN DRAWBACK CLAIMS RELATING TO EXPORTS CLAIMS FILED BETWEEN APRIL 1994 AND JULY 1994.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate the drawback claims as filed described in subsection (b).

(b) DRAWBACK CLAIMS.—The drawback claims referred to in subsection (a) are the following:

Export Claim Month	Drawback Claim Number	Filing Date
April 1994	R74–1034427 5	07/03/96
May 1994	R74–1034462 2	07/03/96
July 1994	C04–0032112 8	07/03/96

(c) PAYMENT OF AMOUNTS DUE.—Any amounts due pursuant to the liquidation or reliquidation of the claims described in subsection (b) shall be paid not later than 90 days after the date of such liquidation or reliquidation.

SEC. 1417. RELIQUIDATION OF CERTAIN DRAWBACK CLAIMS RELATING TO JUICES.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate the drawback claims as filed described in subsection (b).

(b) DRAWBACK CLAIMS.—The drawback claims referred to in subsection (a) are the following:

Export Claim Month	Drawback Claim Number	Filing Date
August 1993	R74–1034189 1	07/03/96
September 1993	R74–1034217 0	07/03/96
December 1993	R74–1034308 7	07/03/96
January 1994	R74–1034336 8	07/03/96
February 1994	R74–1034371 5	07/03/96

(c) PAYMENT OF AMOUNTS DUE.—Any amounts due pursuant to the liquidation or reliquidation of the claims described in subsection (b) shall be paid not later than 90 days after the date of such liquidation or reliquidation.

SEC. 1418. RELIQUIDATION OF CERTAIN DRAWBACK CLAIMS FILED IN 1997.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate the drawback claims as filed described in subsection (b).

(b) DRAWBACK CLAIMS.—The drawback claims referred to in subsection (a) are the following:

Drawback Claim Number	Filing Date
WJU1111015–0	May 30, 1997
WJU1111030–9	August 6, 1997
WJU1111006–9	April 16, 1997
WJU1111005–2	February 26, 1997

(c) PAYMENT OF AMOUNTS DUE.—Any amounts due pursuant to the liquidation or reliquidation of the claims described in subsection (b) shall be paid not later than 90 days after the date of such liquidation or reliquidation.

SEC. 1419. RELIQUIDATION OF DRAWBACK CLAIM NUMBER WJU1111031–7.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate the drawback claim as filed described in subsection (b).

(b) DRAWBACK CLAIM.—The drawback claim referred to in subsection (a) is the following:

Drawback Claim Number	Filing Date
WJU1111031–7 (excluding Invoice #24051)	October 16, 1997

(c) PAYMENT OF AMOUNTS DUE.—Any amounts due pursuant to the liquidation or reliquidation of the claim described in subsection (b) shall be paid not later than 90 days after the date of such liquidation or reliquidation.

SEC. 1420. LIQUIDATION OR RELIQUIDATION OF CERTAIN ENTRIES OF ATHLETIC SHOES.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate each drawback claim as filed described in subsection (b).

(b) DRAWBACK CLAIMS.—The drawback claims referred to in subsection (a) are the following claims, filed between August 1, 1993 and June 1, 1998:

Drawback Claims

221–0590991–9
221–0890500–5 through 221–0890675–5
221–0890677–1 through 221–0891427–0
221–0891430–4 through 221–0891537–6
221–0891539–2 through 221–0891554–1
221–0891556–6 through 221–0891557–4
221–0891559–0
221–0891561–6 through 221–0891565–7
221–0891567–3 through 221–0891578–0
221–0891582–0
221–0891584–8 through 221–0891587–1
221–0891589–7
221–0891592–1 through 221–0891597–0
221–0891604–4 through 221–0891605–1
221–0891607–7 through 221–0891609–3

(c) PAYMENT OF AMOUNTS DUE.—Any amounts due pursuant to the liquidation or reliquidation of the claims described in subsection (b) shall be paid not later than 90 days after the date of such liquidation or reliquidation.

SEC. 1421. RELIQUIDATION OF CERTAIN DRAWBACK CLAIMS RELATING TO JUICES.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, reliquidate each entry described in subsection (b) by applying the column 1 general rate of duty of the Harmonized Tariff Schedule of the United States to each entry that is reliquidated, regardless of whether the entry was made under the column 1 special rate of duty of such Schedule.

(b) AFFECTED ENTRIES.—The entries referred to in subsection (a) are as follows:

Entry number	Port of Entry	Date of Entry
T71-0000954-9	2809	10/16/96
T71-0000965-5	2809	11/05/96
T71-0000966-3	2809	11/05/96
T71-0000968-9	2809	11/25/96

Entry number	Port of Entry	Date of Entry
T71-0000969-7	2809	12/23/96

(c) PAYMENT OF AMOUNTS DUE.—Any amounts due pursuant to the reliquidation of an entry described in subsection (b) shall be paid not later than 90 days after the date of such reliquidation.

SEC. 1422. DRAWBACK OF FINISHED PETROLEUM DERIVATIVES

(a) ADDITION OF CRUDE OIL, VINYL CHLORIDE, TEREPHTHALIC ACID, TRIMELLITIC ANYDRIDE, ISOPHTHALIC ACID, ACRYLONITRILE, LUBRICATING OIL ADDITIVES, AND PREPARED ADDITIVES FOR MINERAL OILS FOR SUBSTITUTION.—

(1) IN GENERAL.—Section 313(p)(3)(A)(i)(I) of the Tariff Act of 1930 (19 U.S.C. 1313(p)(3)(A)(i)(I)) is amended—

(A) by inserting ''2709.00,'' after ''2708,''; and

(B) by striking ''2902, and 2909.19.14'' and inserting ''and 2902, and subheadings 2903.21.00, 2909.19.14, 2917.36, 2917.39.04, 2917.39.15, 2926.10.00, 3811.21.00, and 3811.90.00''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply to—

(A) any drawback claim filed on or after such date of enactment; and

(B) any drawback entry filed before such date of enactment if the liquidation of the entry is not final on such date of enactment.

(b) DESIGNATION OF CERTAIN FINISHED PETROLEUM DERIVATIVES AS COMMERCIALLY INTERCHANGEABLE.—Section 313(p)(3)(B) of the Tariff Act of 1930 (19 U.S.C. 1313(p)(3)(B)) is amended by adding at the end the following: ''If an article is referred to under the same eight-digit classification of the Harmonized Tariff Schedule of the United States as the qualified article on January 1, 2000, then whether or not the article has been reclassified under another eight-digit classification after January 1, 2000, the article shall be deemed to be an article that is referred to under the same eight-digit classification of such Schedule as the qualified article for purposes of the preceding sentence.''.

SEC. 1423. RELIQUIDATION OF CERTAIN ENTRIES OF SELF-TAPPING SCREWS.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the United States Customs Service within 180 days after the date of the enactment of this Act, the Customs Service—

(1) shall reliquidate each entry described in subsection (c) containing any merchandise which, at the time of original liquidation, had been classified under subheading 7318.12 of the Harmonized Tariff Schedule of the United States (relating to wood screws); and

(2) shall reliquidate such merchandise under subheading 7318.14 of the Harmonized Tariff Schedule of the United States (relating to self-tapping screws), depending upon their diameter, at the rate of duty then applicable for such merchandise.

(b) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the reliquidation of an entry under subsection (a) shall be paid within 180 days after the date on which the request is made.

(c) AFFECTED ENTRIES.—The entries referred to in subsection (a), filed at the port of Philadelphia, are as follows:

Entry No.	Date of entry	Liquidation Date
Av1–0893629–3	08–11–93	01–14–94
Av1–0893735–8	09–09–93	01–14–94
Av1–0893766–3	09–20–93	01–14–94
Av1–0893809–1	10–13–93	01–14–94
Av1–0893810–9	10–11–93	01–14–94
Av1–0893811–7	10–06–93	01–14–94
Av1–0893846–3	10–19–93	03–18–94
Av1–0893872–9	10–25–93	01–14–94
Av1–0893873–7	10-25–93	01–14–94
Av1–0893904–0	11–02–93	03–18–94
Av1–0893913–1	11–08–93	01–14–94
Av1–0893936–2	11–15–93	01–14–94
Av1–0893949–5	11–18–93	01–14–94
Av1–0893963–6	11–22–93	01–14–94
Av1–0893981–8	11–30–93	03–18–94
Av1–0894012–1	12–06–93	03–18–94
Av1–0894013–9	12–06–93	03–18–94
Av1–0894057–6	12–20–93	03–18–94
Av1–0894058–4	12–20–93	03–18–94
Av1–0894095–6	12–29–93	04–01–94
Av1–0894100–4	01–05–94	04–01–94
Av1–0894108–7	01–04–94	04–22–94
Av1–0894159–0	01–31–94	05–20–94
Av1–0894222–6	02–14–94	04–08–94
Av1–0894245–7	02–19–94	04–08–94
Av1–0894274–7	02–25–94	04–08–94
Av1–0894298–6	03–07–94	04–22–94
Av1–0894299–4	03–08–94	04–22–94
Av1–0894335–6	03–14–94	05–06–94
Av1–0894348–9	03–17–94	05–06–94
Av1–0894355–4	03–30–94	05–06–94
Av1–0894382–8	03–24–94	06–17–94
Av1–0894420–6	04–06–94	06–17–94
Av1–0894429–7	04–11–94	06–24–94
Av1–0894356–2	04–04–94	08–12–94
Av1–0894516–1	05–23–94	07–29–94
Av1–0894517–9	05–23–94	07–29–94
Av1–0894531–0	06–01–94	07–29–94
Av1–0894570–8	05–27–94	09–30–94
Av1–0894580–7	05–31–94	07–29–94
Av1–0894606–0	06–07–94	07–29–94
Av1–0894607–8	06–15–94	07–29–94
Av1–0894608–6	06–06–94	07–29–94
Av1–0894661–5	06–21–94	08–19–94
Av1–0894682–1	06–24–94	08–12–94
Av1–0894685–4	07–05–94	08–12–94
Av1–0894697–9	07–06–94	08–12–94
Av1–0894698–7	07–12–94	08–12–94
Av1–0894820–7	07–27–94	09–16–94
Av1–0894910–6	08–18–94	09–30–94

SEC. 1424. RELIQUIDATION OF CERTAIN ENTRIES OF VACUUM CLEANERS.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the United States Customs Service within 180 days after the date of enactment of this Act, the Customs Service—

(1) shall reliquidate each entry described in subsection (c) containing any merchandise which, at the time of original liquidation, had been classified under subheading 8509.80.00 of the Harmonized Tariff Schedule of the United States; and

(2) shall reliquidate such merchandise under subheading 8509.10.00 of the Harmonized Tariff Schedule of the United States at the duty-free rate then applicable for such appliances.

(b) PAYMENTS OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to a request for the reliquidation of an entry under subsection (a) shall be paid within 180 days after the date on which the request is made.

(c) AFFECTED ENTRIES.—The entries referred to in subsection (a), filed at the ports indicated, are as follows:

Port of Entry	Entry Number	Date of Entry	Date of Liquidation
Baltimore, MD	004–7872032–9	1/11/99	11/19/99
Los Angeles, CA	004–7849971–8	11/19/98	10/1/99
Los Angeles, CA	004–7852693–2	11/25/98	10/8/99
Los Angeles, CA	004–7852699–9	11/25/98	10/8/99
Los Angeles, CA	004–7852722–9	11/25/98	10/8/99
Los Angeles, CA	004–7861673–3	12/8/98	10/22/99
Los Angeles, CA	004–7861692–3	12/8/98	10/22/99
Los Angeles, CA	004–7861704–6	12/8/98	10/22/99
Los Angeles, CA	004–7867000–3	12/17/98	11/5/99
Los Angeles, CA	004–7867004–5	12/17/98	11/5/99
Los Angeles, CA	004–7875266–0	1/3/99	11/19/99
Los Angeles, CA	004–7870717–7	1/6/99	11/5/99
Los Angeles, CA	004–7870733–4	1/6/99	11/5/99
Los Angeles, CA	004–7877886–3	1/7/99	11/19/99
Los Angeles, CA	004–7875246–2	1/13/99	11/12/99
San Francisco, CA	004–7850789–0	11/20/98	10/8/99
San Francisco, CA	004–7864752–2	12/14/98	10/29/99
San Francisco, CA	004–7869967–1	12/22/98	11/5/99
San Francisco, CA	004–7872055–0	1/11/99	11/12/99
Seattle, WA	004–7847960–3	11/17/98	10/1/99
Seattle, WA	004–7850796–5	11/20/98	10/8/99
Seattle, WA	004–7856642–5	12/2/98	10/15/99
Seattle, WA	004–7861684–0	12/8/98	10/22/99
Seattle, WA	004–7861909–1	12/9/98	10/22/99
Seattle, WA	004–7866974–0	12/17/98	10/29/99
Seattle, WA	004–7870790–4	1/6/99	11/12/99
Seattle, WA	004–7877856–6	1/8/99	11/19/99
Seattle, WA	004–7875238–9	1/13/99	11/12/99
Tacoma, WA	004–7861076–9	12/8/98	10/22/99
Tacoma, WA	004–7869848–3	12/31/98	11/19/99
Tacoma, WA	004–7955061–8	5/7/99	7/2/99
Chicago, IL	004–7843214–9	11/10/98	11/25/98
Newark, NJ	004–7854863–9	11/30/98	10/15/99
Newark, NJ	004–7872138–4	1/11/99	11/19/99
New York City/JFK	004–7866439–4	12/16/98	10/29/99
Miami, FL	004–7859052–4	12/4/98	10/15/99
Miami, FL	004–7872013–9	1/11/99	11/12/99

SEC. 1425. LIQUIDATION OR RELIQUIDATION OF CERTAIN ENTRIES OF CONVEYOR CHAINS.

(a) IN GENERAL.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520), or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate those entries listed in subsection (c).

(b) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a), with interest provided for by law on the liquidation or reliquidation of entries, shall be paid by the Customs Service within 90 days after such liquidation or reliquidation.

(c) ENTRY LIST.—The entries referred to in subsection (a) are the following:

Entry number	Date of entry
110–0790274–3	April 2, 1996
110–0790467–3	April 3, 1996
110–0790424–4	April 8, 1996
110–0790537–3	April 11, 1996
110–0790637–1	April 11, 1996
110–0790754–4	April 17, 1996
110–0790655–3	April 23, 1996
110–0790690–0	April 24, 1996
110–0790938–3	April 29, 1996
110–0791044–9	May 3, 1996
110–0790873–2	May 3, 1996
110–0791060–5	May 8, 1996
110–0791198–3	May 15, 1996
110–0791255–1	May 17, 1996
110–0791403–7	May 31, 1996
110–0791555–4	June 5, 1996
110–0791506–7	June 5, 1996
110–0791665–1	June 11, 1996
110–0791621–4	June 12, 1996
110–0791766–7	June 20, 1996
110–0791863–2	June 24, 1996
110–0791832–7	June 26, 1996
110–0792094–3	July 6, 1996
110–0792098–4	July 10, 1996
110–0792216–2	July 15, 1996
110–0792287–3	July 20, 1996
110–0792366–5	August 1, 1996
110–0792570–2	August 7, 1996
110–0792644–5	August 14, 1996
110–0792790–6	August 22, 1996
110–0792926–6	August 27, 1996
110–0792935–7	August 29, 1996
110–0793053–8	September 5, 1996
110–0793054–6	September 5, 1996
110–0793023–1	September 10, 1996
110–0793092–6	September 13, 1996
110–0793246–8	September 16, 1996
110–0793440–7	October 1, 1996
110–0793345–8	October 1, 1996
110–0793499–3	October 3, 1996
110–0793495–1	October 3, 1996
110–0793596–6	October 10, 1996
110–0793542–0	October 14, 1996
110–0793656–8	October 18, 1996
110–0793725–1	October 23, 1996
110–0793775–6	October 28, 1996
110–0793962–0	October 30, 1996
110–0794019–8	November 10, 1996
110–0794066–9	November 11, 1996
110–0793839–0	November 11, 1996
110–0794200–4	November 14, 1996
110–0794242–6	November 15, 1996
110–0794358–0	November 26, 1996
110–0794408–3	November 26, 1996
110–0794335–8	November 27, 1996
110–0794459–6	December 2, 1996
110–0794442–2	December 4, 1996

Entry number	Date of entry
110–0794610–4	December 9, 1996
110–0794592–4	December 11, 1996
110–0794704–5	December 13, 1996
110–0794667–4	December 19, 1996
110–0794893–6	December 30, 1996
110–0794928–0	December 30, 1996
110–0794965–2	January 4, 1997
110–0795166–6	January 10, 1997
110–0795237–5	January 14, 1997
110–0795256–5	January 15, 1997
110–0795478–5	February 2, 1997
110–0795526–1	February 3, 1997
110–0795484–3	February 6, 1997
110–0795611–1	February 7, 1997
110–0795563–4	February 13, 1997
110–0795757–2	February 17, 1997
110–0795735–8	February 19, 1997
110–0795820–8	February 19, 1997
110–0795968–5	February 27, 1997
110–0795959–4	February 27, 1997
110–0796083–2	March 4, 1997
110–0796289–5	March 17, 1997
110–0796115–2	March 18, 1997
110–0796272–1	March 19, 1997
110–0796375–2	March 20, 1997
110–0796390–1	March 26, 1997
110–0796480–0	March 27, 1997
110–0790469–9	April 3, 1996
110–0791663–6	June 12, 1996
110–0792017–4	July 1, 1996
110–0792106–5	July 10, 1996
110–0792890–4	August 22, 1996
110–0793215–3	September 20, 1996
110–0793340–9	September 23, 1996
110–0793405–0	September 30, 1996
110–0795102–1	January 1, 1997
110–0795349–8	January 23, 1997
110–0795672–3	February 11, 1997

CHAPTER 2—SPECIAL CLASSIFICATION RELATING TO PRODUCT DEVELOPMENT AND TESTING

SEC. 1431. SHORT TITLE.

This chapter may be cited as the ''Product Development and Testing Act of 2000''.

SEC. 1432. FINDINGS; PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1)(A) A substantial amount of development and testing occurs in the United States incident to the introduction and manufacture of new products for both domestic consumption and export overseas.

(B) Testing also occurs with respect to merchandise that has already been introduced into commerce to insure that it continues to meet specifications and performs as designed.

(2) The development and testing that occurs in the United States incident to the introduction and manufacture of new products, and with respect to products which have already been introduced into commerce, represents a significant industrial activity employing highly-skilled workers in the United States.

(3)(A) Under the current laws affecting the importation of merchandise, such as the provisions of part I of title IV of the Tariff Act of 1930 (19 U.S.C. 1401 et seq.), goods commonly referred to as ''prototypes'', used for product development testing and product evaluation purposes, are subject to customs duty upon their importation into the United States unless the prototypes qualify for duty-free treatment under special trade programs or unless the prototypes are entered under a temporary importation bond.

(B) In addition, the United States Customs Service has determined that the value of prototypes is to be included in the value of production articles if the prototypes are the result of the same design and development effort as the articles.

(4)(A) Assessing duty on prototypes twice, once when the prototypes are imported and a second time thereafter as part of the cost of imported production merchandise, discourages development and testing in the United States, and thus encourages development and testing to occur overseas, since, in that case, duty will only be assessed once, upon the importation of production merchandise.

(B) Assessing duty on these prototypes twice unnecessarily inflates the cost to businesses, thus reducing their competitiveness.

(5) Current methods for avoiding the excessive assessment of customs duties on the importation of prototypes, including the use of temporary importation entries and obtaining drawback, are unwieldy, ineffective, and difficult for both importers and the United States Customs Service to administer.

(b) PURPOSE.—The purpose of this chapter is to promote product development and testing in the United States by permitting the importation of prototypes on a duty-free basis.

SEC. 1433. AMENDMENTS TO HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

(a) HEADING.—Subchapter XVII of Chapter 98 is amended by inserting in numerical sequence the following new heading:

''	9817.85.01	Prototypes to be used exclusively for development, testing, product evaluation, or quality control purposes	Free		The rate applicable in the absence of this heading	''.

(b) U.S. NOTE.—The U.S. Notes to subchapter XVII of chapter 98 are amended by adding at the end the following:

''6. The following provisions apply to heading 9817.85.01:

''(a) For purposes of this subchapter, including heading 9817.85.01, the term 'prototypes' means originals or models of articles that—

''(i) are either in the preproduction, production, or postproduction stage and are to be used exclusively for development, testing, product evaluation, or quality control purposes; and

''(ii) in the case of originals or models of articles that are either in the production or postproduction stage, are associated with a design change from current production (including a refinement, advancement, improvement, development, or quality control in either the product itself or the means for producing the product).

For purposes of clause (i), automobile racing for purse, prize, or commercial competition shall not be considered to be ''development, testing, product evaluation, or quality control.''.

''(b)(i) Prototypes may be imported only in limited noncommercial quantities in accordance with industry practice.

''(ii) Except as provided for by the Secretary of the Treasury, prototypes or parts of prototypes may not be sold after importation into the United States or be incorporated into other products that are sold.

''(c) Articles subject to quantitative restrictions, antidumping orders, or countervailing duty orders may not be classified as prototypes under this note. Articles subject to licensing requirements, or which must comply with laws, rules, or regulations administered by agencies other than the United States Customs Service before being imported, may be classified as prototypes if they comply with all applicable provisions of law and otherwise meet the definition of 'prototypes' under paragraph (a).''.

SEC. 1434. REGULATIONS RELATING TO ENTRY PROCEDURES AND SALES OF PROTOTYPES.

(a) IDENTIFICATION OF PROTOTYPES.—The Secretary of the Treasury shall promulgate regulations regarding the identification of prototypes at the time of importation into the United States in accordance with the provisions of this chapter and the amendments made by this chapter.

(b) SALES OF PROTOTYPES.—Not later than 10 months after the date of enactment of this Act, the Secretary of the Treasury shall promulgate final regulations regarding the sale of prototypes entered under heading 9817.85.01 of the Harmonized Tariff Schedule of the United States as scrap, or waste, or for recycling, if all duties are tendered for sales of the prototypes, including prototypes and parts of prototypes incorporated into other products, as scrap, waste, or recycled materials, at the rate of duty in effect for such scrap, waste, or recycled materials at the time of importation of the prototypes.

SEC. 1435. EFFECTIVE DATE.

This chapter, and the amendments made by this chapter, shall apply with respect to—

(1) an entry of a prototype under heading 9817.85.01, as added by section 1433(a), on or after the date of enactment of this Act; and

(2) an entry of a prototype (as defined in U.S. Note 6(a) to subchapter XVII of chapter 98, as added by section 1433(b)) under heading 9813.00.30 for which liquidation has not become final as of the date of enactment of this Act.

CHAPTER 3—PROHIBITION ON IMPORTATION OF PRODUCTS MADE WITH DOG OR CAT FUR

SEC. 1441. SHORT TITLE.

This chapter may be cited as the ''Dog and Cat Protection Act of 2000''.

SEC. 1442. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) An estimated 2,000,000 dogs and cats are slaughtered and sold annually as part of the international fur trade. Internationally, dog and cat fur is used in a wide variety of products, including fur coats and jackets, fur trimmed garments, hats, gloves, decorative accessories, stuffed animals, and other toys.

(2) The United States represents one of the largest markets for the sale of fur and fur products in the world. Market demand for fur products in the United States has led to the introduction of dog and cat fur products into United States commerce, frequently based on deceptive or fraudulent labeling of the products to disguise the true nature of the fur and mislead United States wholesalers, retailers, and consumers.

(3) Dog and cat fur, when dyed, is not easily distinguishable to persons who are not experts from other furs such as fox, rabbit, coyote, wolf, and mink, and synthetic materials made to resemble real fur. Dog and cat fur is generally less expensive than other types of fur and may be used as a substitute for more expensive types of furs, which provides an incentive to engage in unfair or fraudulent trade practices in the importation, exportation, distribution, or sale of fur products, including deceptive labeling and other practices designed to disguise the true contents or origin of the product.

(4) Forensic texts have documented that dog and cat fur products are being imported into the United States subject to deceptive labels or other practices designed to conceal the use of dog or cat fur in the production of wearing apparel, toys, and other products.

(5) Publicly available evidence reflects ongoing significant use of dogs and cats bred expressly for their fur by foreign fur producers for manufacture into wearing apparel, toys, and other products that have been introduced into United States commerce. The evidence indicates that foreign fur producers also rely on the use of stray dogs and cats and stolen pets for the manufacture of fur products destined for the world and United States markets.

(6) The methods of housing, transporting, and slaughtering dogs and cats for fur production are generally unregulated and inhumane.

(7) The trade of dog and cat fur products is ethically and aesthetically abhorrent to United States citizens. Consumers in the United States have a right to know if products offered for sale contain dog or cat fur and to ensure that they

are not unwitting participants in this gruesome trade.

(8) Persons who engage in the sale of dog or cat fur products, including the fraudulent trade practices identified above, gain an unfair competitive advantage over persons who engage in legitimate trade in apparel, toys, and other products, and derive an unfair benefit from consumers who buy their products.

(9) The imposition of a ban on the sale, manufacture, offer for sale, transportation, and distribution of dog and cat fur products, regardless of their source, is consistent with the international obligations of the United States because it applies equally to domestic and foreign producers and avoids any discrimination among foreign sources of competing products. Such a ban is also consistent with provisions of international agreements to which the United States is a party that expressly allow for measures designed to protect the health and welfare of animals and to enjoin the use of deceptive trade practices in international or domestic commerce.

(b) PURPOSES.—The purposes of this chapter are to—

(1) prohibit imports, exports, sale, manufacture, offer for sale, transportation, and distribution in the United States of dog and cat fur products, in order to ensure that United States market demand does not provide an incentive to slaughter dogs or cats for their fur;

(2) require accurate labeling of fur species so that consumers in the United States can make informed choices and ensure that they are not unwitting contributors to this gruesome trade; and

(3) ensure that the customs laws of the United States are not undermined by illicit international traffic in dog and cat fur products.

SEC. 1443. PROHIBITION ON IMPORTATION OF PRODUCTS MADE WITH DOG OR CAT FUR.

(a) IN GENERAL.—Title III of the Tariff Act of 1930 is amended by inserting after section 307 the following new section:

"SEC. 308. PROHIBITION ON IMPORTATION OF DOG AND CAT FUR PRODUCTS.

''(a) DEFINITIONS.—In this section:

''(1) CAT FUR.—The term 'cat fur' means the pelt or skin of any animal of the species Felis catus.

''(2) INTERSTATE COMMERCE.—The term 'interstate commerce' means the transportation for sale, trade, or use between any State, territory, or possession of the United States, or the District of Columbia, and any place outside thereof.

''(3) CUSTOMS LAWS.—The term 'customs laws of the United States' means any other law or regulation enforced or administered by the United States Customs Service.

''(4) DESIGNATED AUTHORITY.—The term 'designated authority' means the Secretary of the Treasury, with respect to the prohibitions under subsection (b)(1)(A), and the President (or the President's designee), with respect to the prohibitions under subsection (b)(1)(B).

''(5) DOG FUR.—The term 'dog fur' means the pelt or skin of any animal of the species Canis familiaris.

''(6) DOG OR CAT FUR PRODUCT.—The term 'dog or cat fur product' means any item of merchandise which consists, or is composed in whole or in part, of any dog fur, cat fur, or both.

''(7) PERSON.—The term 'person' includes any individual, partnership, corporation, association, organization, business trust, government entity, or other entity subject to the jurisdiction of the United States.

''(8) UNITED STATES.—The term 'United States' means the customs territory of the United States, as defined in general note 2 of the Harmonized Tariff Schedule of the United States.

''(b) PROHIBITIONS.—

''(1) IN GENERAL.—It shall be unlawful for any person to—

''(A) import into, or export from, the United States any dog or cat fur product; or

''(B) introduce into interstate commerce, manufacture for introduction into interstate commerce, sell, trade, or advertise in interstate commerce, offer to sell, or transport or distribute in interstate commerce in the United States, any dog or cat fur product.

''(2) EXCEPTION.—This subsection shall not apply to the importation, exportation, or transportation, for noncommercial purposes, of a personal pet that is deceased, including a pet preserved through taxidermy.

''(c) PENALTIES AND ENFORCEMENT.—

''(1) CIVIL PENALTIES.—

''(A) IN GENERAL.—Any person who violates any provision of this section or any regulation issued under this section may, in addition to any other civil or criminal penalty that may be imposed under title 18, United States Code, or any other provision of law, be assessed a civil penalty by the designated authority of not more than—

''(i) $10,000 for each separate knowing and intentional violation;

''(ii) $5,000 for each separate grossly negligent violation; or

''(iii) $3,000 for each separate negligent violation.

''(B) DEBARMENT.—The designated authority may prohibit a person from importing, exporting, transporting, distributing, manufacturing, or selling any fur product in the United States, if the designated authority finds that the person has engaged in a pattern or practice of actions that has resulted in a final administrative determination with respect to the assessment of civil penalties for knowing and intentional or grossly negligent violations of any provision of this section or any regulation issued under this section.

''(C) FACTORS IN ASSESSING PENALTIES.—In determining the amount of civil penalties under this paragraph, the designated authority shall take into account the degree of culpability, any history of prior violations under this section, ability to pay, the seriousness of the violation, and such other matters as fairness may require.

''(D) NOTICE.—No penalty may be assessed under this paragraph against a person unless the person is given notice and opportunity for a hearing with respect to such violation in accordance with section 554 of title 5, United States Code.

''(2) FORFEITURE.—Any dog or cat fur product manufactured, taken, possessed, sold, purchased, offered for sale or purchase, transported, delivered, received, carried, shipped, imported, or exported contrary to the provisions of this section or any regulation issued under this section shall be subject to forfeiture to the United States.

''(3) ENFORCEMENT.—The Secretary of the Treasury shall enforce the provisions of this section with respect to the prohibitions under subsection (b)(1)(A), and the President shall enforce the provisions of this section with respect to the prohibitions under subsection (b)(1)(B).

''(4) REGULATIONS.—Not later than 270 days after the date of enactment of this section, the designated authorities shall, after notice and opportunity for comment, issue regulations to carry out the provisions of this section. The regulations of the Secretary of the Treasury shall provide for a process by which testing laboratories, whether domestic or foreign, can qualify for certification by the United States Customs Service by demonstrating the reliability of the procedures used for determining the type of fur contained in articles intended for sale or consumption in interstate commerce. Use of a laboratory certified by the United States Customs Service to determine the nature of fur contained in an item to which subsection (b) applies is not required to avoid liability under this section but may, in a case in which a person can establish that the goods imported were tested by such a laboratory and that the item was not found to be a dog or cat fur product, prove dispositive in determining whether that person exercised reasonable care for purposes of paragraph (6).

''(5) REWARD.—The designated authority shall pay a reward of not less than $500 to any person who furnishes information that establishes or leads to a civil penalty assessment, debarment, or forfeiture of property for any violation of this section or any regulation issued under this section.

''(6) AFFIRMATIVE DEFENSE.—Any person accused of a violation under this section has a defense to any proceeding brought under this section on account of such violation if that person establishes by a preponderance of the evidence that the person exercised reasonable care—

''(A) in determining the nature of the products alleged to have resulted in such violation; and

''(B) in ensuring that the products were accompanied by documentation, packaging, and labeling that were accurate as to the nature of the products.

''(7) COORDINATION WITH OTHER LAWS.—Nothing in this section shall be construed as superseding or limiting in any manner the functions and responsibilities of the Secretary of the Treasury under the customs laws of the United States.

''(d) PUBLICATION OF NAMES OF CERTAIN VIOLATORS.—The designated authorities shall, at least once each year, publish in the Federal Register a list of the names of any producer, manufacturer, supplier, seller, importer, or exporter, whether or not located within the customs territory of the United States or subject to the jurisdiction of the United States, against whom a final administrative determination with respect to the assessment of a civil penalty for a knowing and intentional or a grossly negligent violation has been made under this section.

''(e) REPORTS.—In order to enable Congress to engage in active, continuing oversight of this section, the designated authorities shall provide the following:

''(1) PLAN FOR ENFORCEMENT.—Within 3 months after the date of enactment of this section, the designated authorities shall submit to Congress a plan for the enforcement of the provisions of this section, including training and procedures to ensure that United States Government personnel are equipped with state-of-the-art technologies to identify potential dog or cat fur products and to determine the true content of such products.

''(2) REPORT ON ENFORCEMENT EFFORTS.—Not later than 1 year after the date of enactment of this section, and on an annual basis thereafter, the designated authorities shall submit a report to Congress on the efforts of the United States Government to enforce the provisions of this section and the adequacy of the resources to do so. The report shall include an analysis of the training of United States Government personnel to identify dog and cat fur products effectively and to take appropriate action to enforce this section. The report shall include the findings of the designated authorities as to whether any government has engaged in a pattern or practice of support for trade in products the importation of which are prohibited under this section.''.

(b) CONFORMING AMENDMENT.—Section 2(d) of the Fur Products Labeling Act (15 U.S.C. 69(d)) is amended by inserting ''(other than any dog or cat fur product to which section 308 of the Tariff Act of 1930 applies)'' after ''shall not include such articles''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

CHAPTER 4—MISCELLANEOUS PROVISIONS

SEC. 1451. ALTERNATIVE MID-POINT INTEREST ACCOUNTING METHODOLOGY FOR UNDERPAYMENT OF DUTIES AND FEES.

Section 505(c) of the Tariff Act of 1930 (19 U.S.C. 1505(c)) is amended by striking ''For the period beginning on'' and all that follows through ''the Secretary may prescribe'' and inserting ''The Secretary may prescribe''.

SEC. 1452. EXCEPTION FROM MAKING REPORT OF ARRIVAL AND FORMAL ENTRY FOR CERTAIN VESSELS.

(a) REPORT OF ARRIVAL AND FORMAL ENTRY OF VESSELS.—(1) Section 433(a)(1)(C) of the Tariff Act of 1930 (19 U.S.C. 1433(a)(1)(C)) is amended by striking ''bonded merchandise, or''.

(2) Section 434(a)(3) of the Tariff Act of 1930 (19 U.S.C. 1434(a)(3)) is amended by striking ''bonded merchandise or''.

(3) Section 4197 of the Revised Statutes of the United States (46 U.S.C. App. 91) is amended in subsection (a)(2) by striking ''bonded merchandise or''.

(b) ADDITIONAL AMENDMENT.—Section 441 of the Tariff Act of 1930 (19 U.S.C. 1441) is amended by adding at the end the following new paragraph:

''(6) Any vessel required to anchor at the Belle Isle Anchorage in the waters of the Detroit River in the State of Michigan, for the purposes of awaiting the availability of cargo or berthing space or for the purpose of taking on a pilot or awaiting pilot services, or at the direction of the Coast Guard, prior to proceeding to the Port of Toledo, Ohio, where the vessel makes entry under section 434 or obtains clearance under section 4197 of the Revised Statutes of the United States.''.

SEC. 1453. DESIGNATION OF SAN ANTONIO INTERNATIONAL AIRPORT FOR CUSTOMS PROCESSING OF CERTAIN PRIVATE AIRCRAFT ARRIVING IN THE UNITED STATES.

(a) DESIGNATION.—For the 2-year period beginning on the date of the enactment of this Act, the Commissioner of the Customs Service shall designate the San Antonio International Airport in San Antonio, Texas, as an airport at which private aircraft described in subsection (b) may land for processing by the Customs Service in accordance with section 122.24(b) of title 19, Code of Federal Regulations.

(b) PRIVATE AIRCRAFT.—Private aircraft described in this subsection are private aircraft that—

(1) arrive in the United States from a foreign area and have a final destination in the United States of San Antonio International Airport in San Antonio, Texas; and

(2) would otherwise be required to land for processing by the Customs Service at an airport listed in section 122.24(b) of title 19, Code of Federal Regulations, in accordance with such section.

(c) DEFINITION.—In this section, the term ''private aircraft'' has the meaning given such term in section 122.23(a)(1) of title 19, Code of Federal Regulations.

(d) REPORT.—The Commissioner of the Customs Service shall prepare and submit to Congress a report on the implementation of this section for 2001 and 2002.

SEC. 1454. INTERNATIONAL TRAVEL MERCHANDISE.

Section 555 of the Tariff Act of 1930 (19 U.S.C. 1555) is amended by adding at the end the following:

''(c) INTERNATIONAL TRAVEL MERCHANDISE.—

''(1) DEFINITIONS.—For purposes of this section—

''(A) the term 'international travel merchandise' means duty-free or domestic merchandise which is placed on board aircraft on international flights for sale to passengers, but which is not merchandise incidental to the operation of a duty-free sales enterprise;

''(B) the term 'staging area' is an area controlled by the proprietor of a bonded warehouse outside of the physical parameters of the bonded warehouse in which manipulation of international travel merchandise in carts occurs;

''(C) the term 'duty-free merchandise' means merchandise on which the liability for payment of duty or tax imposed by reason of importation has been deferred pending exportation from the customs territory;

''(D) the term 'manipulation' means the repackaging, cleaning, sorting, or removal from or placement on carts of international travel merchandise; and

''(E) the term 'cart' means a portable container holding international travel merchandise on an aircraft for exportation.

''(2) BONDED WAREHOUSE FOR INTERNATIONAL TRAVEL MERCHANDISE.—The Secretary shall by regulation establish a separate class of bonded warehouse for the storage and manipulation of international travel merchandise pending its placement on board aircraft departing for foreign destinations.

''(3) RULES FOR TREATMENT OF INTERNATIONAL TRAVEL MERCHANDISE AND BONDED WAREHOUSES AND STAGING AREAS.—(A) The proprietor of a bonded warehouse established for the storage and manipulation of international travel merchandise shall give a bond in such sum and with such sureties as may be approved by the Secretary of the Treasury to secure the Government against any loss or expense connected with or arising from the deposit, storage, or manipulation of merchandise in such warehouse. The warehouse proprietor's bond shall also secure the manipulation of international travel merchandise in a staging area.

''(B) A transfer of liability from the international carrier to the warehouse proprietor occurs when the carrier assigns custody of international travel merchandise to the warehouse proprietor for purposes of entry into warehouse or for manipulation in the staging area.

''(C) A transfer of liability from the warehouse proprietor to the international carrier occurs when the bonded warehouse proprietor assigns custody of international travel merchandise to the carrier.

''(D) The Secretary is authorized to promulgate regulations to require the proprietor and the international carrier to keep records of the disposition of any cart brought into the United States and all merchandise on such cart.''.

SEC. 1455. CHANGE IN RATE OF DUTY OF GOODS RETURNED TO THE UNITED STATES BY TRAVELERS.

Subchapter XVI of chapter 98 is amended as follows:

(1) Subheading 9816.00.20 is amended—

(A) effective January 1, 2000, by striking ''10 percent'' each place it appears and inserting ''5 percent'';

(B) effective January 1, 2001, by striking ''5 percent'' each place it appears and inserting ''4 percent''; and

(C) effective January 1, 2002, by striking ''4 percent'' each place it appears and inserting ''3 percent''.

(2) Subheading 9816.00.40 is amended—

(A) effective January 1, 2000, by striking ''5 percent'' each place it appears and inserting ''3 percent'';

(B) effective January 1, 2001, by striking ''3 percent'' each place it appears and inserting ''2 percent''; and

(C) effective January 1, 2002, by striking ''2 percent'' each place it appears and inserting ''1.5 percent''.

SEC. 1456. TREATMENT OF PERSONAL EFFECTS OF PARTICIPANTS IN INTERNATIONAL ATHLETIC EVENTS.

(a) IN GENERAL.—Subchapter XVII of chapter 98 is amended by inserting in numerical sequence the following new heading:

''	9817.60.00	Any of the following articles not intended for sale or distribution to the public: personal effects of aliens who are participants in, officials of, or accredited members of delegations to, an international athletic event held in the United States, such as the Olympics and Paralympics, the Goodwill Games, the Special Olympics World Games, the World Cup Soccer Games, or any similar international athletic event as the Secretary of the Treasury may determine, and of persons who are immediate family members of or servants to any of the foregoing persons; equipment and materials imported in connection with any such foregoing event by or on behalf of the foregoing persons or the organizing committee of such an event, articles to be used in exhibitions depicting the culture of a country participating in such an event; and, if consistent with the foregoing, such other articles as the Secretary of the Treasury may allow		Free	Free	''.

(b) TAXES, FEES, INSPECTION.—The U.S. Notes to chapter XVII of chapter 98 are amended by adding at the end the following new note:

''6. Any article exempt from duty under heading 9817.60.00 shall be free of taxes and fees that may otherwise be applicable, but shall not be free or otherwise exempt or excluded from routine or other inspections as may be required by the Customs Service.''

(b) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse, for consumption, on or after the date of the enactment of this Act.

(c) TERMINATION OF TEMPORARY PROVISIONS.—Heading 9902.98.08 shall, notwithstanding any provision of such heading, cease to be effective on the date of the enactment of this Act.

SEC. 1457. COLLECTION OF FEES FOR CUSTOMS SERVICES FOR ARRIVAL OF CERTAIN FERRIES.

Section 13031(b)(1)(A)(iii) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(1)(A)(iii)) is amended to read as follows:

''(iii) the arrival of a ferry, except for a ferry whose operations begin on or after August 1, 1999, and that operates south of 27 degrees latitude and east of 89 degrees longitude; or''.

SEC. 1458. ESTABLISHMENT OF DRAWBACK BASED ON COMMERCIAL INTERCHANGEABILITY FOR CERTAIN RUBBER VULCANIZATION ACCELERATORS.

(a) IN GENERAL.—The United States Customs Service shall treat the chemical N-cyclohexyl-2-benzothiazolesulfenamide and the chemical N-tert-Butyl-2-benzothiazolesulfenamide as ''commercially interchangeable'' within the meaning of section 313(j)(2) of the Tariff Act of 1930 (19 U.S.C. 1313(j)(2)) for purposes of permitting drawback under section 313 of the Tariff Act of 1930 (19 U.S.C. 1313.).

(b) APPLICABILITY.—Subsection (a) shall apply with respect to any entry, or withdrawal from warehouse for consumption, of the chemical N-cyclohexyl-2-benzothiazolesulfenamide before, on, or after the date of the enactment of this Act, that is eligible for drawback within the time period provided in section 313(j)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1313(j)(2)(B)).

SEC. 1459. CARGO INSPECTION.

The Commissioner of Customs is authorized to establish a fee-for-service agreement for a period of not less than 2 years, renewable thereafter on an annual basis, at Fort Lauderdale-Hollywood International Airport. The agreement shall provide personnel and infrastructure necessary to conduct cargo clearance, inspection, or other customs services as needed to accommodate carriers using this airport. When such servcies have been provided on a fee-for-service basis for at least 2 years and the commercial consumption entry level reaches 29,000 entries per year, the Commissioner of Customs shall continue to provide cargo clearance, inspection or other customs services, and no charges, other than those fees authorized by section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)), may be collected for those services.

SEC. 1460. TREATMENT OF CERTAIN MULTIPLE ENTRIES OF MERCHANDISE AS SINGLE ENTRY.

(a) IN GENERAL.—Section 484 of the Tariff Act of 1930 (19 U.S.C. 1484) is amended by adding at the end the following:

''(j) TREATMENT OF MULTIPLE ENTRIES OF MERCHANDISE AS SINGLE TRANSACTION.—In the case of merchandise that is purchased and invoiced as a single entity but—

''(1) is shipped in an unassembled or disassembled condition in separate shipments due to the size or nature of the merchandise, or

''(2) is shipped in separate shipments due to the inability of the carrier to include all of the merchandise in a single shipment (at the instruction of the carrier),

the Customs Service may, upon application by an importer in advance, treat such separate shipments for entry purposes as a single transaction.''.

(b) REGULATIONS.—Not later than 6 months after the date of the enactment of this Act, the Secretary of the Treasury shall issue regulations to carry out section 484(j) of the Tariff Act of 1930, as added by subsection (a).

SEC. 1461. REPORT ON CUSTOMS PROCEDURES.

(a) REVIEW AND REPORT.—The Secretary of the Treasury shall—

(1) review, in consultation with United States importers and other interested parties, including independent third parties selected by the Secretary for the purpose of conducting such review, customs procedures and related laws and regulations applicable to goods and commercial conveyances entering the United States; and

(2) report to the Congress, not later than 180 days after the date of enactment of this Act, on changes that should be made to reduce reporting and record retention requirements for commercial parties, specifically addressing changes needed to—

(A) separate fully and remove the linkage between data reporting required to determine the admissibility and release of goods and data reporting for other purposes such as collection of revenue and statistics;

(B) reduce to a minimum data required for determining the admissibility of goods and release of goods, consistent with the protection of public health, safety, or welfare, or achievement of other policy goals of the United States;

(C) eliminate or find more efficient means of collecting data for other purposes that are unnecessary, overly burdensome, or redundant; and

(D) enable the implementation, as soon as possible, of the import activity summary statement authorized by section 411 of the Tariff Act of 1930 (19 U.S.C. 1411) as a means of—

(i) fully separating and removing the linkage between the functions of collecting revenue and statistics and the function of determining the admissibility of goods that must be performed for each shipment of goods entering the United States; and

(ii) allowing for periodic, consolidated filing of data not required for determinations of admissibility.

(b) SPECIFIC MATTERS.—In preparing the report required by subsection (a), the Secretary of the Treasury shall specifically report on the following:

(1) Import procedures, including specific data items collected, that are required prior and subsequent to the release of goods or conveyances, identifying the rationale and legal basis for each procedure and data requirement, uses of data collected, and procedures or data requirements that could be eliminated, or deferred and consolidated into periodic reports such as the import activity summary statement.

(2) The identity of data and factors necessary to determine whether physical inspections should be conducted.

(3) The cost of data collection.

(4) Potential alternative sources and methodologies for collecting data, taking into account the costs and other consequences to importers, exporters, carriers, and the Government of choosing alternative sources.

(5) Recommended changes to the law, regulations of any agency, or other measures that would improve the efficiency of procedures and systems of the United States Government for regulating international trade, without compromising the effectiveness of procedures and systems required by law.

SEC. 1462. DRAWBACKS FOR RECYCLED MATERIALS.

(a) IN GENERAL.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by adding at the end the following new subsection:

''(x) DRAWBACKS FOR RECOVERED MATERIALS.—For purposes of subsections (a), (b), and (c), the term 'destruction' includes a process by which materials are recovered from imported merchandise or from an article manufactured from imported merchandise. In determining the amount of duties to be refunded as drawback to a claimant under this subsection, the value of recovered materials (including the value of any tax benefit or royalty payment) that accrues to the drawback claimant shall be deducted from the value of the imported merchandise that is destroyed, or from the value of the merchandise used, or designated as used, in the manufacture of the article.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to drawback claims filed on or after the date of enactment of this Act.

SEC. 1463. PRESERVATION OF CERTAIN REPORTING REQUIREMENTS.

Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

(1) Section 163 of the Trade Act of 1974 (19 U.S.C. 2213).

(2) Section 181 of the Trade Act of 1974 (19 U.S.C. 2241).

SEC. 1464. IMPORTATION OF GUM ARABIC.

(a) FINDINGS.—The Congress finds the following:

(1) The Republic of the Sudan produces 60 percent of the world's supply of gum arabic in raw form and has a virtual monopoly on the world's supply of the highest grade of gum arabic.

(2) The President imposed comprehensive sanctions against Sudan on November 3, 1997, under Executive Order 13067.

(3) The Secretary of the Treasury, upon recommendation of the Secretary of State, has issued limited licenses each year since the imposition of sanctions against Sudan under Executive Order 13067 to permit United States gum arabic processors to import gum arabic in raw form from Sudan due to a lack of alternative sources in other countries.

(4) The United States gum arabic processing industry consists of three small companies whose existence is threatened by the comprehensive sanctions in effect against Sudan.

(5) The United States gum arabic processing industry is working with the United States Agency for International Development to develop alternative sources of gum arabic in raw form in countries that are not subject to sanctions, but alternative sources of the highest grade of gum arabic in raw form are not currently available.

(b) LICENSE APPLICATIONS TO IMPORT GUM ARABIC FROM SUDAN.—Notwithstanding any other provision of law, the Secretary of the Treasury and the Secretary of State, in consultation with the Secretary of Commerce and the heads of other appropriate agencies—

(1) shall consider promptly any license application by a United States gum arabic processor to import gum arabic in raw form from the Republic of the Sudan; and

(2) in reviewing such license applications by United States gum arabic processors, shall consider whether adequate commercial quantities of the highest grade of gum arabic in raw form are available from countries not subject to United States sanctions in order to allow such United States processors of gum arabic to remain in business.

(c) DEVELOPMENT OF ALTERNATIVE SOURCES OF GUM ARABIC.—The President shall utilize such authority as is available to the President to promote the development in countries other than Sudan of alternative sources of the highest grade of gum arabic in raw form of sufficient commercial quality to be utilized in products intended for human consumption.

(d) DEFINITION.—In this section, the term ''gum arabic in raw form'' means gum arabic of the type described in subheadings 1301.20.00 and 1301.90.90 of the Harmonized Tariff Schedule of the United States.

SEC. 1465. CUSTOMS SERVICES AT THE DETROIT METROPOLITAN AIRPORT.

The Commissioner of the Customs Service shall re-implement the policy in effect prior to January 1, 1999, at the Detroit Metropolitan Airport to provide services at remote locations of the Airport, except that such services shall be provided only on a reimbursable basis.

Subtitle C—Effective Date

SEC. 1471. EFFECTIVE DATE.

Except as otherwise provided in this title, the amendments made by this title shall apply with respect to goods entered, or withdrawn from warehouse, for consumption, on or after the 15th day after the date of enactment of this Act.

TITLE II—OTHER TRADE PROVISIONS

SEC. 2001. TRADE ADJUSTMENT ASSISTANCE FOR CERTAIN WORKERS AFFECTED BY ENVIRONMENTAL REMEDIATION OR CLOSURE OF A COPPER MINING FACILITY.

(a) CERTIFICATION OF ELIGIBILITY FOR WORKERS REQUIRED FOR CLOSURE OF FACILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law or any decision by the Secretary of Labor denying certification or eligibility for certification for adjustment assistance under title II of the Trade Act of 1974, a qualified worker described in paragraph (2) shall be certified by the Secretary as eligible to apply for adjustment assistance under such title II.

(2) QUALIFIED WORKER.—For purposes of this subsection, a ''qualified worker'' means a worker who—

(A) was employed at the copper mining facility referenced in Trade Adjustment Assistance Certification TAW–31,402 during any part of the period covered by that certification and was separated from employment after the expiration of that certification; and

(B) was necessary for the environmental remediation or closure of such mining facility.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act.

SEC. 2002. CHIEF AGRICULTURAL NEGOTIATOR.

Section 5314 of title 5, United States Code, is amended by inserting after ''Deputy United States Trade Representatives (3).'' the following:

''Chief Agricultural Negotiator.''.

TITLE III—EXTENSION OF NONDISCRIMINATORY TREATMENT TO GEORGIA

SEC. 3001. FINDINGS.

Congress finds that Georgia has—

(1) made considerable progress toward respecting fundamental human rights consistent with the objectives of title IV of the Trade Act of 1974;

(2) adopted administrative procedures that accord its citizens the right to emigrate, travel freely, and to return to their country without restriction;

(3) been found to be in full compliance with the freedom of emigration provisions in title IV of the Trade Act of 1974;

(4) made progress toward democratic rule and creating a free market economic system since its independence from the Soviet Union;

(5) demonstrated strong and effective enforcement of internationally recognized core labor standards and a commitment to continue to improve effective enforcement of its laws reflecting such standards;

(6) committed to developing a system of governance in accordance with the provisions of the Final Act of the Conference on Security and Cooperation in Europe (also known as the ''Helsinki Final Act'') regarding human rights and humanitarian affairs;

(7) endeavored to address issues related to its national and religious minorities and, as a member state of the Organization for Security and Cooperation in Europe (OSCE), committed to adopting special measures for ensuring that persons belonging to national minorities have full equality individually as well as in community with other members of their group;

(8) also committed to enacting legislation to provide protection against incitement to violence against persons or groups based on national, racial, ethnic, or religious discrimination, hostility, or hatred, including anti-Semitism;

(9) continued to return communal properties confiscated from national and religious minorities during the Soviet period, facilitating the reemergence of these communities in the national life of Georgia and establishing the legal framework for completion of this process in the future;

(10) concluded a bilateral trade agreement with the United States in 1993 and a bilateral investment treaty in 1994;

(11) demonstrated a strong desire to build a friendly and cooperative relationship with the United States; and

(12) acceded to the World Trade Organization on June 14, 2000, and the extension of unconditional normal trade relations treatment to the products of Georgia will enable the United States to avail itself of all rights under the World Trade Organization with respect to Georgia.

SEC. 3002. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO GEORGIA.

(a) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(1) determine that such title should no longer apply to Georgia; and

(2) after making a determination under paragraph (1) with respect to Georgia, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(b) TERMINATION OF APPLICATION OF TITLE IV.—On and after the effective date of the extension under subsection (a)(2) of nondiscriminatory treatment to the products of Georgia, title IV of the Trade Act of 1974 shall cease to apply to that country.

TITLE IV—IMPORTED CIGARETTE COMPLIANCE

SEC. 4001. SHORT TITLE.

This title may be cited as the ''Imported Cigarette Compliance Act of 2000''.

SEC. 4002. MODIFICATIONS TO RULES GOVERNING REIMPORTATION OF TOBACCO PRODUCTS.

(a) RESTRICTIONS ON TOBACCO PRODUCTS INTENDED FOR EXPORT.—Section 5754 of the Internal Revenue Code of 1986 is amended to read as follows:

"SEC. 5754. RESTRICTION ON IMPORTATION OF PREVIOUSLY EXPORTED TOBACCO PRODUCTS.

''(a) EXPORT-LABELED TOBACCO PRODUCTS.—

''(1) IN GENERAL.—Tobacco products and cigarette papers and tubes manufactured in the United States and labeled for exportation under this chapter—

''(A) may be transferred to or removed from the premises of a manufacturer or an export warehouse proprietor only if such articles are being transferred or removed without tax in accordance with section 5704;

''(B) may be imported or brought into the United States, after their exportation, only if such articles either are eligible to be released from customs custody with the partial duty exemption provided in section 5704(d) or are returned to the original manufacturer of such article as provided in section 5704(c); and

''(C) may not be sold or held for sale for domestic consumption in the United States unless such articles are removed from their export packaging and repackaged by the original manufacturer into new packaging that does not contain an export label.

''(2) ALTERATIONS BY PERSONS OTHER THAN ORIGINAL MANUFACTURER.—This section shall apply to articles labeled for export even if the packaging or the appearance of such packaging to the consumer of such articles has been modified or altered by a person other than the original manufacturer so as to remove or conceal or attempt to remove or conceal (including by the placement of a sticker over) any export label.

''(3) EXPORTS INCLUDE SHIPMENTS TO PUERTO RICO.—For purposes of this section, section 5704(d), section 5761, and such other provisions as the Secretary may specify by regulations, references to exportation shall be treated as including a reference to shipment to the Commonwealth of Puerto Rico.

''(b) EXPORT LABEL.—For purposes of this section, an article is labeled for export or contains an export label if it bears the mark, label, or notice required under section 5704(b).

''(c) CROSS REFERENCES.—

''(1) For exception to this section for personal use, see section 5761(c).

''(2) For civil penalties related to violations of this section, see section 5761(c).

''(3) For a criminal penalty applicable to any violation of this section, see section 5762(b).

''(4) For forfeiture provisions related to violations of this section, see section 5761(c).''.

(b) CLARIFICATION OF REIMPORTATION RULES.—Section 5704(d) of such Code (relating to tobacco products and cigarette papers and tubes exported and returned) is amended—

(1) by striking ''a manufacturer of'' and inserting ''the original manufacturer of such'', and

(2) by inserting ''authorized by such manufacturer to receive such articles'' after ''proprietor of an export warehouse''.

(c) REQUIREMENT TO DESTROY FORFEITED TOBACCO PRODUCTS.—The last sentence of subsection (c) of section 5761 of such Code is amended by striking ''the jurisdiction of the United States'' and all that follows through the end period and inserting ''the jurisdiction of the United States shall be forfeited to the United States and destroyed. All vessels, vehicles, and aircraft used in such relanding or in removing such products, papers, and tubes from the place where relanded, shall be forfeited to the United States.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of the enactment of this Act.

(e) STUDY.—The Secretary of the Treasury shall report to Congress on the impact of requiring export warehouses to be authorized by the original manufacturer to receive relanded export-labeled cigarettes.

SEC. 4003. TECHNICAL AMENDMENT TO THE BALANCED BUDGET ACT OF 1997.

(a) IN GENERAL.—Subsection (c) of section 5761 of the Internal Revenue Code of 1986 is amended by adding at the end the following: ''This subsection and section 5754 shall not apply to any person who relands or receives tobacco products in the quantity allowed entry free of tax and duty under subchapter IV of chapter 98 of the Harmonized Tariff Schedule of the United States. No quantity of tobacco products other than the quantity referred to in the preceding sentence may be relanded or received as a personal use quantity.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in section 9302 of the Balanced Budget Act of 1997.

SEC. 4004. REQUIREMENTS APPLICABLE TO IMPORTS OF CERTAIN CIGARETTES.

(a) IN GENERAL.—The Tariff Act of 1930 (19 U.S.C. 1202 et seq.) is amended by adding at the end the following:

"TITLE VIII—REQUIREMENTS APPLICABLE TO IMPORTS OF CERTAIN CIGARETTES

"SEC. 801. DEFINITIONS.

''In this title:

''(1) SECRETARY.—Except as otherwise indicated, the term 'Secretary' means the Secretary of the Treasury.

''(2) PRIMARY PACKAGING.—The term 'primary packaging' refers to the permanent packaging inside of the innermost cellophane or other transparent wrapping and labels, if any. Warnings or other statements shall be deemed 'permanently imprinted' only if printed directly on such primary packaging and not by way of stickers or other similar devices.

"SEC. 802. REQUIREMENTS FOR ENTRY OF CERTAIN CIGARETTES.

''(a) GENERAL RULE.—Except as provided in subsection (b), cigarettes may be imported into the United States only if—

''(1) the original manufacturer of those cigarettes has timely submitted, or has certified that it will timely submit, to the Secretary of Health and Human Services the lists of the ingredients added to the tobacco in the manufacture of such cigarettes as described in section 7 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1335a);

''(2) the precise warning statements in the precise format specified in section 4 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333) are permanently imprinted on both—

''(A) the primary packaging of all those cigarettes; and

''(B) any other pack, box, carton, or container of any kind in which those cigarettes are to be offered for sale or otherwise distributed to consumers;

''(3) the manufacturer or importer of those cigarettes is in compliance with respect to those cigarettes being imported into the United States with a rotation plan approved by the Federal Trade Commission pursuant to section 4(c) of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333(c));

''(4) if such cigarettes bear a United States trademark registered for such cigarettes, the owner of such United States trademark registration for cigarettes (or a person authorized to act on behalf of such owner) has consented to the importation of such cigarettes into the United States; and

''(5) the importer has submitted at the time of entry all of the certificates described in subsection (c).

''(b) EXEMPTIONS.—Cigarettes satisfying the conditions of any of the following paragraphs shall not be subject to the requirements of subsection (a):

''(1) PERSONAL-USE CIGARETTES.—Cigarettes that are imported into the United States in personal use quantities that are allowed entry free of tax and duty under subchapter IV of chapter 98 of the Harmonized Tariff Schedule of the United States.

''(2) CIGARETTES IMPORTED INTO THE UNITED STATES FOR ANALYSIS.—Cigarettes that are imported into the United States solely for the purpose of analysis in quantities suitable for such purpose, but only if the importer submits at the time of entry a certificate signed, under penalties of perjury, by the consignee (or a person authorized by such consignee) providing such facts as may be required by the Secretary to establish that such consignee is a manufacturer of cigarettes, a Federal or State government agency, a university, or is otherwise engaged in bona fide research and stating that such cigarettes will be used solely for analysis and will not be sold in domestic commerce in the United States.

''(3) CIGARETTES INTENDED FOR NONCOMMERCIAL USE, REEXPORT, OR REPACKAGING.—Cigarettes—

''(A) for which the owner of such United States trademark registration for cigarettes (or a person authorized to act on behalf of such owner) has consented to the importation of such cigarettes into the United States; and

''(B) for which the importer submits a certificate signed by the manufacturer or export warehouse (or a person authorized by such manufacturer or export warehouse) to which such cigarettes are to be delivered (as provided in subparagraph (A)) stating, under penalties of perjury, with respect to those cigarettes, that it will not distribute those cigarettes into domestic commerce unless prior to such distribution all steps have been taken to comply with paragraphs (1), (2), and (3) of subsection (a), and, to the extent applicable, section 5754(a)(1) (B) and (C) of the Internal Revenue Code of 1986.

For purposes of this section, a trademark is registered in the United States if it is registered in the United States Patent and Trademark Office under the provisions of title I of the Act of July 5, 1946 (popularly known as the 'Trademark Act of 1946'), and a copy of the certificate of registration of such mark has been filed with the Secretary. The Secretary shall make available to interested parties a current list of the marks so filed.

''(c) CUSTOMS CERTIFICATIONS REQUIRED FOR CIGARETTE IMPORTS.—The certificates that must be submitted by the importer of cigarettes at the time of entry in order to comply with subsection (a)(5) are—

''(1) a certificate signed by the manufacturer of such cigarettes or an authorized official of such manufacturer stating under penalties of perjury, with respect to those cigarettes, that such manufacturer has timely submitted, and will continue to submit timely, to the Secretary of Health and Human Services the ingredient reporting information required by section 7 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1335a);

''(2) a certificate signed by such importer or an authorized official of such importer stating under penalties of perjury that—

''(A) the precise warning statements in the precise format required by section 4 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333) are permanently imprinted on both—

''(i) the primary packaging of all those cigarettes; and

''(ii) any other pack, box, carton, or container of any kind in which those cigarettes are to be offered for sale or otherwise distributed to consumers; and

''(B) with respect to those cigarettes being imported into the United States, such importer has complied, and will continue to comply, with a rotation plan approved by the Federal Trade Commission pursuant to section 4(c) of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333(c)); and

''(3)(A) if such cigarettes bear a United States trademark registered for cigarettes, a certificate signed by the owner of such United States trademark registration for cigarettes (or a person authorized to act on behalf of such owner) stating under penalties of perjury that such owner (or authorized person) consents to the importation of such cigarettes into the United States; and

''(B) a certificate signed by the importer or an authorized official of such importer stating under penalties of perjury that the consent referred to in subparagraph (A) is accurate, remains in effect, and has not been withdrawn.

The Secretary may provide by regulation for the submission of certifications under this section in electronic form if, prior to the entry of any cigarettes into the United States, the person required to provide such certifications submits to the Secretary a written statement, signed under penalties of perjury, verifying the accuracy and completeness of all information contained in such electronic submissions.

"SEC. 803. ENFORCEMENT.

''(a) CIVIL PENALTY.—Any person who violates a provision of section 802 shall, in addition to the tax and any other penalty provided by law, be liable for a civil penalty for each violation equal to the greater of $1,000 or 5 times the amount of the tax imposed by chapter 52 of the Internal Revenue Code of 1986 on all cigarettes that are the subject of such violation.

''(b) FORFEITURES.—Any tobacco product, cigarette papers, or tube that was imported into the United States or is sought to be imported into the United States in violation of, or without meeting the requirements of, section 802 shall be forfeited to the United States. Notwithstanding any other provision of law, any product forfeited to the United States pursuant to this title shall be destroyed.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore, Mrs. BIGGERT, recognized Mr. CRANE and Mr. KLECZKA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶114.71 PRIVILEGES OF THE HOUSE—RETURN OF SENATE BILL

Mr. CRANE rose to a question of the privileges of the House and submitted the following resolution (H. Res. 645):

Resolved, That the bill of the Senate (S. 1109) entitled the ''Bear Protection Act of 2000'', in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectfully returned to the Senate with a message communicating this resolution.

The SPEAKER pro tempore, Mrs. BIGGERT, ruled that the resolution submitted did present a question of the privileges of the House under rule IX, and recognized Mr. CRANE and Mr. KLECZKA, each for thirty minutes.

After debate,

On motion of Mr. CRANE, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mrs. BIGGERT announced that the yeas had it.

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶114.72 SUBMISSION OF CONFERENCE REPORT—H.R. 4811

Mr. CALLAHAN submitted a conference report (Rept. No. 106–997) on the bill (H.R. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶114.73 PROVIDING FOR THE CONSIDERATION OF CERTAIN JOINT RESOLUTIONS

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–998) the resolution (H. Res. 646) providing for consideration of certain joint resolutions making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶114.74 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4811

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–999) the resolution (H. Res. 647) waiving points of order against the conference report to accompany the bill (H.R. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶114.75 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY S. 835

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–1000) the resolution (H. Res. 648) waiving points of order against the conference report to accompany the bill (S. 835) to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶114.76 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 209. An Act to improve the ability of Federal agencies to license federally owned inventions.

H.R. 2961. An Act to amend the Immigration and Nationality Act to authorize a 3-year pilot program under which the Attorney General may extend the period for voluntary departure in the case of certain non-

immigrant aliens who require medical treatment in the United States and were admitted under the visa waiver pilot program, and for other purposes.

H.R. 3671. An Act to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, to commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes.

H.R. 4068. An Act to amend the Immigration and Nationality Act to extend for an additional 3 years the special immigrant religious worker program.

H.R. 4110. An Act to amend title 44, United States Code, to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 2002 through 2005.

H.R. 4320. An Act to assist in the conservation of great apes by supporting and providing financial resources for the conservation programs of countries within the range of great apes and projects of persons with demonstrated expertise in the conservation of great apes.

H.R. 4392. An Act to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities for the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 4835. An Act to authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, and for other purposes.

H.R. 5234. An Act to amend the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of the Act to certain former spouses of deceased Hmong veterans.

¶114.77 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BECERRA, for today;

To Mr. HASTINGS of Florida, for today and October 25; and

To Mr. STUPAK, for today.

And then,

¶114.78 ADJOURNMENT

On motion of Mr. TAYLOR of Mississippi, at 11 o'clock and 55 minutes p.m., the House adjourned.

¶114.79 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. ARCHER: Committee on Ways and Means. H.R. 4857. A bill to amend the Social Security Act to enhance privacy protections for individuals, to prevent fraudulent misuse of the Social Security account number, and to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, and for other purposes; with an amendment (Rept. No. 106–996 Pt. 1). Ordered to be printed.

Mr. CALLAHAN: Committee of Conference. Conference report on H.R. 4811. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–997). Ordered to be printed.

Mr. LINDER: Committee on Rules. House Resolution 646. Resolution providing for consideration of certain joint resolutions making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. No. 106–998). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules House Resolution 647. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–999). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 648. Resolution waiving points of order against the conference report to accompany the bill (S. 835) to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes (Rept. No. 106–1000). Referred to the House Calendar.

¶114.80 TIME LIMITATION OF REFERRED BILL

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

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 26, 2000.

H.R. 4857. Referral to the Committee on the Judiciary, Banking and Financial Services, and Commerce extended for a period ending not later than October 25, 2000.

¶114.81 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CALLAHAN:

H.R. 5526. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. THUNE:

H.R. 5527. A bill to provide assistance for efforts to improve conservation of, recreation in, erosion control of, and maintenance of fish and wildlife habitat of the Missouri River in the State of South Dakota, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THUNE:

H.R. 5528. A bill to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes; to the Committee on Resources.

By Mr. HAYWORTH (for himself, Mr. STUMP, Mr. KOLBE, Mr. PASTOR, Mr. SALMON, and Mr. SHADEGG):

H.R. 5529. A bill to provide for adjustments to the Central Arizona Project in Arizona, and for other purposes; to the Committee on Resources.

By Mr. KINGSTON:

H.R. 5530. A bill to extend for 1 additional year the period for which chapter 12 of title 11 of the United States Code is reenacted; to provide for additional temporary bankruptcy judges, and for other purposes; to the Committee on the Judiciary.

By Mr. KUCINICH (for himself and Mr. FILNER):

H.R. 5531. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on electricity, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY:

H.R. 5532. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that foods containing known allergens bear labeling that states that fact and the names of the allergens; to the Committee on Commerce.

By Mrs. MORELLA (for herself, Mrs. LOWEY, Mr. PORTER, Ms. MILLENDER-MCDONALD, Ms. BALDWIN, Mr. BROWN of Ohio, Ms. KILPATRICK, Mrs. MALONEY of New York, Ms. NORTON, Mr. POMEROY, and Ms. WOOLSEY):

H.R. 5533. A bill to increase the United States financial and programmatic contributions to advancing the status of women and girls in low-income countries around the world, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OXLEY:

H.R. 5534. A bill providing that State and local laws prohibiting or otherwise restricting economic activity with foreign countries are null and void; to the Committee on International Relations.

By Mr. ROHRABACHER:

H.R. 5535. A bill to enhance and restore the coastal resources of the United States; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Science, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VITTER (for himself, Mr. ARMEY, Mr. DELAY, Mr. STUMP, Mr. HUNTER, Mr. COX, Mrs. FOWLER, Mr. THORNBERRY, and Mr. HAYES):

H.R. 5536. A bill to declare the policy of the United States with respect to deployment of a National Missile Defense System; to the Committee on Armed Services.

By Mr. YOUNG of Florida:

H.J. Res. 115. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. YOUNG of Florida:

H.J. Res. 116. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. YOUNG of Florida:

H.J. Res. 117. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. YOUNG of Florida:

H.J. Res. 118. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. YOUNG of Florida:

H.J. Res. 119. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. YOUNG of Florida:

H.J. Res. 120. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. WALDEN of Oregon (for himself, Mr. UDALL of Colorado, Mr. DELAY, Mr. UDALL of New Mexico, Mr. GIBBONS, Mrs. CHENOWETH-HAGE, Mr. BOYD, Mr. MCINNIS, and Mr. SIMPSON):

H. Con. Res. 434. Concurrent resolution commending the men and women who fought the year 2000 wildfires for their heroic efforts in protecting human lives and safety and limiting property losses; to the Committee on Resources.

By Mr. ORTIZ (for himself, Ms. ROYBAL-ALLARD, Mr. REYES, Mr. RODRIGUEZ, Mr. GUTIERREZ, Mr. SERRANO, Mr. PASTOR, Mr. BECERRA, Mr. MENENDEZ, Ms. VELAZQUEZ, Mr. ROMERO-BARCELO, Mr. UNDERWOOD, Mr. HINOJOSA, Ms. SANCHEZ, Mr. GONZALEZ, Mrs. NAPOLITANO, and Mr. BACA):

H. Con. Res. 435. Concurrent resolution recognizing and honoring Ernesto Antonio ''Tito'' Puente Jr.; to the Committee on Education and the Workforce.

By Mr. CRANE:

H. Res. 644. A resolution providing for the concurrence by the House, with an amendment, in the amendment of the Senate to H.R. 4868; considered and agreed to.

By Mr. CRANE:

H. Res. 645. A resolution returning to the Senate the bill S. 1109; considered and agreed to.

By Mr. HALL of Ohio (for himself, Mrs. EMERSON, Mr. MCGOVERN, and Ms. KAPTUR):

H. Res. 649. A resolution urging the President to continue efforts to support programs and activities that provide food to the needy and school-age children in developing countries; to the Committee on International Relations.

¶114.82 MEMORIALS

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

479. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to Resolution 531 memorializing the United States Congress to recognize that energy security is a national security issue and that oil is a powerful weapon and to develop an energy strategy that promotes alternatives to imported petroleum to meet the goal of independence from foreign petroleum within five years; to the Committee on Commerce.

480. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to Resolution 609 memorializing the United States Congress to enact legislation which strengthens the MedicareChoice program by reducing administrative requirements in the program, increasing payment rates to HMOs to a level which accurately reflects the costs of providing benefits to recipients in the program and providing for prescription drug coverage; jointly to the Committees on Ways and Means and Commerce.

481. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to Resolution 617 memorializing the Health Care Financing Administration and health insurers withdrawing their Medicare HMO coverage in any county within Pennsylvania to take immediate steps to ensure that subscribers who live in a county that is not impacted by the insurer's withdrawal are not mistakenly dropped from their plan; jointly to the Committees on Ways and Means and Commerce.

¶114.83 ADDITIONAL SPONSORS

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

H.R. 49: Mr. GUTIERREZ.
H.R. 531: Mr. UNDERWOOD.
H.R. 842: Ms. PRYCE of Ohio.
H.R. 860: Mr. KANJORSKI.
H.R. 1088: Mr. SABO.
H.R. 1187: Mr. VITTER.
H.R. 1200: Mr. FARR of California.
H.R. 1228: Mr. UDALL of Colorado.
H.R. 1239: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1388: Mr. SAXTON.
H.R. 1593: Mr. BOEHNER.
H.R. 1657: Mr. DOYLE.
H.R. 1697: Mr. ABERCROMBIE.
H.R. 1717: Mr. WU.
H.R. 1771: Mr. COX.
H.R. 1824: Mr. RUSH.
H.R. 1885: Mr. BACHUS.
H.R. 1997: Mr. NORWOOD.
H.R. 2000: Mr. ORTIZ.
H.R. 2321: Mr. TIERNEY.
H.R. 2457: Mr. GUTIERREZ and Mr. BAIRD.
H.R. 2741: Mr. MOAKLEY.
H.R. 2774: Ms. KILPATRICK.
H.R. 2870: Mr. INSLEE.
H.R. 2899: Mrs. MALONEY of New York.
H.R. 3147: Mr. BILBRAY.
H.R. 3408: Mr. PRICE of North Carolina.
H.R. 3492: Mr. GONZALEZ.
H.R. 3872: Mr. NADLER.
H.R. 3905: Mr. MALONEY of Connecticut.
H.R. 4102: Mr. BARR of Georgia.
H.R. 4274: Mr. DOOLEY of California, Mr. LUCAS of Kentucky, Mr. DEAL of Georgia, Mr. ROGERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAUL, Ms. DEGETTE, Mr. SNYDER, Mrs. NORTHUP, and Mr. SANDERS.
H.R. 4277: Mr. WAMP.
H.R. 4356: Ms. CARSON.
H.R. 4506: Mr. SAXTON.
H.R. 4552: Mr. KENNEDY of Rhode Island.
H.R. 4570: Mr. NORWOOD and Mr. BILBRAY.
H.R. 4677: Mr. HUTCHINSON.
H.R. 4701: Mr. BACHUS.
H.R. 4825: Ms. BALDWIN and Mr. KING.
H.R. 4939: Mrs. CHRISTENSEN.
H.R. 4950: Mr. GUTIERREZ.
H.R. 4964: Mr. NORWOOD.
H.R. 4971: Mr. HASTINGS of Washington and Mr. BEREUTER.
H.R. 5027: Mrs. JOHNSON of Connecticut.
H.R. 5200: Mr. MCHUGH.
H.R. 5259: Mr. BARR of Georgia, Mr. LEWIS of Georgia, Mr. BRYANT, Mr. CHAMBLISS, and Ms. MCKINNEY.
H.R. 5268: Mr. HOEFFEL, Ms. SCHAKOWSKY, and Mr. GUTIERREZ.
H.R. 5275: Mr. BILBRAY.
H.R. 5337: Mr. UNDERWOOD.
H.R. 5418: Mr. COYNE.
H.R. 5469: Mr. SHOWS and Mr. HUNTER.
H.R. 5472: Mr. STARK.
H.R. 5492: Mr. GEORGE MILLER of California.
H.R. 5522: Mr. NADLER, Mr. STRICKLAND, Mr. LAZIO, Mr. MCCOLLUM, and Mr. SOUDER.
H.J. Res. 107: Ms. SCHAKOWSKY.
H. Con. Res. 337: Mr. STUMP and Mr. SWEENEY.
H. Con. Res. 365: Mr. TAYLOR of North Carolina.
H. Con. Res. 373: Mr. SMITH of Washington.
H. Con. Res. 426: Mr. GUTIERREZ, Mr. RODRIGUEZ, Mr. MCINNIS, Mr. WU, Mr. COSTELLO, Mr. CLEMENT, Mr. SPRATT, Mr. SHOWS, Mr. NORWOOD, and Mr. BECERRA.
H. Res. 309: Ms. CARSON.
H. Res. 420: Mrs. FOWLER and Mr. UNDERWOOD.
H. Res. 622: Ms. MCKINNEY, Mr. PAYNE, Mr. TRAFICANT, Mr. RILEY, and Mr. GUTIERREZ.
H. Res. 635: Mr. RANGEL, Mr. SHIMKUS, Mr. PRICE of North Carolina, Mr. BLUMENAUER, and Mr. GOODLING.

¶114.84 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsor was deleted from the resolution as follows:

H. Con. Res. 426: Mr. ROHRABACHER.

WEDNESDAY, OCTOBER 25, 2000 (115)

¶115.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication:

WASHINGTON, DC,
October 25, 2000.

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

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

¶115.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Tuesday, October 24, 2000.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. MCNULTY, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶115.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10708. A letter from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Food Stamp Program: Non-Discretionary Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (RIN: 0584–AC41) received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10709. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule: Defense Federal Acquisition Regulation Supplement; Update of Small Business Specialist Functions—received October 23, 2000; to the Committee on Armed Services.

10710. A letter from the Director, Office of Management and Budget, transmitting a report on the OMB Cost Estimate for Pay-As-You-Go Calculations; to the Committee on the Budget.

10711. A letter from the Acting Assistant Secretary, Department of Labor, Pension and Welfare Benefits Administration, transmitting the Department's final rule—Small Pension Plan Security Amendments (RIN: 1210–AA73) received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10712. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, Office of Energy Efficiency and Renewable Energy, transmitting the Department's final rule—Energy Conservation Program for Consumer Products: Fluorescent Lamp Ballasts Energy Conservation Standards [Docket No. EE–RM–97–500] (RIN: 1904–

AA75) received October 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10713. A letter from the Acting Secretary, Department of State, transmitting a report on the Strategic Plan for 2000; to the Committee on Government Reform.

10714. A letter from the Director, Federal Mediation and Conciliation Service, transmitting a report on the Commercial Inventory for FY 2000; to the Committee on Government Reform.

10715. A letter from the Director, Employment Service, Office of Personnel Management, transmitting the Office's final rule—Reduction in Force Retreat Rights (RIN: 3206–AJ14) received October 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10716. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's annual report on the Program Fraud Civil Remedies Act for fiscal year 2000, pursuant to 31 U.S.C. 3810; to the Committee on Government Reform.

10717. A letter from the Chairman, Board of Directors, Tennessee Valley Authority, transmitting a report on the Strategic Plan for FY 2000—2005; to the Committee on Government Reform.

10718. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the 1999 Annual Report of the National Institute of Justice; to the Committee on the Judiciary.

10719. A letter from the General Counsel, Architectural and Transportation Barriers Compliance Board, transmitting the Board's final rule—Americans With Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Play Area [Docket No. 98–2] (RIN: 3014–AA21) received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10720. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Federal Airways in the Vicinity of Dallas/Fort Worth; TX [Docket No. 00–ASW–6] received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10721. A letter from the Administrator, Department of Transportation, FAA, transmitting a report on Pilot Records; to the Committee on Transportation and Infrastructure.

10722. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2000–NM–312–AD; Amendment 39–11914; AD 2000–20–03] (RIN: 2120–AA64) received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10723. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–1A11 (CL–600) and CL–600–2A12 (CL–601) Series Airplanes [Docket No. 99–NM–26–AD; Amendment 39–11902; AD 2000–19–01] (RIN: 2120–AA64) received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10724. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Licensing and Safety Requirements for Operation of a Launch Site [Docket No. FAA–1999–5833; Amendment No. 401–2, 417–1 and 420–1] (RIN: 2120–AG15) received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

10725. A letter from the Program Manager, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Labeling of Flavored Wine Products (RIN: 1512–AB86) received October 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10726. A letter from the Chief, Regulations Branch, Department of Treasury, U.S. Customs Service, transmitting the Department's final rule—Import Restrictions Imposed On Archaeological Material From the Prehispanic Cultures of the Republic of Nicaragua (RIN: 1515–AC70) received October 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10727. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update—received October 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶115.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 4315. Am Act to designate the facility of the United States Postal Service located at 3695 Green Road in Beachwood, Ohio, as the ''Larry Small Post Office Building''.

H.R. 4450. Am Act to designate the facility of the United States Postal Service located at 900 East Fayette Street in Baltimore, Maryland, as the ''Judge Harry Augustus Cole Post Office Building''.

H.R. 4451. Am Act to designate the facility of the United States Postal Service located at 1001 Frederick Road in Baltimore, Maryland, as the ''Frederick L. Dewberry, Jr. Post Office Building''.

H.R. 4625. Am Act to designate the facility of the United States Postal Service located at 2108 East 38th Street in Erie, Pennsylvania, as the ''Gertrude A. Barber Post Office Building''.

H.R. 4786. Am Act to designate the facility of the United States Postal Service located at 110 Postal Way in Carrollton, Georgia, as the ''Samuel P. Roberts Post Office Building''.

H.R. 4831. Am Act to designate the facility of the United States Postal Service located at 2339 North California Avenue in Chicago, Illinois, as the ''Roberto Clemente Post Office''.

H.R. 4853. Am Act to designate the facility of the United States Postal Service located at 1568 South Green Road in South Euclid, Ohio, as the ''Arnold C. D'Amico Station''.

H.R. 5229. Am Act to designate the facility of the United States Postal Service located at 219 South Church Street in Odum, Georgia, as the ''Ruth Harris Coleman Post Office Building''.

H.R. 5273. Am Act to clarify the intention of the Congress with regard to the authority of the United States Mint to produce numismatic coins, and for other purposes.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2462. Am Act to amend the Organic Act of Guam, and for other purposes.

H.R. 5314. Am Act to amend title 10, United States Code, to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 4788) ''An Act to amend the United States Grain Standards Act to extend the authority of the Secretary of Agriculture to collect fees to cover the cost of services performed under that Act, extend the authorization of appropriations for that Act, and improve the administration of that Act, to reenact the United States Warehouse Act to require the licensing and inspection of warehouses used to store agricultural products and provide for the issuance of receipts, including electronic receipts, for agricultural products stored or handled in licensed warehouses, and for other purposes.''

The message also announced that the Senate has passed bills, joint resolutions, and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 1762. Am Act to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resource projects previously funded by the Secretary under such Act or related laws.

S. 2811. Am Act to amend the Consolidated Farm and Rural Development Act to make communities with high levels of out-migration or population loss eligible for community facilities grants.

S. 3164. Am Act to protect seniors from fraud.

S. 3194. Am Act to designate the facility of the United States Postal Service located at 431 North George Street in Millersville, Pennsylvania, as the ''Robert S. Walker Post Office.''

S. 3230. Am Act to reauthorize the authority for the Secretary of Agriculture to pay costs associated with removal of commodities that pose a health or safety risk and to make adjustments to certain child nutrition programs.

S. J. Res. 36. Joint resolution recognizing the late Bernt Balchen for his many contributions to the United States and a lifetime of remarkable achievements on the centenary of his birth, October 23, 1999.

S. J. Res. 55. Joint resolution to change the date for counting the electoral votes in 2001.

S. Con. Res. 150. Concurrent resolution relating to the reestablishment of representative government in Afghanistan.

S. Con. Res. 155. Concurrent resolution expressing the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political forces in Peru toward an immediate and full restoration of democracy in that country.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 964) ''An Act to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes.''

The message also announced that in accordance with sections 1928a–1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Rhode Island (Mr. CHAFEE) as a member of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the Second Session of the One Hundred Sixth Congress, to be held in Berlin, Germany, November 17–22, 2000.

¶115.5 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of October 24, 2000.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. McNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 332 / Nays 51

¶115.6 [Roll No. 544]

YEAS—332

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Evans
Everett
Ewing
Farr
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Green (WI)
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanders
Sandlin
Sanford
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Whitfield
Wilson
Wolf
Woolsey
Wynn
Young (FL)

NAYS—51

Aderholt
Becerra
Bilbray
Borski
Brady (PA)
Capuano
Clay
Clyburn
Costello
Crane
DeFazio
English
Etheridge
Fattah
Filner
Green (TX)
Gutknecht
Hefley
Hill (MT)
Hilliard
Hooley
Hulshof
Kucinich
Lewis (GA)
LoBiondo
McDermott
McNulty
Miller, George
Moran (KS)
Oberstar
Pallone
Pickett
Ramstad
Riley
Sabo
Sanchez
Sawyer
Schaffer
Slaughter
Stark
Sweeney
Tauscher
Thompson (CA)
Thompson (MS)
Udall (NM)
Velazquez
Visclosky
Waters
Weller
Wicker
Wu

NOT VOTING—49

Brown (OH)
Burton
Campbell
Cannon
Chenoweth-Hage
Coburn
Crowley
Danner
Delahunt
DeLay
Dickey
Dixon
Duncan
Engel
Forbes
Franks (NJ)
Goode
Goodling
Greenwood
Hastings (FL)
Hilleary
John
Kasich
Klink
Largent
Lazio
McCollum
McGovern
McIntosh
Meek (FL)
Meeks (NY)
Metcalf
Mica
Morella
Murtha
Ney
Peterson (MN)
Peterson (PA)
Porter
Price (NC)
Shadegg
Shaw
Stabenow
Stupak
Talent
Taylor (MS)
Watts (OK)
Wise
Young (AK)

So the Journal was approved.

¶115.7 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4811

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 647):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4811) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

Mr. DIAZ-BALART moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. HALL of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 210 / Nays 197

¶115.8 [Roll No. 545]

YEAS—210

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

Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—197

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

NOT VOTING—25

Brown (OH)
Campbell
Chenoweth-Hage
Danner
Delahunt
Dickey
Edwards
Engel
Franks (NJ)
Hastings (FL)
John
Klink
Largent
Lazio
McCollum
McGovern
McIntosh
Meeks (NY)
Mica
Peterson (PA)
Shadegg
Stupak
Talent
Watts (OK)
Wise

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that the yeas had it.

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶115.9 FOREIGN OPERATIONS APPROPRIATIONS

Mr. CALLAHAN, pursuant to House Resolution 467, called up the following conference report (Rept. No. 106–997):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4811) ''making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter stricken and inserted by said amendment, insert:

Section 101. (a) The provisions of H.R. 5526 of the 106th Congress, as introduced on October 24, 2000, are hereby enacted into law.

(b). In publishing the Act in slip form and in the United States Statues at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

And the Senate agreed to the same.

SONNY CALLAHAN,
JOHN EDWARD PORTER,
FRANK R. WOLF,
RON PACKARD,
JOE KNOLLENBERG,
JACK KINGSTON,
JERRY LEWIS,
ROGER F. WICKER,
BILL YOUNG,
NANCY PELOSI,
NITA M. LOWEY,
JESSE JACKSON, Jr.,
CAROLYN C. KILPATRICK,
MARTIN OLAV SABO,
DAVE OBEY,
(except for cap adjustment),
Managers on the Part of the House.

MITCH MCCONNELL,
ARLEN SPECTER,
JUDD GREGG,
RICHARD SHELBY,
ROBERT F. BENNETT,
BEN NIGHTHORSE CAMPBELL,
KIT BOND,
TED STEVENS,
PATRICK LEAHY,
FRANK R. LAUTENBERG,
TOM HARKIN,
BARBARA A. MIKULSKI,
PATTY MURRAY,
ROBERT C. BYRD,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 307 / Nays 101

¶115.10 [Roll No. 546]

YEAS—307

Abercrombie
Ackerman
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Coble
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Ehlers
Ehrlich
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hastings (WA)
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Petri
Pickett
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Rodriguez
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Strickland
Sununu
Sweeney
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney

Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—101

Aderholt
Archer
Barr
Barrett (NE)
Barton
Berry
Blunt
Boyd
Brady (TX)
Canady
Cannon
Chabot
Chambliss
Coburn
Collins
Combest
Condit
Cook
Cox
Cubin
Cunningham
Deal
DeFazio
DeLay
DeMint
Doolittle
Duncan
Edwards
Emerson
Everett
Goode
Goodlatte
Goss
Graham
Hall (TX)
Hansen
Hayes
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Hostettler
Hunter
Hutchinson
Istook
Jefferson
Jenkins
Johnson, Sam
Jones (NC)
Kind (WI)
Kucinich
Lewis (KY)
Lucas (OK)
Luther
Manzullo
McDermott
McInnis
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Norwood
Oberstar
Paul
Peterson (MN)
Phelps
Pickering
Pitts
Pombo
Rahall
Riley
Rivers
Roemer
Rohrabacher
Ryun (KS)
Salmon
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Shows
Smith (MI)
Spence
Stark
Stearns
Stenholm
Stump
Tancredo
Tanner
Taylor (MS)
Thornberry
Thune
Tiahrt
Toomey
Vitter
Walden
Watkins
Weldon (FL)
Whitfield

NOT VOTING—24

Brown (OH)
Campbell
Chenoweth-Hage
Conyers
Danner
Delahunt
Engel
Franks (NJ)
Gephardt
Hastings (FL)
John
Klink
Largent
Lazio
McCollum
McGovern
McIntosh
Meeks (NY)
Mica
Peterson (PA)
Shadegg
Stupak
Talent
Wise

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶115.11 FURTHER MESSAGE FROM THE SENATE

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

H.R. 4846. An Act to establish the National Recording Registry in the Library of Congress to maintain and preserve sound recordings that are culturally, historically, or aesthetically significant, and for other purposes.

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

S. 2772. An Act to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes.

¶115.12 H.R. 782—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 782) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2000 through 2003; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 405 / Nays 2

¶115.13 [Roll No. 547]

YEAS—405

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Paul
Sanford

NOT VOTING—25

Brown (OH)
Campbell
Chenoweth-Hage
Danner
Delahunt
Engel
Franks (NJ)
Gephardt
Hastings (FL)
Hinchey
John
Klink
Largent
Lazio
McCollum
McGovern
McIntosh
Meeks (NY)
Mica
Peterson (PA)
Shadegg
Stupak
Talent
Waxman
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes .''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶115.14 H.R. 5375—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend

the rules and pass the bill (H.R. 5375) to establish the Erie Canalway National Heritage Corridor in the State of New York, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 223 / Nays 183

¶115.15 [Roll No. 548]

YEAS—223

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

NAYS—183

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Coble
Coburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gonzalez
Green (TX)
Gutierrez
Hall (TX)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McDermott
McKinney
McNulty
Meehan
Meek (FL)
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Peterson (MN)
Phelps
Pombo
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Schaffer
Schakowsky
Scott
Sensenbrenner
Sherman
Skelton
Smith (WA)
Snyder
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOT VOTING—26

Brown (OH)
Campbell
Chenoweth-Hage
Danner
Delahunt
Engel
Franks (NJ)
Gephardt
Hastings (FL)
John
Klink
Largent
Lazio
Lewis (CA)
McCollum
McGovern
McIntosh
Meeks (NY)
Mica
Peterson (PA)
Royce
Shadegg
Stupak
Talent
Waxman
Wise

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill, as amended, was not passed.

¶115.16 H. CON. RES. 426—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 426) concerning the violence in the Middle East.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 365 / Nays ..... 30 / Answered present 11

¶115.17 [Roll No. 549]

YEAS—365

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds

Riley
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—30

Bonior
Boucher
Clay
Clayton
Coburn
Conyers
Dingell
Edwards
Ford
Gilchrest
Goodling
Hilliard
Hostettler
Jackson (IL)
Kilpatrick
Kucinich
Lee
Martinez
McKinney
Metcalf
Moran (VA)
Paul
Payne
Rahall
Rohrabacher
Sanford
Serrano
Stark
Thompson (MS)
Waters

ANSWERED "PRESENT"—11

DeFazio
Jones (OH)
LaHood
Lofgren
Rivers
Sanders
Sawyer
Snyder
Sununu
Thurman
Watt (NC)

NOT VOTING—26

Brown (OH)
Campbell
Chenoweth-Hage
Danner
Delahunt
Engel
Franks (NJ)
Gephardt
Hastings (FL)
John
Klink
Largent
Lazio
McCollum
McGovern
McIntosh
Meeks (NY)
Mica
Peterson (PA)
Pickett
Royce
Shadegg
Stupak
Talent
Waxman
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶115.18 S. 2547—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2547) to provide for the establishment of the Great Sand Dunes National Park and Preserve and the Baca National Wildlife Refuge in the State of Colorado, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 366 / Nays 34

¶115.19 [Roll No. 550]

YEAS—366

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Miller (FL)
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—34

Abercrombie
Berry
Boyd
Burton
Chabot
Coble
Coburn
Conyers
Cook
Cubin
DeMint
Duncan
Hansen
Hefley
Herger
Hostettler
Jones (NC)
Metcalf
Miller, Gary
Moran (KS)
Paul
Pombo
Riley
Rohrabacher
Rush
Sabo
Sanford
Schaffer
Sensenbrenner
Simpson
Stearns
Stenholm
Tiahrt
Toomey

NOT VOTING—32

Brown (OH)
Buyer
Campbell
Chenoweth-Hage
Collins
Danner
Delahunt
Engel
Franks (NJ)
Gephardt
Hastings (FL)
Horn
John
Klink
Largent
Lazio
McCollum
McGovern
McIntosh
Meeks (NY)
Mica
Millender-McDonald
Minge
Peterson (PA)
Pickett
Royce
Shadegg
Stupak
Talent
Thompson (MS)
Waxman
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶115.20 PROVIDING FOR THE CONSIDERATION OF CERTAIN JOINT RESOLUTIONS

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 646):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 115) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

Sec. 2. upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 116) making

further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

Sec. 3. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 117) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

Sec. 4. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 118) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

Sec. 5. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 119) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

Sec. 6. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 120) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 205 / Nays ..... 191 }

¶115.21 [Roll No. 551]

YEAS—205

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

NAYS—191

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

NOT VOTING—36

Bonilla	Gutierrez	Meeks (NY)
Brown (OH)	Hastings (FL)	Mica
Campbell	Istook	Mollohan
Chenoweth-Hage	Johnson (CT)	Peterson (PA)
Collins	Klink	Radanovich
Danner	Largent	Shadegg
Delahunt	Lazio	Slaughter
Ehrlich	Maloney (CT)	Stabenow
Engel	McCollum	Stupak
Franks (NJ)	McDermott	Talent
Gephardt	McGovern	Waxman
Greenwood	McIntosh	Wise

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶115.22 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 646, called up the joint resolution (H.J. Res. 115) making further continuing appropriations for fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 395 / Nays 9

¶115.23 [Roll No. 552]

YEAS—395

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—9

Baird
Barton
Capuano
Costello
DeFazio
Ford
Kaptur
Miller, George
Visclosky

NOT VOTING—28

Bonilla
Campbell
Chenoweth-Hage
Collins
Combest
Danner
Delahunt
Engel
Fossella
Franks (NJ)
Greenwood
Hastings (FL)
Klink
Largent
Lazio
Maloney (CT)
McCollum
McIntosh
Meeks (NY)
Mica
Owens
Peterson (PA)
Shadegg
Slaughter
Stupak
Talent
Waxman
Wise

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶115.24 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY S. 835

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 648):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 835) to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶115.25 ESTUARY HABITAT AND CHESAPEAKE BAY RESTORATION

Mr. SHUSTER, pursuant to House Resolution 648, called up the following conference report (Rept. No. 106–995):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 835), to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes, having met, after full and free conferences, have agreed to recommend and do recommend to their respective Houses as follows:

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

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Estuaries and Clean Waters Act of 2000''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—ESTUARY RESTORATION

Sec. 101. Short title.
Sec. 102. Purposes.
Sec. 103. Definitions.
Sec. 104. Estuary habitat restoration program.
Sec. 105. Establishment of Estuary Habitat Restoration Council.
Sec. 106. Estuary habitat restoration strategy.
Sec. 107. Monitoring of estuary habitat restoration projects.
Sec. 108. Reporting.
Sec. 109. Funding.
Sec. 110. General provisions.

TITLE II—CHESAPEAKE BAY RESTORATION

Sec. 201. Short title.
Sec. 202. Findings and purposes.
Sec. 203. Chesapeake Bay.

TITLE III—NATIONAL ESTUARY PROGRAM

Sec. 301. Addition to national estuary program.
Sec. 302. Grants.
Sec. 303. Authorization of appropriations.

TITLE IV—LONG ISLAND SOUND RESTORATION

Sec. 401. Short title.
Sec. 402. Innovative methodologies and technologies.
Sec. 403. Assistance for distressed communities.
Sec. 404. Authorization of appropriations.

TITLE V—LAKE PONTCHARTRAIN BASIN RESTORATION

Sec. 501. Short title.
Sec. 502. Lake Pontchartrain basin.

TITLE VI—ALTERNATIVE WATER SOURCES

Sec. 601. Short title.
Sec. 602. Pilot program for alternative water source projects.

TITLE VII—CLEAN LAKES

Sec. 701. Grants to States.
Sec. 702. Demonstration program.

TITLE VIII—TIJUANA RIVER VALLEY ESTUARY AND BEACH CLEANUP

Sec. 801. Short title.
Sec. 802. Purpose.
Sec. 803. Definitions.
Sec. 804. Actions to be taken by the Commission and the Administrator.
Sec. 805. Negotiation of new treaty minute.
Sec. 806. Authorization of appropriations.

TITLE IX—GENERAL PROVISIONS

Sec. 901. Purchase of American-made equipment and products.

Sec. 902. Long-term estuary assessment.
Sec. 903. Rural sanitation grants.

TITLE I—ESTUARY RESTORATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Estuary Restoration Act of 2000''.

SEC. 102. PURPOSES.

The purposes of this title are—

(1) to promote the restoration of estuary habitat;

(2) to develop a national estuary habitat restoration strategy for creating and maintaining effective estuary habitat restoration partnerships among public agencies at all levels of government and to establish new partnerships between the public and private sectors;

(3) to provide Federal assistance for estuary habitat restoration projects and to promote efficient financing of such projects; and

(4) to develop and enhance monitoring and research capabilities through the use of the environmental technology innovation program associated with the National Estuarine Research Reserve System established by section 315 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1461) to ensure that estuary habitat restoration efforts are based on sound scientific understanding and innovative technologies.

SEC. 103. DEFINITIONS.

In this title, the following definitions apply:

(1) COUNCIL.—The term ''Council'' means the Estuary Habitat Restoration Council established by section 105.

(2) ESTUARY.—The term ''estuary'' means a part of a river or stream or other body of water that has an unimpaired connection with the open sea and where the sea water is measurably diluted with fresh water derived from land drainage. The term also includes near coastal waters and wetlands of the Great Lakes that are similar in form and function to estuaries, including the area located in the Great Lakes biogeographic region and designated as a National Estuarine Research Reserve under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) as of the date of enactment of this Act.

(3) ESTUARY HABITAT.—The term ''estuary habitat'' means the physical, biological, and chemical elements associated with an estuary, including the complex of physical and hydrologic features and living organisms within the estuary and associated ecosystems.

(4) ESTUARY HABITAT RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term ''estuary habitat restoration activity'' means an activity that results in improving degraded estuaries or estuary habitat or creating estuary habitat (including both physical and functional restoration), with the goal of attaining a self-sustaining system integrated into the surrounding landscape.

(B) INCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' includes—

(i) the reestablishment of chemical, physical, hydrologic, and biological features and components associated with an estuary;

(ii) except as provided in subparagraph (C), the cleanup of pollution for the benefit of estuary habitat;

(iii) the control of nonnative and invasive species in the estuary;

(iv) the reintroduction of species native to the estuary, including through such means as planting or promoting natural succession;

(v) the construction of reefs to promote fish and shellfish production and to provide estuary habitat for living resources; and

(vi) other activities that improve estuary habitat.

(C) EXCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' does not include an activity that—

(i) constitutes mitigation required under any Federal or State law for the adverse effects of an activity regulated or otherwise governed by Federal or State law; or

(ii) constitutes restoration for natural resource damages required under any Federal or State law.

(5) ESTUARY HABITAT RESTORATION PROJECT.—The term ''estuary habitat restoration project'' means a project to carry out an estuary habitat restoration activity.

(6) ESTUARY HABITAT RESTORATION PLAN.—

(A) IN GENERAL.—The term ''estuary habitat restoration plan'' means any Federal or State plan for restoration of degraded estuary habitat that was developed with the substantial participation of appropriate public and private stakeholders.

(B) INCLUDED PLANS AND PROGRAMS.—The term ''estuary habitat restoration plan'' includes estuary habitat restoration components of—

(i) a comprehensive conservation and management plan approved under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330);

(ii) a lakewide management plan or remedial action plan developed under section 118 of the Federal Water Pollution Control Act (33 U.S.C. 1268);

(iii) a management plan approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); and

(iv) the interstate management plan developed pursuant to the Chesapeake Bay program under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).

(7) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given such term by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(8) NON-FEDERAL INTEREST.—The term ''non-Federal interest'' means a State, a political subdivision of a State, an Indian tribe, a regional or interstate agency, or, as provided in section 104(f)(2), a nongovernmental organization.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(10) STATE.—The term ''State'' means the States of Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Virginia, Washington, and Wisconsin, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, American Samoa, and Guam.

SEC. 104. ESTUARY HABITAT RESTORATION PROGRAM.

(a) ESTABLISHMENT.—There is established an estuary habitat restoration program under which the Secretary may carry out estuary habitat restoration projects and provide technical assistance in accordance with the requirements of this title.

(b) ORIGIN OF PROJECTS.—A proposed estuary habitat restoration project shall originate from a non-Federal interest consistent with State or local laws.

(c) SELECTION OF PROJECTS.—

(1) IN GENERAL.—The Secretary shall select estuary habitat restoration projects from a list of project proposals submitted by the Estuary Habitat Restoration Council under section 105(b).

(2) REQUIRED ELEMENTS.—Each estuary habitat restoration project selected by the Secretary must—

(A) address restoration needs identified in an estuary habitat restoration plan;

(B) be consistent with the estuary habitat restoration strategy developed under section 106;

(C) include a monitoring plan that is consistent with standards for monitoring developed under section 107 to ensure that short-term and long-term restoration goals are achieved; and

(D) include satisfactory assurance from the non-Federal interests proposing the project that the non-Federal interests will have adequate personnel, funding, and authority to carry out items of local cooperation and properly maintain the project.

(3) FACTORS FOR SELECTION OF PROJECTS.—In selecting an estuary habitat restoration project, the Secretary shall consider the following factors:

(A) Whether the project is part of an approved Federal estuary management or habitat restoration plan.

(B) The technical feasibility of the project.

(C) The scientific merit of the project.

(D) Whether the project will encourage increased coordination and cooperation among Federal, State, and local government agencies.

(E) Whether the project fosters public-private partnerships and uses Federal resources to encourage increased private sector involvement, including consideration of the amount of private funds or in-kind contributions for an estuary habitat restoration activity.

(F) Whether the project is cost-effective.

(G) Whether the State in which the non-Federal interest is proposing the project has a dedicated source of funding to acquire or restore estuary habitat, natural areas, and open spaces for the benefit of estuary habitat restoration or protection.

(H) Other factors that the Secretary determines to be reasonable and necessary for consideration.

(4) PRIORITY.—In selecting estuary habitat restoration projects to be carried out under this title, the Secretary shall give priority consideration to a project if, in addition to meriting selection based on the factors under paragraph (3)—

(A) the project occurs within a watershed in which there is a program being carried out that addresses sources of pollution and other activities that otherwise would re-impair the restored habitat; or

(B) the project includes pilot testing of or a demonstration of an innovative technology having the potential for improved cost-effectiveness in estuary habitat restoration.

(d) COST SHARING.—

(1) FEDERAL SHARE.—Except as provided in paragraph (2) and subsection (e)(2), the Federal share of the cost of an estuary habitat restoration project (other than the cost of operation and maintenance of the project) carried out under this title shall not exceed 65 percent of such cost.

(2) INNOVATIVE TECHNOLOGY COSTS.—The Federal share of the incremental additional cost of including in a project pilot testing of or a demonstration of an innovative technology described in subsection (c)(4)(B) shall be 85 percent.

(3) NON-FEDERAL SHARE.—The non-Federal share of the cost of an estuary habitat restoration project carried out under this title shall include lands, easements, rights-of-way, and relocations and may include services, or any other form of in-kind contribution determined by the Secretary to be an appropriate contribution equivalent to the monetary amount required for the non-Federal share of the activity.

(4) OPERATION AND MAINTENANCE.—The non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(e) INTERIM ACTIONS.—

(1) IN GENERAL.—Pending completion of the estuary habitat restoration strategy to be developed under section 106, the Secretary may take interim actions to carry out an estuary habitat restoration activity.

(2) FEDERAL SHARE.—The Federal share of the cost of an estuary habitat restoration activity before the completion of the estuary habitat restoration strategy shall not exceed 25 percent of such cost.

(f) COOPERATION OF NON-FEDERAL INTERESTS.—

(1) IN GENERAL.—The Secretary may not carry out an estuary habitat restoration project until a non-Federal interest has entered into a written agreement with the Secretary in which the non-Federal interest agrees to—

(A) provide all lands, easements, rights-of-way, and relocations and any other elements the Secretary determines appropriate under subsection (d)(3); and

(B) provide for maintenance and monitoring of the project.

(2) NONGOVERNMENTAL ORGANIZATIONS.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project to be undertaken under this title, the Secretary, in consultation and coordination with appropriate State and local governmental agencies and Indian tribes, may allow a nongovernmental organization to serve as the non-Federal interest for the project.

(g) DELEGATION OF PROJECT IMPLEMENTATION.—In carrying out this title, the Secretary may delegate project implementation to another Federal department or agency on a reimbursable basis if the Secretary, upon the recommendation of the Council, determines such delegation is appropriate.

SEC. 105. ESTABLISHMENT OF ESTUARY HABITAT RESTORATION COUNCIL.

(a) COUNCIL.—There is established a council to be known as the ''Estuary Habitat Restoration Council''.

(b) DUTIES.—The Council shall be responsible for—

(1) soliciting, reviewing, and evaluating project proposals and developing recommendations concerning such proposals based on the factors specified in section 104(c)(3);

(2) submitting to the Secretary a list of recommended projects, including a recommended priority order and any recommendation as to whether a project should be carried out by the Secretary or by another Federal department or agency under section 104(g);

(3) developing and transmitting to Congress a national strategy for restoration of estuary habitat;

(4) periodically reviewing the effectiveness of the national strategy in meeting the purposes of this title and, as necessary, updating the national strategy; and

(5) providing advice on the development of the database, monitoring standards, and report required under sections 107 and 108.

(c) MEMBERSHIP.—The Council shall be composed of the following members:

(1) The Secretary (or the Secretary's designee).

(2) The Under Secretary for Oceans and Atmosphere of the Department of Commerce (or the Under Secretary's designee).

(3) The Administrator of the Environmental Protection Agency (or the Administrator's designee).

(4) The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (or such Secretary's designee).

(5) The Secretary of Agriculture (or such Secretary's designee).

(6) The head of any other Federal agency designated by the President to serve as an ex officio member of the Council.

(d) PROHIBITION OF COMPENSATION.—Members of the Council may not receive compensation for their service as members of the Council.

(e) CHAIRPERSON.—The chairperson shall be elected by the Council from among its members for a 3-year term, except that the first elected chairperson may serve a term of fewer than 3 years.

(f) CONVENING OF COUNCIL.—

(1) FIRST MEETING.—The Secretary shall convene the first meeting of the Council not later than 60 days after the date of enactment of this Act for the purpose of electing a chairperson.

(2) ADDITIONAL MEETINGS.—The chairperson shall convene additional meetings of the Council as often as appropriate to ensure that this title is fully carried out, but not less often than annually.

(g) COUNCIL PROCEDURES.—The Council shall establish procedures for voting, the conduct of meetings, and other matters, as necessary.

(h) PUBLIC PARTICIPATION.—Meetings of the Council shall be open to the public. The Council shall provide notice to the public of such meetings.

(i) ADVICE.—The Council shall consult with persons with recognized scientific expertise in estuary or estuary habitat restoration, representatives of State agencies, local or regional government agencies, and nongovernmental organizations with expertise in estuary or estuary habitat restoration, and representatives of Indian tribes, agricultural interests, fishing interests, and other estuary users—

(A) to assist the Council in the development of the estuary habitat restoration strategy to be developed under section 106; and

(B) to provide advice and recommendations to the Council on proposed estuary habitat restoration projects, including advice on the scientific merit, technical merit, and feasibility of a project.

SEC. 106. ESTUARY HABITAT RESTORATION STRATEGY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Council, shall develop an estuary habitat restoration strategy designed to ensure a comprehensive approach to maximize benefits derived from estuary habitat restoration projects and to foster the coordination of Federal and non-Federal activities related to restoration of estuary habitat.

(b) GOAL.—The goal of the strategy shall be the restoration of 1,000,000 acres of estuary habitat by the year 2010.

(c) INTEGRATION OF ESTUARY HABITAT RESTORATION PLANS, PROGRAMS, AND PARTNERSHIPS.—In developing the estuary habitat restoration strategy, the Council shall—

(1) conduct a review of estuary management or habitat restoration plans and Federal programs established under other laws that authorize funding for estuary habitat restoration activities; and

(2) ensure that the estuary habitat restoration strategy is developed in a manner that is consistent with the estuary management or habitat restoration plans.

(d) ELEMENTS OF THE STRATEGY.—The estuary habitat restoration strategy shall include proposals, methods, and guidance on—

(1) maximizing the incentives for the creation of new public-private partnerships to carry out estuary habitat restoration projects and the use of Federal resources to encourage increased private sector involvement in estuary habitat restoration activities;

(2) ensuring that the estuary habitat restoration strategy will be implemented in a manner that is consistent with the estuary management or habitat restoration plans;

(3) promoting estuary habitat restoration projects to—

(A) provide healthy ecosystems in order to support—

(i) wildlife, including endangered and threatened species, migratory birds, and resident species of an estuary watershed; and

(ii) fish and shellfish, including commercial and recreational fisheries;

(B) improve surface and ground water quality and quantity, and flood control;

(C) provide outdoor recreation; and

(D) address other areas of concern that the Council determines to be appropriate for consideration;

(4) addressing the estimated historic losses, estimated current rate of loss, and extent of the threat of future loss or degradation of each type of estuary habitat;

(5) measuring the rate of change for each type of estuary habitat;

(6) selecting a balance of smaller and larger estuary habitat restoration projects; and

(7) ensuring equitable geographic distribution of projects funded under this title.

(e) PUBLIC REVIEW AND COMMENT.—Before the Council adopts a final or revised estuary habitat restoration strategy, the Secretary shall publish in the Federal Register a draft of the estuary habitat restoration strategy and provide an opportunity for public review and comment.

(f) PERIODIC REVISION.—Using data and information developed through project monitoring and management, and other relevant information, the Council may periodically review and update, as necessary, the estuary habitat restoration strategy.

SEC. 107. MONITORING OF ESTUARY HABITAT RESTORATION PROJECTS.

(a) UNDER SECRETARY.—In this section, the term ''Under Secretary'' means the Under Secretary for Oceans and Atmosphere of the Department of Commerce.

(b) DATABASE OF RESTORATION PROJECT INFORMATION.—The Under Secretary, in consultation with the Council, shall develop and maintain an appropriate database of information concerning estuary habitat restoration projects carried out under this title, including information on project techniques, project completion, monitoring data, and other relevant information.

(c) MONITORING DATA STANDARDS.—The Under Secretary, in consultation with the Council, shall develop standard data formats for monitoring projects, along with requirements for types of data collected and frequency of monitoring.

(d) COORDINATION OF DATA.—The Under Secretary shall compile information that pertains to estuary habitat restoration projects from other Federal, State, and local sources and that meets the quality control requirements and data standards established under this section.

(e) USE OF EXISTING PROGRAMS.—The Under Secretary shall use existing programs within the National Oceanic and Atmospheric Administration to create and maintain the database required under this section.

(f) PUBLIC AVAILABILITY.—The Under Secretary shall make the information collected and maintained under this section available to the public.

SEC. 108. REPORTING.

(a) IN GENERAL.—At the end of the third and fifth fiscal years following the date of enactment of this Act, the Secretary, after considering the advice and recommendations of the Council, shall transmit to Congress a report on the results of activities carried out under this title.

(b) CONTENTS OF REPORT.—A report under subsection (a) shall include—

(1) data on the number of acres of estuary habitat restored under this title, including descriptions of, and partners involved with, projects selected, in progress, and completed under this title that comprise those acres;

(2) information from the database established under section 107(b) related to ongoing monitoring of projects to ensure that short-term and long-term restoration goals are achieved;

(3) an estimate of the long-term success of varying restoration techniques used in carrying out estuary habitat restoration projects;

(4) a review of how the information described in paragraphs (1) through (3) has been incorporated in the selection and implementation of estuary habitat restoration projects;

(5) a review of efforts made to maintain an appropriate database of restoration projects carried out under this title; and

(6) a review of the measures taken to provide the information described in paragraphs (1) through (3) to persons with responsibility for assisting in the restoration of estuary habitat.

SEC. 109. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) ESTUARY HABITAT RESTORATION PROJECTS.—There is authorized to be appropriated to the Secretary for carrying out and providing technical assistance for estuary habitat restoration projects—

(A) $40,000,000 for fiscal year 2001;

(B) $50,000,000 for each of fiscal years 2002 and 2003;

(C) $60,000,000 for fiscal year 2004; and

(D) $75,000,000 for fiscal year 2005.

Such sums shall remain available until expended.

(2) MONITORING.—There is authorized to be appropriated to the Under Secretary for Oceans and Atmosphere of the Department of Commerce for the acquisition, maintenance, and management of monitoring data on restoration projects carried out under this title, $1,500,000 for each of fiscal years 2001 through 2005. Such sums shall remain available until expended.

(b) SET-ASIDE FOR ADMINISTRATIVE EXPENSES OF THE COUNCIL.—Not to exceed 3 percent of the amounts appropriated for a fiscal year under subsection (a)(1) or $1,500,000, whichever is greater, may be used by the Secretary for administration and operation of the Council.

SEC. 110. GENERAL PROVISIONS.

(a) AGENCY CONSULTATION AND COORDINATION.—In carrying out this title, the Secretary shall, as necessary, consult with, cooperate with, and coordinate its activities with the activities of other Federal departments and agencies.

(b) COOPERATIVE AGREEMENTS; MEMORANDA OF UNDERSTANDING.—In carrying out this title, the Secretary may—

(1) enter into cooperative agreements with Federal, State, and local government agencies and other entities; and

(2) execute such memoranda of understanding as are necessary to reflect the agreements.

(c) FEDERAL AGENCY FACILITIES AND PERSONNEL.—Federal agencies may cooperate in carrying out scientific and other programs necessary to carry out this title, and may provide facilities and personnel, for the purpose of assisting the Council in carrying out its duties under this title.

(d) IDENTIFICATION AND MAPPING OF DREDGED MATERIAL DISPOSAL SITES.—In consultation with appropriate Federal and non-Federal public entities, the Secretary shall undertake, and update as warranted by changed conditions, surveys to identify and map sites appropriate for beneficial uses of dredged material for the protection, restoration, and creation of aquatic and ecologically related habitats, including wetlands, in order to further the purposes of this title.

(e) STUDY OF BIOREMEDIATION TECHNOLOGY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, with the participation of the estuarine scientific community, shall begin a 2-year study on the efficacy of bioremediation products.

(2) REQUIREMENTS.—The study shall—

(A) evaluate and assess bioremediation technology—

(i) on low-level petroleum hydrocarbon contamination from recreational boat bilges;

(ii) on low-level petroleum hydrocarbon contamination from stormwater discharges;

(iii) on nonpoint petroleum hydrocarbon discharges; and

(iv) as a first response tool for petroleum hydrocarbon spills; and

(B) recommend management actions to optimize the return of a healthy and balanced ecosystem and make improvements in the quality and character of estuarine waters.

TITLE II—CHESAPEAKE BAY RESTORATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Chesapeake Bay Restoration Act of 2000''.

SEC. 202. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Chesapeake Bay is a national treasure and a resource of worldwide significance;

(2) over many years, the productivity and water quality of the Chesapeake Bay and its watershed were diminished by pollution, excessive sedimentation, shoreline erosion, the impacts of population growth and development in the Chesapeake Bay watershed, and other factors;

(3) the Federal Government (acting through the Administrator of the Environmental Protection Agency), the Governor of the State of Maryland, the Governor of the Commonwealth of Virginia, the Governor of the Commonwealth of Pennsylvania, the Chairperson of the Chesapeake Bay Commission, and the mayor of the District of Columbia, as Chesapeake Bay Agreement signatories, have committed to a comprehensive cooperative program to achieve improved water quality and improvements in the productivity of living resources of the Bay;

(4) the cooperative program described in paragraph (3) serves as a national and international model for the management of estuaries; and

(5) there is a need to expand Federal support for monitoring, management, and restoration activities in the Chesapeake Bay and the tributaries of the Bay in order to meet and further the original and subsequent goals and commitments of the Chesapeake Bay Program.

(b) PURPOSES.—The purposes of this title are—

(1) to expand and strengthen cooperative efforts to restore and protect the Chesapeake Bay; and

(2) to achieve the goals established in the Chesapeake Bay Agreement.

SEC. 203. CHESAPEAKE BAY.

Section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267) is amended to read as follows:

"SEC. 117. CHESAPEAKE BAY.

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) ADMINISTRATIVE COST.—The term 'administrative cost' means the cost of salaries and fringe benefits incurred in administering a grant under this section.

''(2) CHESAPEAKE BAY AGREEMENT.—The term 'Chesapeake Bay Agreement' means the formal, voluntary agreements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay ecosystem and signed by the Chesapeake Executive Council.

''(3) CHESAPEAKE BAY ECOSYSTEM.—The term 'Chesapeake Bay ecosystem' means the ecosystem of the Chesapeake Bay and its watershed.

''(4) CHESAPEAKE BAY PROGRAM.—The term 'Chesapeake Bay Program' means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement.

''(5) CHESAPEAKE EXECUTIVE COUNCIL.—The term 'Chesapeake Executive Council' means the signatories to the Chesapeake Bay Agreement.

''(6) SIGNATORY JURISDICTION.—The term 'signatory jurisdiction' means a jurisdiction of a signatory to the Chesapeake Bay Agreement.

''(b) CONTINUATION OF CHESAPEAKE BAY PROGRAM.—

''(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council (and as a member of the Council), the Administrator shall continue the Chesapeake Bay Program.

''(2) PROGRAM OFFICE.—

''(A) IN GENERAL.—The Administrator shall maintain in the Environmental Protection Agency a Chesapeake Bay Program Office.

''(B) FUNCTION.—The Chesapeake Bay Program Office shall provide support to the Chesapeake Executive Council by—

''(i) implementing and coordinating science, research, modeling, support services, monitoring, data collection, and other activities that support the Chesapeake Bay Program;

''(ii) developing and making available, through publications, technical assistance, and other appropriate means, information pertaining to the environmental quality and living resources of the Chesapeake Bay ecosystem;

''(iii) in cooperation with appropriate Federal, State, and local authorities, assisting the signatories to the Chesapeake Bay Agreement in developing and implementing specific action plans to carry out the responsibilities of the signatories to the Chesapeake Bay Agreement;

''(iv) coordinating the actions of the Environmental Protection Agency with the actions of the appropriate officials of other Federal agencies and State and local authorities in developing strategies to—

''(I) improve the water quality and living resources in the Chesapeake Bay ecosystem; and

''(II) obtain the support of the appropriate officials of the agencies and authorities in achieving the objectives of the Chesapeake Bay Agreement; and

''(v) implementing outreach programs for public information, education, and participation to foster stewardship of the resources of the Chesapeake Bay.

''(c) INTERAGENCY AGREEMENTS.—The Administrator may enter into an interagency agreement with a Federal agency to carry out this section.

''(d) TECHNICAL ASSISTANCE AND ASSISTANCE GRANTS.—

''(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council, the Administrator may provide technical assistance, and assistance grants, to nonprofit organizations, State and local governments, colleges, universities, and interstate agencies to carry out this section, subject to such terms and conditions as the Administrator considers appropriate.

''(2) FEDERAL SHARE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of an assistance grant provided under paragraph (1) shall be determined by the Administrator in accordance with guidance issued by the Administrator.

''(B) SMALL WATERSHED GRANTS PROGRAM.—The Federal share of an assistance grant provided under paragraph (1) to carry out an implementing activity under subsection (g)(2) shall not exceed 75 percent of eligible project costs, as determined by the Administrator.

''(3) NON-FEDERAL SHARE.—An assistance grant under paragraph (1) shall be provided on the condition that non-Federal sources provide the remainder of eligible project costs, as determined by the Administrator.

''(4) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

''(e) IMPLEMENTATION AND MONITORING GRANTS.—

''(1) IN GENERAL.—If a signatory jurisdiction has approved and committed to implement all or substantially all aspects of the Chesapeake Bay Agreement, on the request of the chief executive of the jurisdiction, the Administrator—

''(A) shall make a grant to the jurisdiction for the purpose of implementing the management mechanisms established under the Chesapeake Bay Agreement, subject to such terms and conditions as the Administrator considers appropriate; and

''(B) may make a grant to a signatory jurisdiction for the purpose of monitoring the Chesapeake Bay ecosystem.

''(2) PROPOSALS.—

''(A) IN GENERAL.—A signatory jurisdiction described in paragraph (1) may apply for a grant under this subsection for a fiscal year by submitting to the Administrator a comprehensive proposal to implement management mechanisms established under the Chesapeake Bay Agreement.

''(B) CONTENTS.—A proposal under subparagraph (A) shall include—

''(i) a description of proposed management mechanisms that the jurisdiction commits to take within a specified time period, such as reducing or preventing pollution in the Chesapeake Bay and its watershed or meeting applicable water quality standards or established goals and objectives under the Chesapeake Bay Agreement; and

''(ii) the estimated cost of the actions proposed to be taken during the fiscal year.

''(3) APPROVAL.—If the Administrator finds that the proposal is consistent with the Chesa-

peake Bay Agreement and the national goals established under section 101(a), the Administrator may approve the proposal for an award.

''(4) FEDERAL SHARE.—The Federal share of a grant under this subsection shall not exceed 50 percent of the cost of implementing the management mechanisms during the fiscal year.

''(5) NON-FEDERAL SHARE.—A grant under this subsection shall be made on the condition that non-Federal sources provide the remainder of the costs of implementing the management mechanisms during the fiscal year.

''(6) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

''(7) REPORTING.—On or before October 1 of each fiscal year, the Administrator shall make available to the public a document that lists and describes, in the greatest practicable degree of detail—

''(A) all projects and activities funded for the fiscal year;

''(B) the goals and objectives of projects funded for the previous fiscal year; and

''(C) the net benefits of projects funded for previous fiscal years.

''(f) FEDERAL FACILITIES AND BUDGET COORDINATION.—

''(1) SUBWATERSHED PLANNING AND RESTORATION.—A Federal agency that owns or operates a facility (as defined by the Administrator) within the Chesapeake Bay watershed shall participate in regional and subwatershed planning and restoration programs.

''(2) COMPLIANCE WITH AGREEMENT.—The head of each Federal agency that owns or occupies real property in the Chesapeake Bay watershed shall ensure that the property, and actions taken by the agency with respect to the property, comply with the Chesapeake Bay Agreement, the Federal Agencies Chesapeake Ecosystem Unified Plan, and any subsequent agreements and plans.

''(3) BUDGET COORDINATION.—

''(A) IN GENERAL.—As part of the annual budget submission of each Federal agency with projects or grants related to restoration, planning, monitoring, or scientific investigation of the Chesapeake Bay ecosystem, the head of the agency shall submit to the President a report that describes plans for the expenditure of the funds under this section.

''(B) DISCLOSURE TO THE COUNCIL.—The head of each agency referred to in subparagraph (A) shall disclose the report under that subparagraph with the Chesapeake Executive Council as appropriate.

''(g) CHESAPEAKE BAY PROGRAM.—

''(1) MANAGEMENT STRATEGIES.—The Administrator, in coordination with other members of the Chesapeake Executive Council, shall ensure that management plans are developed and implementation is begun by signatories to the Chesapeake Bay Agreement to achieve and maintain—

''(A) the nutrient goals of the Chesapeake Bay Agreement for the quantity of nitrogen and phosphorus entering the Chesapeake Bay and its watershed;

''(B) the water quality requirements necessary to restore living resources in the Chesapeake Bay ecosystem;

''(C) the Chesapeake Bay Basinwide Toxins Reduction and Prevention Strategy goal of reducing or eliminating the input of chemical contaminants from all controllable sources to levels that result in no toxic or bioaccumulative impact on the living resources of the Chesapeake Bay ecosystem or on human health;

''(D) habitat restoration, protection, creation, and enhancement goals established by Chesapeake Bay Agreement signatories for wetlands, riparian forests, and other types of habitat associated with the Chesapeake Bay ecosystem; and

''(E) the restoration, protection, creation, and enhancement goals established by the Chesapeake Bay Agreement signatories for living resources associated with the Chesapeake Bay ecosystem.

''(2) SMALL WATERSHED GRANTS PROGRAM.—The Administrator, in cooperation with the Chesapeake Executive Council, shall—

''(A) establish a small watershed grants program as part of the Chesapeake Bay Program; and

''(B) offer technical assistance and assistance grants under subsection (d) to local governments and nonprofit organizations and individuals in the Chesapeake Bay region to implement—

''(i) cooperative tributary basin strategies that address the water quality and living resource needs in the Chesapeake Bay ecosystem; and

''(ii) locally based protection and restoration programs or projects within a watershed that complement the tributary basin strategies, including the creation, restoration, protection, or enhancement of habitat associated with the Chesapeake Bay ecosystem.

''(h) STUDY OF CHESAPEAKE BAY PROGRAM.—

''(1) IN GENERAL.—Not later than April 22, 2003, and every 5 years thereafter, the Administrator, in coordination with the Chesapeake Executive Council, shall complete a study and submit to Congress a comprehensive report on the results of the study.

''(2) REQUIREMENTS.—The study and report shall—

''(A) assess the state of the Chesapeake Bay ecosystem;

''(B) compare the current state of the Chesapeake Bay ecosystem with its state in 1975, 1985, and 1995;

''(C) assess the effectiveness of management strategies being implemented on the date of enactment of this section and the extent to which the priority needs are being met;

''(D) make recommendations for the improved management of the Chesapeake Bay Program either by strengthening strategies being implemented on the date of enactment of this section or by adopting new strategies; and

''(E) be presented in such a format as to be readily transferable to and usable by other watershed restoration programs.

''(i) SPECIAL STUDY OF LIVING RESOURCE RESPONSE.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Administrator shall commence a 5-year special study with full participation of the scientific community of the Chesapeake Bay to establish and expand understanding of the response of the living resources of the Chesapeake Bay ecosystem to improvements in water quality that have resulted from investments made through the Chesapeake Bay Program.

''(2) REQUIREMENTS.—The study shall—

''(A) determine the current status and trends of living resources, including grasses, benthos, phytoplankton, zooplankton, fish, and shellfish;

''(B) establish to the extent practicable the rates of recovery of the living resources in response to improved water quality condition;

''(C) evaluate and assess interactions of species, with particular attention to the impact of changes within and among trophic levels; and

''(D) recommend management actions to optimize the return of a healthy and balanced ecosystem in response to improvements in the quality and character of the waters of the Chesapeake Bay.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000 for each of fiscal years 2001 through 2005. Such sums shall remain available until expended.''.

TITLE III—NATIONAL ESTUARY PROGRAM

SEC. 301. ADDITION TO NATIONAL ESTUARY PROGRAM.

Section 320(a)(2)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1330(a)(2)(B)) is amended by inserting ''Lake Pontchartrain Basin, Louisiana and Mississippi;'' before ''and Peconic Bay, New York.''.

SEC. 302. GRANTS.

Section 320(g) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)) is amended by striking paragraphs (2) and (3) and inserting the following:

''(2) PURPOSES.—Grants under this subsection shall be made to pay for activities necessary for the development and implementation of a comprehensive conservation and management plan under this section.

''(3) FEDERAL SHARE.—The Federal share of a grant to any person (including a State, interstate, or regional agency or entity) under this subsection for a fiscal year—

''(A) shall not exceed—

''(i) 75 percent of the annual aggregate costs of the development of a comprehensive conservation and management plan; and

''(ii) 50 percent of the annual aggregate costs of the implementation of the plan; and

''(B) shall be made on condition that the non-Federal share of the costs are provided from non-Federal sources.''.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

Section 320(i) of the Federal Water Pollution Control Act (33 U.S.C. 1330(i)) is amended by striking ''$12,000,000 per fiscal year for each of fiscal years 1987, 1988, 1989, 1990, and 1991'' and inserting ''$35,000,000 for each of fiscal years 2001 through 2005''.

TITLE IV—LONG ISLAND SOUND RESTORATION

SEC. 401. SHORT TITLE.

This title may be cited as the ''Long Island Sound Restoration Act''.

SEC. 402. INNOVATIVE METHODOLOGIES AND TECHNOLOGIES.

Section 119(c)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1269(c)(1)) is amended by inserting '', including efforts to establish, within the process for granting watershed general permits, a system for promoting innovative methodologies and technologies that are cost-effective and consistent with the goals of the Plan'' before the semicolon at the end.

SEC. 403. ASSISTANCE FOR DISTRESSED COMMUNITIES.

Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

''(e) ASSISTANCE TO DISTRESSED COMMUNITIES.—

''(1) ELIGIBLE COMMUNITIES.—For the purposes of this subsection, a distressed community is any community that meets affordability criteria established by the State in which the community is located, if such criteria are developed after public review and comment.

''(2) PRIORITY.—In making assistance available under this section for the upgrading of wastewater treatment facilities, the Administrator may give priority to a distressed community.''.

SEC. 404. AUTHORIZATION OF APPROPRIATIONS.

Section 119(f) of the Federal Water Pollution Control Act (as redesignated by section 403 of this Act) is amended—

(1) in paragraph (1) by striking ''1991 through 2001'' and inserting ''2001 through 2005''; and

(2) in paragraph (2) by striking ''not to exceed $3,000,000 for each of the fiscal years 1991 through 2001'' and inserting ''not to exceed $40,000,000 for each of fiscal years 2001 through 2005''.

TITLE V—LAKE PONTCHARTRAIN BASIN RESTORATION

SEC. 501. SHORT TITLE.

This title may be cited as the ''Lake Pontchartrain Basin Restoration Act of 2000''.

SEC. 502. LAKE PONTCHARTRAIN BASIN.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 121. LAKE PONTCHARTRAIN BASIN.

''(a) ESTABLISHMENT OF RESTORATION PROGRAM.—The Administrator shall establish with-

in the Environmental Protection Agency the Lake Pontchartrain Basin Restoration Program.

''(b) PURPOSE.—The purpose of the program shall be to restore the ecological health of the Basin by developing and funding restoration projects and related scientific and public education projects.

''(c) DUTIES.—In carrying out the program, the Administrator shall—

''(1) provide administrative and technical assistance to a management conference convened for the Basin under section 320;

''(2) assist and support the activities of the management conference, including the implementation of recommendations of the management conference;

''(3) support environmental monitoring of the Basin and research to provide necessary technical and scientific information;

''(4) develop a comprehensive research plan to address the technical needs of the program;

''(5) coordinate the grant, research, and planning programs authorized under this section; and

''(6) collect and make available to the public publications, and other forms of information the management conference determines to be appropriate, relating to the environmental quality of the Basin.

''(d) GRANTS.—The Administrator may make grants—

''(1) for restoration projects and studies recommended by a management conference convened for the Basin under section 320; and

''(2) for public education projects recommended by the management conference.

''(e) DEFINITIONS.—In this section, the following definitions apply:

''(1) BASIN.—The term 'Basin' means the Lake Pontchartrain Basin, a 5,000 square mile watershed encompassing 16 parishes in the State of Louisiana and 4 counties in the State of Mississippi.

''(2) PROGRAM.—The term 'program' means the Lake Pontchartrain Basin Restoration Program established under subsection (a).

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2001 through 2005. Such sums shall remain available until expended.

''(2) PUBLIC EDUCATION PROJECTS.—Not more that 15 percent of the amount appropriated pursuant to paragraph (1) in a fiscal year may be expended on grants for public education projects under subsection (d)(2).''.

TITLE VI—ALTERNATIVE WATER SOURCES

SEC. 601. SHORT TITLE.

This title may be cited as the ''Alternative Water Sources Act of 2000''.

SEC. 602. PILOT PROGRAM FOR ALTERNATIVE WATER SOURCE PROJECTS.

Title II the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

''SEC. 220. PILOT PROGRAM FOR ALTERNATIVE WATER SOURCE PROJECTS.

''(a) POLICY.—Nothing in this section shall be construed to affect the application of section 101(g) of this Act and all of the provisions of this section shall be carried out in accordance with the provisions of section 101(g).

''(b) IN GENERAL.—The Administrator may establish a pilot program to make grants to State, interstate, and intrastate water resource development agencies (including water management districts and water supply authorities), local government agencies, private utilities, and nonprofit entities for alternative water source projects to meet critical water supply needs.

''(c) ELIGIBLE ENTITY.—The Administrator may make grants under this section to an entity only if the entity has authority under State law to develop or provide water for municipal, industrial, and agricultural uses in an area of the State that is experiencing critical water supply needs.

''(d) SELECTION OF PROJECTS.—

''(1) LIMITATION.—A project that has received funds under the reclamation and reuse program conducted under the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h et seq.) shall not be eligible for grant assistance under this section.

''(2) ADDITIONAL CONSIDERATION.—In making grants under this section, the Administrator shall consider whether the project is located within the boundaries of a State or area referred to in section 1 of the Reclamation Act of June 17, 1902 (32 Stat. 385), and within the geographic scope of the reclamation and reuse program conducted under the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h et seq.).

''(3) GEOGRAPHICAL DISTRIBUTION.—Alternative water source projects selected by the Administrator under this section shall reflect a variety of geographical and environmental conditions.

''(e) COMMITTEE RESOLUTION PROCEDURE.—

''(1) IN GENERAL.—No appropriation shall be made for any alternative water source project under this section, the total Federal cost of which exceeds $3,000,000, if such project has not been approved by a resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives or the Committee on Environment and Public Works of the Senate.

''(2) REQUIREMENTS FOR SECURING CONSIDERATION.—For purposes of securing consideration of approval under paragraph (1), the Administrator shall provide to a committee referred to in paragraph (1) such information as the committee requests and the non-Federal sponsor shall provide to the committee information on the costs and relative needs for the alternative water source project.

''(f) USES OF GRANTS.—Amounts from grants received under this section may be used for engineering, design, construction, and final testing of alternative water source projects designed to meet critical water supply needs. Such amounts may not be used for planning, feasibility studies or for operation, maintenance, replacement, repair, or rehabilitation.

''(g) COST SHARING.—The Federal share of the eligible costs of an alternative water source project carried out using assistance made available under this section shall not exceed 50 percent.

''(h) REPORTS.—On or before September 30, 2004, the Administrator shall transmit to Congress a report on the results of the pilot program established under this section, including progress made toward meeting the critical water supply needs of the participants in the pilot program.

''(i) DEFINITIONS.—In this section, the following definitions apply:

''(1) ALTERNATIVE WATER SOURCE PROJECT.—The term 'alternative water source project' means a project designed to provide municipal, industrial, and agricultural water supplies in an environmentally sustainable manner by conserving, managing, reclaiming, or reusing water or wastewater or by treating wastewater. Such term does not include water treatment or distribution facilities.

''(2) CRITICAL WATER SUPPLY NEEDS.—The term 'critical water supply needs' means existing or reasonably anticipated future water supply needs that cannot be met by existing water supplies, as identified in a comprehensive statewide or regional water supply plan or assessment projected over a planning period of at least 20 years.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section a total of $75,000,000 for fiscal years 2002 through 2004. Such sums shall remain available until expended.''.

TITLE VII—CLEAN LAKES

SEC. 701. GRANTS TO STATES.

Section 314(c)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1324(c)(2)) is amended by striking ''$50,000,000'' the first place it appears and all that follows through ''1990'' and inserting ''$50,000,000 for each of fiscal years 2001 through 2005''.

SEC. 702. DEMONSTRATION PROGRAM.

Section 314(d) of the Federal Water Pollution Control Act (33 U.S.C. 1324(d)) is amended—

(1) in paragraph (2) by inserting ''Otsego Lake, New York; Oneida Lake, New York; Raystown Lake, Pennsylvania; Swan Lake, Itasca County, Minnesota; Walker Lake, Nevada; Lake Tahoe, California and Nevada; Ten Mile Lakes, Oregon; Woahink Lake, Oregon; Highland Lake, Connecticut; Lily Lake, New Jersey; Strawbridge Lake, New Jersey; Baboosic Lake, New Hampshire; French Pond, New Hampshire; Dillon Reservoir, Ohio; Tohopekaliga Lake, Florida; Lake Apopka, Florida; Lake George, New York; Lake Wallenpaupack, Pennsylvania; Lake Allatoona, Georgia;'' after ''Sauk Lake, Minnesota;'';

(2) in paragraph (3) by striking ''By'' and inserting ''Notwithstanding section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note; 109 Stat. 734–736), by''; and

(3) in paragraph (4)(B)(i) by striking ''$15,000,000'' and inserting ''$25,000,000''.

TITLE VIII—TIJUANA RIVER VALLEY ESTUARY AND BEACH CLEANUP

SEC. 801. SHORT TITLE.

This title may be cited as the ''Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000''.

SEC. 802. PURPOSE.

The purpose of this title is to authorize the United States to take actions to address comprehensively the treatment of sewage emanating from the Tijuana River area, Mexico, that flows untreated or partially treated into the United States causing significant adverse public health and environmental impacts.

SEC. 803. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COMMISSION.—The term ''Commission'' means the United States section of the International Boundary and Water Commission, United States and Mexico.

(3) IWTP.—The term ''IWTP'' means the South Bay International Wastewater Treatment Plant constructed under the provisions of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), section 510 of the Water Quality Act of 1987 (101 Stat. 80–82), and Treaty Minutes to the Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, dated February 3, 1944.

(4) SECONDARY TREATMENT.—The term ''secondary treatment'' has the meaning such term has under the Federal Water Pollution Control Act and its implementing regulations.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(6) MEXICAN FACILITY.—The term ''Mexican facility'' means a proposed public-private wastewater treatment facility to be constructed and operated under this title within Mexico for the purpose of treating sewage flows generated within Mexico, which flows impact the surface waters, health, and safety of the United States and Mexico.

(7) MGD.—The term ''mgd'' means million gallons per day.

SEC. 804. ACTIONS TO BE TAKEN BY THE COMMISSION AND THE ADMINISTRATOR.

(a) SECONDARY TREATMENT.—

(1) IN GENERAL.—Subject to the negotiation and conclusion of a new Treaty Minute or the amendment of Treaty Minute 283 under section 1005 of this Act, and notwithstanding section 510(b)(2) of the Water Quality Act of 1987 (101 Stat. 81), the Commission is authorized and directed to provide for the secondary treatment of a total of not more than 50 mgd in Mexico—

(A) of effluent from the IWTP if such treatment is not provided for at a facility in the United States; and

(B) of additional sewage emanating from the Tijuana River area, Mexico.

(2) ADDITIONAL AUTHORITY.—Subject to the results of the comprehensive plan developed under subsection (b) revealing a need for additional secondary treatment capacity in the San Diego-Tijuana border region and recommending the provision of such capacity in Mexico, the Commission may provide not more than an additional 25 mgd of secondary treatment capacity in Mexico for treatment described in paragraph (1).

(b) COMPREHENSIVE PLAN.—Not later than 24 months after the date of enactment of this Act, the Administrator shall develop a comprehensive plan with stakeholder involvement to address the transborder sanitation problems in the San Diego-Tijuana border region. The plan shall include, at a minimum—

(1) an analysis of the long-term secondary treatment needs of the region;

(2) an analysis of upgrades in the sewage collection system serving the Tijuana area, Mexico; and

(3) an identification of options, and recommendations for preferred options, for additional sewage treatment capacity for future flows emanating from the Tijuana River area, Mexico.

(c) CONTRACT.—

(1) IN GENERAL.—Subject to the availability of appropriations to carry out this subsection and notwithstanding any provision of Federal procurement law, upon conclusion of a new Treaty Minute or the amendment of Treaty Minute 283 under section 5, the Commission may enter into a fee-for-services contract with the owner of a Mexican facility in order to carry out the secondary treatment requirements of subsection (a) and make payments under such contract.

(2) TERMS.—Any contract under this subsection shall provide, at a minimum, for the following:

(A) Transportation of the advanced primary effluent from the IWTP to the Mexican facility for secondary treatment.

(B) Treatment of the advanced primary effluent from the IWTP to the secondary treatment level in compliance with water quality laws of the United States, California, and Mexico.

(C) Return conveyance from the Mexican facility of any such treated effluent that cannot be reused in either Mexico or the United States to the South Bay Ocean Outfall for discharge into the Pacific Ocean in compliance with water quality laws of the United States and California.

(D) Subject to the requirements of subsection (a), additional sewage treatment capacity that provides for advanced primary and secondary treatment of sewage described in subsection (a)(1)(B) in addition to the capacity required to treat the advanced primary effluent from the IWTP.

(E) A contract term of 20 years.

(F) Arrangements for monitoring, verification, and enforcement of compliance with United States, California, and Mexican water quality standards.

(G) Arrangements for the disposal and use of sludge, produced from the IWTP and the Mexican facility, at a location or locations in Mexico.

(H) Maintenance by the owner of the Mexican facility at all times throughout the term of the contract of a 20 percent equity position in the capital structure of the Mexican facility.

(I) Payment of fees by the Commission to the owner of the Mexican facility for sewage treatment services with the annual amount payable to reflect all agreed upon costs associated with the development, financing, construction, operation, and maintenance of the Mexican facility, with such annual payment to maintain the owner's 20 percent equity position throughout the term of the contract.

(J) Provision for the transfer of ownership of the Mexican facility to the United States, and provision for a cancellation fee by the United States to the owner of the Mexican facility, if the Commission fails to perform its obligations under the contract. The cancellation fee shall be in amounts declining over the term of the contract anticipated to be sufficient to repay construction debt and other amounts due to the owner that remain unamortized due to early termination of the contract.

(K) Provision for the transfer of ownership of the Mexican facility to the United States, without a cancellation fee, if the owner of the Mexican facility fails to perform the obligations of the owner under the contract.

(L) The use of competitive procedures, consistent with title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.), by the owner of the Mexican facility in the procurement of property or services for the engineering, construction, and operation and maintenance of the Mexican facility.

(M) An opportunity for the Commission to review and approve the selection of contractors providing engineering, construction, and operation and maintenance for the Mexican facility.

(N) The maintenance by the owner of the Mexican facility of all records (including books, documents, papers, reports, and other materials) necessary to demonstrate compliance with the terms of this section and the contract.

(O) Access by the Inspector General of the Department of State or the designee of the Inspector General for audit and examination of all records maintained pursuant to subparagraph (N) to facilitate the monitoring and evaluation required under subsection (d).

(P) Offsets or credits against the payments to be made by the Commission under this section to reflect an agreed upon percentage of payments that the owner of the Mexican facility receives through the sale of water treated by the facility.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—The Inspector General of the Department of State shall monitor the implementation of any contract entered into under this section and evaluate the extent to which the owner of the Mexican facility has met the terms of this section and fulfilled the terms of the contract.

(2) REPORT.—The Inspector General shall transmit to Congress a report containing the evaluation under paragraph (1) not later than 2 years after the execution of any contract with the owner of the Mexican facility under this section, 3 years thereafter, and periodically after the second report under this paragraph.

SEC. 805. NEGOTIATION OF NEW TREATY MINUTE.

(a) CONGRESSIONAL STATEMENT.—In light of the existing threat to the environment and to public health and safety within the United States as a result of the river and ocean pollution in the San Diego-Tijuana border region, the Secretary is requested to give the highest priority to the negotiation and execution of a new Treaty Minute, or a modification of Treaty Minute 283, consistent with the provisions of this title, in order that the other provisions of this title to address such pollution may be implemented as soon as possible.

(b) NEGOTIATION.—

(1) INITIATION.—The Secretary is requested to initiate negotiations with Mexico, within 60 days after the date of enactment of this Act, for a new Treaty Minute or a modification of Treaty Minute 283 consistent with the provisions of this title.

(2) IMPLEMENTATION.—Implementation of a new Treaty Minute or of a modification of Treaty Minute 283 under this title shall be subject to the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) MATTERS TO BE ADDRESSED.—A new Treaty Minute or a modification of Treaty Minute 283 under paragraph (1) should address, at a minimum, the following:

(A) The siting of treatment facilities in Mexico and in the United States.

(B) Provision for the secondary treatment of effluent from the IWTP at a Mexican facility if such treatment is not provided for at a facility in the United States.

(C) Provision for additional capacity for advanced primary and secondary treatment of additional sewage emanating from the Tijuana River area, Mexico, in addition to the treatment capacity for the advanced primary effluent from the IWTP at the Mexican facility.

(D) Provision for any and all approvals from Mexican authorities necessary to facilitate water quality verification and enforcement at the Mexican facility.

(E) Any terms and conditions considered necessary to allow for use in the United States of treated effluent from the Mexican facility, if there is reclaimed water which is surplus to the needs of users in Mexico and such use is consistent with applicable United States and California law.

(F) Any other terms and conditions considered necessary by the Secretary in order to implement the provisions of this title.

SEC. 806. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated a total of $156,000,000 for fiscal years 2001 through 2005 to carry out this title. Such sums shall remain available until expended.

TITLE IX—GENERAL PROVISIONS

SEC. 901. PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

(a) IN GENERAL.—It is the sense of Congress that, to the extent practicable, all equipment and products purchased with funds made available under this Act should be American made.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—The head of each Federal Agency providing financial assistance under this Act, to the extent practicable, shall provide to each recipient of the assistance a notice describing the statement made in subsection (a).

SEC. 902. LONG-TERM ESTUARY ASSESSMENT.

(a) IN GENERAL.—The Secretary of Commerce (acting through the Under Secretary for Oceans and Atmosphere) and the Secretary of the Interior (acting through the Director of the Geological Survey) may carry out a long-term estuary assessment project (in this section referred to as the "project") in accordance with the requirements of this section.

(b) PURPOSE.—The purpose of the project shall be to establish a network of strategic environmental assessment and monitoring projects for the Mississippi River south of Vicksburg, Mississippi, and the Gulf of Mexico, in order to develop advanced long-term assessment and monitoring systems and models relating to the Mississippi River and other aquatic ecosystems, including developing equipment and techniques necessary to implement the project.

(c) MANAGEMENT AGREEMENT.—To establish, operate, and implement the project, the Secretary of Commerce and the Secretary of the Interior may enter into a management agreement with a university-based consortium.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated—

(1) $1,000,000 for fiscal year 2001 to develop the management agreement under subsection (c); and

(2) $4,000,000 for each of fiscal years 2002, 2003, 2004, and 2005 to carry out the project.

Such sums shall remain available until expended.

SEC. 903. RURAL SANITATION GRANTS.

Section 303(e) of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1263a(e)) is amended by striking "$15,000,000" and all that follows through "section." and inserting the following: "to carry out this section $40,000,000 for each of fiscal years 2001 through 2005.".

And the House agree to the same.

BUD SHUSTER,
DON YOUNG,
SHERWOOD BOEHLERT,
WAYNE T. GILCHREST,

TILLIE K. FOWLER,
DON SHERWOOD,
JOHN E. SWEENEY,
STEVEN T. KUYKENDALL,
DAVID VITTER,
JIM OBERSTAR,
BOB BORSKI,
JIM BARCIA,
BOB FILNER,
EARL BLUMENAUER,
JOHN BALDACCI,
Managers on the Part of the House.
BOB SMITH,
JOHN W. WARNER,
MICHAEL D. CRAPO,
MAX BAUCUS,
BARBARA BOXER,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection and, under the operation thereof, the conference report was agreed to.

Ordered, That the Clerk notify the Senate thereof.

¶115.26 FEDERAL COURTS IMPROVEMENT

On motion of Mr. COBLE, by unanimous consent, the bill of the Senate (S. 2915) to make improvements in the operation and administration of the Federal courts, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. COBLE submitted the following amendment which was agreed to:

Strike section 103 and redesignate the remaining sections accordingly.

In section 636(e)(6) of title 28, United States Code, as inserted by section 202 of the bill, strike the semicolons in subparagraph (A) and in clauses (i) and (ii) of subparagraph (B) and insert commas.

In section 179 of title 28, United States Code, as inserted by section 309(a) of the bill, strike subsection (b) and insert the following:

''(b)(1)(A) For purposes of construing and applying chapter 89 of title 5, a judge of the United States Court of Federal Claims who—

''(i) is retired under subsection (b) of section 178 of this title, and

''(ii) at the time of becoming such a retired judge—

''(I) was enrolled in a health benefits plan under chapter 89 of title 5, but

''(II) did not satisfy the requirements of section 8905(b)(1) of title 5 (relating to eligibility to continue enrollment as an annuitant),

shall be deemed to be an annuitant meeting the requirements of section 8905(b)(1) of title 5, in accordance with the succeeding provisions of this paragraph, if the judge gives timely written notification to the chief judge of the court that the judge is willing to be called upon to perform judicial duties under section 178(d) of this title during the period of continued eligibility for enrollment, as described in subparagraph (B)(ii) or (C)(ii) (whichever applies).

''(B) Except as provided in subparagraph (C)—

''(i) in order to be eligible for continued enrollment under this paragraph, notification under subparagraph (A) shall be made before the first day of the open enrollment period preceding the calendar year referred to in clause (ii)(II); and

''(ii) if such notification is timely made, the retired judge shall be eligible for continued enrollment under this paragraph for the period—

''(I) beginning on the date on which eligibility would otherwise cease, and

''(II) ending on the last day of the calendar year next beginning after the end of the open enrollment period referred to in clause (i).

''(C) For purposes of applying this paragraph for the first time in the case of any particular judge—

''(i) subparagraph (B)(i) shall be applied by substituting 'the expiration of the term of office of the judge' for the matter following 'before'; and

''(ii)(I) if the term of office of such judge expires before the first day of the open enrollment period referred to in subparagraph (B)(i), the period of continued eligibility for enrollment shall be as described in subparagraph (B)(ii); but

''(II) if the term of office of such judge expires on or after the first day of the open enrollment period referred to in subparagraph (B)(i), the period of continued eligibility shall not end until the last day of the calendar year next beginning after the end of the next full open enrollment period beginning after the date on which the term expires.

''(2) In the event that a retired judge remains enrolled under chapter 89 of title 5 for a period of 5 consecutive years by virtue of paragraph (1) (taking into account only periods of coverage as an active judge immediately before retirement and as a retired judge pursuant to paragraph (1)), then, effective as of the day following the last day of that 5-year period—

''(A) the provisions of chapter 89 of title 5 shall be applied as if such judge had satisfied the requirements of section 8905(b)(1) on the last day of such period; and

''(B) the provisions of paragraph (1) shall cease to apply.

''(3) For purposes of this subsection, the term 'open enrollment period' refers to a period described in section 8905(g)(1) of title 5.

In section 310, strike ''6301(2)(xiii)'' and insert ''6301(2)(B)(xiii)''.

In section 501, strike paragraphs (1) and (2) and insert the following:

(1) in subparagraph (A), in the matter following clause (ii), by striking ''or October 1, 2002, whichever occurs first,''; and

(2) in subparagraph (F)—

(A) in clause (i)—

(i) in subclause (II), by striking ''or October 1, 2002, whichever occurs first''; and

(ii) in the matter following subclause (II)—

(I) by striking ''October 1, 2003, or''; and

(II) by striking '', whichever occurs first''; and

(B) in clause (ii), in the matter following subclause (II)—

(i) by striking ''October 1, 2003, or''; and

(ii) by striking '', whichever occurs first''.

Amend the table of contents accordingly.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶115.27 ARMOR VESTS GRANTS

On motion of Mr. HUTCHINSON, by unanimous consent, the bill of the Senate (S. 2413) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify the procedures and conditions for the award of matching grants for the purchase of armor vests; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶115.28 PRESIDENTIAL THREAT PROTECTION

On motion of Mr. HUTCHINSON, by unanimous consent, the bill (H.R. 3048) to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their families, and for other purposes; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Page 3, strike out lines 19 through 24 and insert:

''(e)(1) When directed by the President, the United States Secret Service is authorized to participate, under the direction of the Secretary of the Treasury, in the planning, coordination, and implementation of security operations at special events of national significance, as determined by the President.

''(2) At the end of each fiscal year, the President through such agency or office as the President may designate, shall report to the Congress—

''(A) what events, if any, were designated special events of national significance for security purposes under paragraph (1); and

''(B) the criteria and information used in making each designation.''.

Page 7, line 6, after ''offense'' insert: *or apprehension of a fugitive*

Page 8, strike out lines 17 through 19

Page 9, strike out line 14 and insert: *issuance.*

''(11) With respect to subpoenas issued under paragraph (1)(A)(i)(III), the Attorney General shall issue guidelines governing the issuance of administrative subpoenas pursuant to that paragraph. The guidelines required by this paragraph shall mandate that administrative subpoenas may be issued only after review and approval of senior supervisory personnel within the respective investigative agency or component of the Department of Justice and of the United States Attorney for the judicial district in which the administrative subpoena shall be served.''.

Page 10, after line 8, insert:

SEC. 6. ADMINISTRATIVE SUBPOENAS TO APPREHEND FUGITIVES.

(a) AUTHORITY OF ATTORNEY GENERAL.—Section 3486(a)(1) of title 18, United States Code, as amended by section 5 of this Act is further amended in subparagraph (A)(i)—

(1) by striking ''offense or'' and inserting ''offense,''; and

(2) by inserting ''or (III) with respect to the apprehension of a fugitive,'' after ''children,''.

(b) ADDITIONAL BASIS FOR NONDISCLOSURE ORDER.—Section 3486(a)(6) of title 18, United States Code, as amended by section 5 of this Act, is further amended in subparagraph (B)—

(1) by striking ''or'' and the end of clause (iii);

(2) by striking the period at the end of clause (iv) and inserting ''; or''; and

(3) by adding at the end the following:

''(v) otherwise seriously jeopardizing an investigation or undue delay of a trial.''.

(c) DEFINITIONS.—Section 3486 of title 18, as amended by section 5 of this Act, is further amended by adding at the end the following:

''(g) DEFINITIONS.—In this section—

''(1) the term 'fugitive' means a person who—

''(A) having been accused by complaint, information, or indictment under Federal law of a se-

rious violent felony or serious drug offense, or having been convicted under Federal law of committing a serious violent felony or serious drug offense, flees or attempts to flee from, or evades or attempts to evade the jurisdiction of the court with jurisdiction over the felony;

''(B) having been accused by complaint, information, or indictment under State law of a serious violent felony or serious drug offense, or having been convicted under State law of committing a serious violent felony or serious drug offense, flees or attempts to flee from, or evades or attempts to evade, the jurisdiction of the court with jurisdiction over the felony;

''(C) escapes from lawful Federal or State custody after having been accused by complaint, information, or indictment of a serious violent felony or serious drug offense or having been convicted of committing a serious violent felony or serious drug offense; or

''(D) is in violation of subparagraph (2) or (3) of the first undesignated paragraph of section 1073;

''(2) the terms 'serious violent felony' and 'serious drug offense' shall have the meanings given those terms in section 3559(c)(2) of this title; and

''(3) the term 'investigation' means, with respect to a State fugitive described in subparagraph (B) or (C) of paragraph (1), an investigation in which there is reason to believe that the fugitive fled from or evaded, or attempted to flee from or evade, the jurisdiction of the court, or escaped from custody, in or affecting, or using any facility of, interstate or foreign commerce, or as to whom an appropriate law enforcement officer or official of a State or political subdivision has requested the Attorney General to assist in the investigation, and the Attorney General finds that the particular circumstances of the request give rise to a Federal interest sufficient for the exercise of Federal jurisdiction pursuant to section 1075.''.

SEC. 7. FUGITIVE APPREHENSION TASK FORCES.

(a) IN GENERAL.—The Attorney General shall, upon consultation with appropriate Department of Justice and Department of the Treasury law enforcement components, establish permanent Fugitive Apprehension Task Forces consisting of Federal, State, and local law enforcement authorities in designated regions of the United States, to be directed and coordinated by the United States Marshals Service, for the purpose of locating and apprehending fugitives.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for the United States Marshals Service to carry out the provisions of this section $30,000,000 for the fiscal year 2001, $5,000,000 for fiscal year 2002, and $5,000,000 for fiscal year 2003.

(c) OTHER EXISTING APPLICABLE LAW.—Nothing in this section shall be construed to limit any existing authority under any other provision of Federal or State law for law enforcement agencies to locate or apprehend fugitives through task forces or any other means.

SEC. 8. STUDY AND REPORTS ON ADMINISTRATIVE SUBPOENAS.

(a) STUDY ON USE OF ADMINISTRATIVE SUBPOENAS.—Not later than December 31, 2001, the Attorney General, in consultation with the Secretary of the Treasury, shall complete a study on the use of administrative subpoena power by executive branch agencies or entities and shall report the findings to the Committees on the Judiciary of the Senate and the House of Representatives. Such report shall include—

(1) a description of the sources of administrative subpoena power and the scope of such subpoena power within executive branch agencies;

(2) a description of applicable subpoena enforcement mechanisms;

(3) a description of any notification provisions and any other provisions relating to safeguarding privacy interests;

(4) a description of the standards governing the issuance of administrative subpoenas; and

(5) recommendations from the Attorney General regarding necessary steps to ensure that administrative subpoena power is used and enforced consistently and fairly by executive branch agencies.

(b) REPORT ON FREQUENCY OF USE OF ADMINISTRATIVE SUBPOENAS.—

(1) IN GENERAL.—The Attorney General and the Secretary of the Treasury shall report in January of each year to the Committees on the Judiciary of the Senate and the House of Representatives on the number of administrative subpoenas issued by them under this section, whether each matter involved a fugitive from Federal or State charges, and the identity of the agency or component of the Department of Justice or the Department of the Treasury issuing the subpoena and imposing the charges.

(2) EXPIRATION.—The reporting requirement of this subsection shall terminate in 3 years after the date of enactment of this section.

On motion of Mr. HUTCHINSON, said Senate amendments numbered 1 and 3 were agreed to.

On motion of Mr. HUTCHINSON, said Senate amendment numbered 5 was agreed to with the following amendment:

SEC. 6. FUGITIVE APPREHENSION TASK FORCES.

(a) IN GENERAL.—The Attorney General shall, upon consultation with appropriate Department of Justice and Department of the Treasury law enforcement components, establish permanent Fugitive Apprehension Task Forces consisting of Federal, State, and local law enforcement authorities in designated regions of the United States, to be directed and coordinated by the United States Marshals Service, for the purpose of locating and apprehending fugitives.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for the United States Marshals Service to carry out the provisions of this section $30,000,000 for the fiscal year 2001, $5,000,000 for fiscal year 2002, and $5,000,000 for fiscal year 2003.

(c) OTHER EXISTING APPLICABLE LAW.—Nothing in this section shall be construed to limit any existing authority under any other provision of Federal or State law for law enforcement agencies to locate or apprehend fugitives through task forces or any other means.

SEC. 7. STUDY AND REPORTS ON ADMINISTRATIVE SUBPOENAS.

(a) STUDY ON USE OF ADMINISTRATIVE SUBPOENAS.—Not later than December 31, 2001, the Attorney General, in consultation with the Secretary of the Treasury, shall complete a study on the use of administrative subpoena power by executive branch agencies or entities and shall report the findings to the Committees on the Judiciary of the Senate and the House of Representatives. Such report shall include—

(1) a description of the sources of administrative subpoena power and the scope of such subpoena power within executive branch agencies;

(2) a description of applicable subpoena enforcement mechanisms;

(3) a description of any notification provisions and any other provisions relating to safeguarding privacy interests;

(4) a description of the standards governing the issuance of administrative subpoenas; and

(5) recommendations from the Attorney General regarding necessary steps to ensure that administrative subpoena power is used and enforced consistently and fairly by executive branch agencies.

(b) REPORT ON FREQUENCY OF USE OF ADMINISTRATIVE SUBPOENAS.—

(1) IN GENERAL.—The Attorney General and the Secretary of the Treasury shall report in January of each year to the Committees on the Judiciary of the Senate and the House of Representatives on the number of administrative subpoenas issued by them under this section and the identity of the agency or component of the Department of Justice or the Department of the Treasury issuing the subpoena and imposing the charges.

(2) EXPIRATION.—The reporting requirement of this subsection shall terminate in 3 years after the date of enactment of this section.

On motion of Mr. HUTCHINSON, said Senate amendments numbered 2 and 4 were disagreed to.

A motion to reconsider the votes whereby said Senate amendments numbered 1 and 3 were agreed to and Senate amendments numbered 2 and 4 were not agreed to and Senate amendment numbered 5 was agreed to with an amendment was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

¶115.29 DAIRY MARKET ENHANCEMENT

On motion of Mr. SIMPSON, by unanimous consent, the bill of the Senate (S. 2773) to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶115.30 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 115. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4811) ''An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes.''.

¶115.31 RECESS—10:35 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 35 minutes p.m., subject to the call of the Chair.

THURSDAY, OCTOBER 26 (LEGISLATIVE DAY OF OCTOBER 25), 2000

¶115.32 AFTER RECESS—7:03 A.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶115.33 SUBMISSION OF CONFERENCE REPORT—H.R. 2614

Mr. ARMEY submitted a conference report (Rept. No. 106–1004) on the bill (H.R. 2614) to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶115.34 SUBMISSION OF CONFERENCE REPORT—H.R. 4942

Mr. ISTOOK submitted a conference report (Rept. No. 106–1005) on the bill (H.R. 4942) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶115.35 RECESS—7:04 A.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 7 o'clock and 4 minutes a.m., subject to the call of the Chair.

¶115.36 AFTER RECESS—8:32 A.M.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, called the House to order.

¶115.37 PROVIDING FOR THE CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–1006) the resolution (H. Res. 651) providing for the consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶115.38 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2614

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–1007) the resolution (H. Res. 652) waiving points of order against the conference report to accompany the bill (H.R. 2614) to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶115.39 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4942

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–1008) the resolution (H. Res. 653) waiving points of order against the conference report to accompany the bill (H.R. 4942) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶115.40 SENATE BILLS, JOINT RESOLUTION AND CONCURRENT RESOLUTION REFERRED

Bills, a joint resolution, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2811. Am Act to amend the Consolidated Farm and Rural Development Act to make communities with high levels of out-migration or population loss eligible for community facilities grants; to the Committee on Agriculture.

S. 3164. Am Act to protect seniors from fraud, to the Committee on the Judiciary, in addition to the Committee on Commerce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 3194. Am Act to designate the facility of the United States Postal Service located at 431 North George Street in Millersville, Pennsylvania, as the ''Robert S. Walker Post Office''; to the Committee on Government Reform.

S.J. Res. 36. Joint resolution recognizing the late Bernt Balchen for his many contributions to the United States and a lifetime of remarkable achievements on the centenary of his birth, October 23, 1999; to the Committee on Government Reform.

S. Con. Res. 155. Concurrent resolution expressing the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political forces in Peru toward an immediate and full restoration of democracy in that country; to the Committee on International Relations.

¶115.41 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 468. Am Act to establish the Saint Helens Island National Scenic Area.

H.R. 1725. Am Act to provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

H.R. 2442. Am Act to provide for the preparation of a Government report detailing injustices suffered by Italian Americans during World War II, and a formal acknowledgment of such injustices by the President.

H.R. 3646. Am Act for the relief of certain Persian Gulf evacuees.

H.R. 3657. Am Act to provide for the conveyance of a small parcel of public domain land in the San Bernardino National Forest in the State of California, and for other purposes.

H.R. 3679. Am Act to provide for the mining of commemorative coins to support the 2002 Salt Lake Olympic Winter Games and the programs of the United States Olympic Committee.

H.R. 4315. Am Act to designate the facility of the United States Postal Service located at 3695 Green Road in Beachwood, Ohio, as the ''Larry Small Post Office Building''.

H.R. 4450. Am Act to designate the facility of the United States Postal Service located at 900 East Fayette Street in Baltimore, Maryland, as the ''Judge Harry Augustus Cole Post Office Building''.

H.R. 4451. Am Act to designate the facility of the United States Postal Service located at 1001 Frederick Road in Baltimore, Maryland, as the ''Frederick L. Dewberry, Jr. Post Office Building''.

H.R. 4625. Am Act to designate the facility of the United States Postal Service located at 2108 East 38th Street in Erie, Pennsylvania, as the ''Gertrude A. Barber Post Office Building''.

H.R. 4786. Am Act to designate the facility of the United States Postal Service located at 110 Postal Way in Carrollton, Georgia, as the ''Samuel P. Roberts Post Office Building''.

H.R. 4811. Am Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4831. Am Act to redesignate the facility of the United States Postal Service located at 2339 North California Avenue in Chicago, Illinois, as the ''Roberto Clemente Post Office''.

H.R. 4853. Am Act to redesignate the facility of the United States Postal Service located at 1568 South Green Road in South Euclid, Ohio, as the ''Arnold C. D'Amico Station''.

H.R. 5229. Am Act to designate the facility of the United States Postal Service located at 219 South Church Street in Odum, Georgia, as the ''Ruth Harris Coleman Post Office Building''.

H.R. 5273. Am Act to clarify the intention of the Congress with regard to the authority of the United States Mint to produce numismatic coins, and for other purposes.

H.J. Res. 115. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶115.42 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2812. Am Act to amend the Immigration and Nationality Act to provide a waiver of the oath of renunciation and allegiance for naturalization of aliens having certain disabilities.

S. 3062. Am Act to modify the date on which the Mayor of the District of Columbia submits a performance accountability plan to Congress, and for other purposes.

¶115.43 BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

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

On October 19, 2000:

H.R. 2296. To amend the Revised Organic Act of the Virgin Islands to provide that the number of members on the legislature of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands, and for other purposes.

H.R. 2348. To authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins.

H.R. 5212. To direct the American Folklife Center at the Library of Congress to establish a program to collect video and audio re-

cordings of personal histories and testimonials of American war veterans, and for other purposes.

H.R. 3244. To combat trafficking in persons, especially into the sex trade, slavery, and involuntary servitude, to reauthorize certain Federal programs to prevent violence against women, and for other purposes.

H.R. 4635. Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

H.J. Res. 114. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

On October 20, 2000:

H.R. 4132. To authorize grants for water resources research and technology institutes established under the Water Resources Research Act of 1984.

H.R. 3069. To authorize the Administrator of General Services to provide for redevelopment of the Southeast Federal Center in the District of Columbia.

H.R. 1695. To provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes.

H.R. 2607. To promote the development of the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, to authorize appropriations for the Office of Space Commercialization, and for other purposes.

H.R. 4461. Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies program for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4850. To increase, effective as of December 1, 2000, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

H.R. 5164. To amend title 49, United States Code, to require reports concerning defects in motor vehicles or tires or other motor vehicle equipment in foreign countries, and for other purposes.

On October 24, 2000:

H.R. 209. To improve the ability of Federal agencies to license federally owned inventions.

H.R. 2961. To amend the Immigration and Nationality Act to authorize a 3-year pilot program under which the Attorney General may extend the period for voluntary departure in the case of certain nonimmigrant aliens who require medical treatment in the United States and were admitted under the visa waiver pilot program, and for other purposes.

H.R. 3671. To amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, to commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes.

H.R. 4068. To amend the Immigration and Nationality Act to extend for an additional 3 years the special immigrant religious worker program.

H.R. 4110. To amend title 44, United States Code, to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 2002 through 2005.

H.R. 4392. To authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 4320. To assist in the conservation of great apes by supporting and providing financial resources for the conservation programs of countries within the range of great apes and projects of persons with demonstrated expertise in the conservation of great apes.

H.R. 4835. To authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, and for other purposes.

H.R. 5234. To amend the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of that Act to certain former spouses of deceased Hmong veterans.

¶115.44 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. MEEKS of New York, for today;

To Ms. SLAUGHTER, for today after 2:30 p.m.; and

To Mr. STUPAK, for today.

And then,

¶115.45 ADJOURNMENT

On motion of Mr. LINDER, at 8 o'clock and 33 minutes a.m., Thursday, October 26 (legislative day of Wednesday, October 25), 2000, the House adjourned.

¶115.46 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BLILEY: Committee on Commerce. H.R. 1689. A bill to prohibit States from imposing restrictions on the operation of motor vehicles providing limousine service between a place in a State and a place in another State, and for other purposes; with an amendment (Rept. No. 106–1003 Pt. 1). Ordered to be printed.

Mr. ARMEY: Committee of Conference. Conference report on H.R. 2614. A bill to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes (Rept. No. 106–1004). Ordered to be printed.

Mr. ISTOOK: Committee of Conference. Conference report on H.R. 4942. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–1005). Ordered to be printed.

Mr. REYNOLDS: Committee on Rules. House Resolution 651. Resolution providing for consideration of motions to suspend the rules (Rept. No. 106–1006). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 652. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2614), to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes (Rept. No. 106–1007). Referred to the House Calendar.

Mr. LINDER: Committee on Rules: House Resolution 653. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4942), making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–1008). Referred to the House Calendar.

¶115.47 TIME LIMITATION OF REFERRED BILL

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

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 26, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 26, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 26, 2000.

H.R. 4857. Referral to the Committees on the Judiciary, Banking and Financial Services, and Commerce for a period ending not later than October 26, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 26, 2000.

¶115.48 REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

H.R. 1689. A bill to prohibit States from imposing restrictions on the operation of motor vehicles providing limousine service between a place in a State and a place in another State, and for other purposes, referred to the Committee on Transportation for a period ending not later than October 26, 2000, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(q), rule X.

¶115.49 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DAVIS of Virginia:

H.R. 5537. A bill to waive the period of Congressional review of the Child in Need of Protection Amendment Act of 2000; to the Committee on Government Reform.

By Mr. TRAFICANT:

H.R. 5538. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage by $1 over 2 years; to the Committee on Education and the Workforce.

By Mr. SMITH of Michigan (for himself and Ms. BALDWIN):

H.R. 5539. A bill to extend for 9 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

H.R. 5540. A bill to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 5541. A bill to amend the Internal Revenue Code of 1986 to make the Hope and Lifetime Learning Credits refundable, and to allow taxpayers to obtain short-term student loans by using the future refund of such credits as collateral for the loans; to the Committee on Ways and Means.

By Mr. ARMEY:

H.R. 5542. A bill to amend the Internal Revenue Code of 1986 to provide tax relief; to the

Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Banking and Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS (for himself, Mr. BILIRAKIS, and Mr. BILIRAKIS):

H.R. 5543. A bill to amend titles XVIII, XIX, and XXI of the Social Security Act to provide benefits improvements and beneficiary protection in the Medicare and Medicaid Programs and the State child health insurance program (SCHIP), as revised by the Balanced Budget Act of 1997 and the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HYDE:

H.R. 5544. A bill to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TALENT (for himself and Ms. VELAZQUEZ):

H.R. 5545. A bill to provide for reauthorization of small business loan and other programs, and for other purposes; to the Committee on Small Business.

By Mr. ANDREWS (for himself, Mr. CLAY, Mr. KILDEE, Mr. OWENS, Mr. PAYNE, Mrs. MINK of Hawaii, Ms. WOOLSEY, Mr. ROMERO-BARCELO, Mr. FATTAH, Mr. TIERNEY, Mr. KIND, Ms. SANCHEZ, Mr. FORD, Mr. KUCINICH, and Mr. HOLT):

H.R. 5546. A bill to amend the Internal Revenue Code of 1986 to improve the retirement security of American families; to the Committee on Ways and Means.

By Mr. ISTOOK:

H.R. 5547. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. ROGERS:

H.R. 5548. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. ANDREWS (for himself, Mr. CLAY, Mr. KILDEE, Mr. OWENS, Mr. PAYNE, Mrs. MINK of Hawaii, Ms. WOOLSEY, Mr. ROMERO-BARCELO, Mr. FATTAH, Mr. TIERNEY, Mr. KIND, Ms. SANCHEZ, Mr. FORD, Mr. KUCINICH, and Mr. HOLT):

H.R. 5549. A bill to amend the Employee Retirement Income Security Act of 1974 to improve the retirement security of American families; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS:

H.R. 5550. A bill to suspend temporarily the duty on certain steam or other vapor generating boilers used in nuclear facilities; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, Mr. WAXMAN, Mr. GREEN of Texas, Mr. PALLONE, Mr. BROWN of Ohio, Mr. STARK, and Mr. CONYERS):

H.R. 5551. A bill to provide access to affordable health care for all Americans; to the Committee on Commerce.

By Mr. DOYLE (for himself, Mr. EVANS, Mr. FILNER, Mr. MURTHA, Mr. BALDACCI, Mr. HOLDEN, Mr. BORSKI, Mr. LARSON, Mr. KANJORSKI, Mr. MASCARA, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. FORBES, Mr. COYNE, Mr. KLINK, Mr. PASCRELL, Mr. BARCIA, Ms. BROWN of Florida, and Ms. DEGETTE):

H.R. 5552. A bill to amend title 38, United States Code, to enhance outreach programs carried out by the Department of Veterans Affairs to provide for more fully informing surviving spouses and dependents of benefits available to them under laws administered by the Secretary of Veterans Affairs, and to improve local assistance levels by providing dedicated staff to assist surviving spouses and dependents in obtaining benefits under those laws; to the Committee on Veterans' Affairs.

By Mr. ENGLISH:

H.R. 5553. A bill to amend title II of the Social Security Act to establish, for purposes of disability determinations under such title, a uniform minimum level of earnings, for demonstrating ability to engage in substantial gainful activity, at the level currently applicable solely to blind individuals; to the Committee on Ways and Means.

By Mr. MCKEON:

H.R. 5554. A bill to amend the Congressional Award Act to establish a Congressional Recognition for Excellence in Arts Education Board; to the Committee on Education and the Workforce.

By Mr. GEORGE MILLER of California:

H.R. 5555. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in California for the use or reuse of reclaimed water and for the design and construction of demonstration and permanent facilities for that purpose, and for other purposes; to the Committee on Resources.

By Mr. SANDLIN:

H.R. 5556. A bill to amend the Social Security Act to reduce the waiting period for benefits under the Medicare Program from two years to 18 months for individuals with disabilities; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SANFORD:

H.R. 5557. A bill to amend the Fair Housing Act to modify certain requirements for the design and construction of certain multifamily housing; to the Committee on the Judiciary.

By Mr. STARK:

H.R. 5558. A bill to change the name of Medicare's Medicare+Choice Program to Medicare-No-Choice so as to explain more accurately to beneficiaries what the program means; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEINER:

H.R. 5559. A bill to require the Federal Energy Regulatory Commission to establish a temporary bid cap on electric power sold at wholesale in New York State; to the Committee on Commerce.

H.R. 5560. A bill to amend the Low-Income Home Energy Assistance Act of 1981 to extend energy assistance to households headed by certain senior citizens; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF:

H.R. 5561. A bill to require foreign countries to meet certain requirements relating to political freedom, transparency, accountability, and good governance in order to be eligible to receive cancellation or reduction of debt owed to the United States; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBEY:

H. Con. Res. 436. Concurrent resolution directing the Clerk of the House of Representatives to make certain corrections in the enrollment of H.R. 4811; to the Committee on the Budget, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UNDERWOOD:

H. Con. Res. 437. Concurrent resolution to reaffirm the commitment of the United States to help Guam achieve full self-governance, and for other purposes; to the Committee on Resources.

By Mr. BILBRAY (for himself, Mr. PACKARD, and Mr. HUNTER):

H. Res. 650. Resolution expressing the sense of the House with respect to the release of findings and recommendations by the Federal Energy Regulatory Commission regarding the electricity crisis in California; to the Committee on Commerce.

By Mr. REYNOLDS:

H. Res. 651. Resolution providing for consideration of motions to suspend the rules; House Calendar No. 320. House Report No. 106–1006.

By Mr. LINDER:

H. Res. 652. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2614), to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes; House Calendar No. 321. House Report No. 106–1007.

H. Res. 653. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4942), making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes; House Calendar No. 322. House Report No. 106–1008.

By Mr. BACA (for himself, Mr. BECERRA, Mr. BISHOP, Ms. BERKLEY, Mr. BLAGOJEVICH, Mr. BOYD, Ms. CARSON, Mrs. CLAYTON, Mr. CONDIT, Mr. CONYERS, Mr. CLYBURN, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DOYLE, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. FOLEY, Mr. GEPHARDT, Mr. GOODLING, Mr. FORD, Mr. FROST, Mr. GUTIERREZ, Mr. HILL of Indiana, Mr.

JACKSON of Illinois, Ms. KILPATRICK, Ms. LEE, Mr. LIPINSKI, Mr. MALONEY of Connecticut, Mr. MATSUI, Mr. MCGOVERN, Mr. MEEKS of New York, Mr. RUSH, Mrs. JONES of Ohio, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. ORTIZ, Mr. RAHALL, Mr. REYES, Mr. THOMPSON of Mississippi, Mr. TOWNS, and Mr. WYNN):

H. Res. 654. Resolution expressing the sense of the House of Representatives regarding the contributions of Tiger Woods and Tiger Woods Foundation; to the Committee on Government Reform.

¶115.50 MEMORIALS

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

482. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to a resolution memorializing the Congress of the United States to review the actions of the Food and Drug Administration, whose marketing guidelines appear to promote and advance the best interests of the drug companies and their advertising outlets rather than the consumer and also, the FDA move to prohibit direct consumer marketing or in the alternative to impose tighter restrictions; to the Committee on Commerce.

483. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to a resolution memorializing the President and the Congress of the United States to proclaim and designate the week of October 8 through 14 this year and each year hereafter as ''The Mighty Eighth Air Force Week''; to the Committee on Government Reform.

484. Also, a memorial of the House of Representatives of the Commonwealth of The Mariana Islands, relative to Resolution 12–85 memorializing the United States House of Representatives to oppose the application of the U.S. federal minimum wage to the Commonwealth; to the Committee on Resources.

485. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to a resolution memorializing the United States Congress to enact additional Balanced Budget Act relief in 2000 through adequate payments to Medicare insurers and Medicare providers; jointly to the Committees on Ways and Means and Commerce.

¶115.51 ADDITIONAL SPONSORS

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

H.R. 360: Mr. SMITH of Washington.
H.R. 1366: Mr. LAMPSON.
H.R. 1732: Ms. NORTON.
H.R. 2000: Mr. HAYWORTH.
H.R. 2166: Mr. WU and Mr. SHAW.
H.R. 2344: Ms. DANNER and Mrs. CHRISTENSEN.
H.R. 2620: Mr. PAYNE.
H.R. 2953: Mr. INSLEE.
H.R. 3901: Ms. NORTON.
H.R. 4007: Ms. BERKLEY.
H.R. 4207: Mr. KUCINICH.
H.R. 4289: Mr. HALL of Ohio.
H.R. 4393: Mr. FOLEY.
H.R. 4527: Mrs. BIGGERT, Mr. RANGEL, Mr. STUPAK, Ms. BALDWIN, and Mr. FARR of California.
H.R. 4560: Mrs. EMERSON.
H.R. 4669: Mr. LEWIS of Kentucky.
H.R. 4874: Mr. DEMINT.
H.R. 4926: Mrs. CLAYTON, Mr. WYNN, Ms. ESHOO, Mr. RUSH, and Mr. DAVIS of Illinois.
H.R. 4964: Mr. UPTON.
H.R. 4971: Mr. BAIRD.
H.R. 5052: Mr. TRAFICANT.
H.R. 5057: Mr. WAXMAN.
H.R. 5137: Mr. STENHOLM and Mr. SMITH of Texas.
H.R. 5147: Mr. WAMP and Mr. BLAGOJEVICH.
H.R. 5152: Ms. WOOLSEY.
H.R. 5163: Mrs. CHRISTENSEN.
H.R. 5253: Mr. WU.
H.R. 5259: Mr. LINDER, Mrs. THURMAN, Mr. TANNER, Mr. KINGSTON, and Mr. LUCAS of Kentucky.
H.R. 5261: Mr. DOYLE and Ms. KILPATRICK.
H.R. 5274: Mr. RUSH, Mrs. MORELLA, and Mr. DUNCAN.
H.R. 5275: Mr. LUTHER.
H.R. 5338: Mrs. ROUKEMA.
H.R. 5365: Mrs. JOHNSON of Connecticut.
H.R. 5397: Mr. BENTSEN.
H.R. 5475: Mr. SANDERS.
H.R. 5530: Mr. SHAW, Mrs. MORELLA, and Mr. BARTLETT of Maryland.
H. Con. Res. 337: Mr. MEEHAN, Mr. RILEY, Mr. ROYCE, Mr. PAYNE, and Mr. HILLIARD.
H. Con. Res. 401: Mr. FRANK of Massachusetts.
H. Con. Res. 426: Mr. BLUMENAUER and Mr. HAYWORTH.
H. Res. 146: Mr. WAXMAN.
H. Res. 461: Mr. GOODLING and Ms. WATERS.
H. Res. 537: Mr. WAXMAN, Mr. THOMPSON of California, Mr. HINCHEY, Mr. BAKER, Mr. WATTS of Oklahoma, and Mrs. FOWLER.

THURSDAY, OCTOBER 26, 2000 (116)

¶116.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. QUINN, who laid before the House the following communication:

WASHINGTON, DC,
October 26, 2000.

I hereby appoint the Honorable JACK QUINN to act as Speaker pro tempore on this day.

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

¶116.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. QUINN, announced he had examined and approved the Journal of the proceedings of Thursday, October 25, 2000.

Mr. McNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. QUINN, announced that the yeas had it.

Mr. McNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. QUINN, pursuant to clause 8, rule XX, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶116.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10728. A letter from the Administrator and Executive Vice President, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—2000 Marketing Quotas and Price Support Levels for Fire-Cured (Type 21), Fire-Cured (Types 22–23), Dark Air-Cured (Types 35–36), Virginia Sun-Cured (Type 37), and Cigar-Filler and Binder (Types 42–44 and 53–55) tobaccos (RIN: 0560–AF86) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10729. A letter from the Associate Administrator, Livestock and Seed Program, Department of Agriculture, Agricultural Marketing Service, transmitting the Department's final rule—Soybean Promotion and Research: Amend the Order To Adjust Representation on the United Soybean Board [No. LS–00–04] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10730. A letter from the Executive Vice President, Commodity Credit Corporation, Department of Agriculture, Farm Service Agency, Tobacco and Peanuts Division, transmitting the Department's final rule—Amendments to Regulations Governing the Peanut Poundage Quota and Price Support Programs (RIN: 0560–AF61) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10731. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Tuberculosis in Cattle, Bison, and Captive Cervids; State and Zone Designations [Docket No. 99–038–5] received October 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10732. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—(N - (4 - fluorophenyl) - N - (1-methylethyl)—2-[[5-(trifluoromethyl)-1, 3,4-thiadiazol-2-yl]oxy]acetamide; Extension of Tolerance for Emergency Exemptions [OPP–301073; FRL–6751–1] (RIN: 2070–AB78) received October 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10733. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin; Extension of Tolerance for Emergency Exemptions [OPP–301072; FRL–6750–5] (RIN: 2070–AB78) received October 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10734. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Material Inspection and Receiving Report—received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10735. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; New Source Review Revision [MA037–01–7211a; A–1–FRL–6891–9] received Octber 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10736. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Enhanced Motor Vehicle Inspection and Maintenance Program [CT–25–7223a; A–1–FRL–6891–6] received October 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10737. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Antelope Valley Air Pollution Control District [CA 241–0244a; FRL–6893–1] received October 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10738. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory

Commission, Office of Nuclear Reactor Regulation, transmitting the Commission's final rule—Reporting Requirements for Nuclear Power Reactors and Independent Spent Fuel Storage Installations at Power Reactor Sites (RIN: 3150–AF98) received October 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10739. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's U.S. Arms Control, Nonproliferation and Disarmament Studies Completed in 1999, pursuant to 22 U.S.C. 2590; to the Committee on International Relations.

10740. A letter from the Executive Director, Office of Navajo and Hopi Indian Relocation, transmitting a report in accordance with the requirements of the Federal Managers' Fiscal Integrity Act of 1982, and the Inspector General Act of 1988; to the Committee on Government Reform.

10741. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Miscellaneous Changes in Certain Federal Wage System Wage Areas (RIN: 3206–AJ21) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10742. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Duplication and Electronic Generation of Forms (RIN: 1115–AF66) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10743. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—8(a) Business Development/Small Disadvantaged Business Status Determinations; Rules of Procedure Governing Cases Before the Office of Hearings and Appeals—received October 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

10744. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule— Reasonable Charges for Medical Care or Services (RIN: 2900–AK39) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

¶116.4 MOTION TO ADJOURN

Mr. McNULTY moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. QUINN, announced that the nays had it.

Mr. McNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 8 / Nays ..... 349 }

¶116.5 [Roll No. 553]

YEAS—8

Farr, McDermott, Spence, Ford, Salmon, Velazquez, Martinez, Shuster

NAYS—349

Aderholt, Armey, Baker, Allen, Bachus, Baldwin, Andrews, Baird, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Bass, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilirakis, Bishop, Bliley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Boswell, Boucher, Boyd, Brady (TX), Brown (FL), Brown (OH), Bryant, Burr, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Capps, Capuano, Cardin, Carson, Castle, Chabot, Chambliss, Clayton, Clement, Clyburn, Coble, Coburn, Combest, Condit, Conyers, Cook, Cooksey, Costello, Cox, Cramer, Cubin, Cunningham, Davis (FL), Davis (IL), Davis (VA), Deal, DeFazio, DeGette, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Doggett, Dooley, Doolittle, Dreier, Duncan, Dunn, Edwards, Ehlers, English, Eshoo, Etheridge, Evans, Everett, Ewing, Fattah, Filner, Fletcher, Foley, Frank (MA), Frelinghuysen, Frost, Gallegly, Ganske, Gejdenson, Gekas, Gephardt, Gibbons, Gillmor, Gilman, Gonzalez, Goode, Goodlatte, Gordon, Goss, Granger, Green (TX), Green (WI), Gutierrez, Gutknecht, Hall (TX), Hansen, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill (IN), Hill (MT), Hilleary, Hilliard, Hinchey, Hinojosa, Hobson, Hoeffel, Holden, Holt, Hooley, Horn, Hostettler, Houghton, Hoyer, Hulshof, Hunter, Hutchinson, Hyde, Inslee, Isakson, Istook, Jackson (IL), Jackson-Lee (TX), Jenkins, John, Johnson (CT), Johnson, E. B., Johnson, Sam, Jones (NC), Kanjorski, Kaptur, Kelly, Kennedy, Kildee, Kilpatrick, King (NY), Kingston, Kleczka, Knollenberg, Kolbe, Kucinich, Kuykendall, LaFalce, LaHood, Lampson, Lantos, Larson, Latham, LaTourette, Leach, Lee, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lipinski, LoBiondo, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCrery, McGovern, McHugh, McInnis, McIntyre, McKeon, McKinney, McNulty, Meek (FL), Menendez, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Miller, George, Minge, Moakley, Mollohan, Moore, Moran (KS), Moran (VA), Murtha, Myrick, Napolitano, Nethercutt, Ney, Northup, Norwood, Nussle, Oberstar, Obey, Olver, Ortiz, Ose, Oxley, Pallone, Pascrell, Pastor, Paul, Payne, Pease, Pelosi, Peterson (MN), Petri, Phelps, Pickett, Pitts, Pombo, Pomeroy, Portman, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Ramstad, Rangel, Regula, Reyes, Reynolds, Riley, Rivers, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Roybal-Allard, Royce, Rush, Ryan (WI), Ryun (KS), Sabo, Sanchez, Sandlin, Sawyer, Saxton, Scarborough, Schaffer, Schakowsky, Scott, Sensenbrenner, Serrano, Sessions, Shaw, Sherman, Sherwood, Shimkus, Shows, Simpson, Sisisky, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Snyder, Souder, Stark, Stearns, Stenholm, Strickland, Stump, Sununu, Sweeney, Tancredo, Tanner, Tauscher, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thompson (CA), Thornberry, Thune, Thurman, Tiahrt, Tierney, Towns, Traficant, Turner, Udall (NM), Upton, Visclosky, Vitter, Walden, Walsh, Waters, Watkins, Watt (NC), Watts (OK), Weldon (FL), Weller, Weygand, Whitfield, Wicker, Wilson, Wolf, Woolsey, Wu, Wynn, Young (AK), Young (FL)

NOT VOTING—75

Abercrombie, Ackerman, Archer, Baca, Baldacci, Barton, Becerra, Bilbray, Blagojevich, Brady (PA), Burton, Campbell, Chenoweth-Hage, Clay, Collins, Coyne, Crane, Crowley, Cummings, Danner, Delahunt, Dixon, Doyle, Ehrlich, Emerson, Engel, Forbes, Fossella, Fowler, Franks (NJ), Gilchrest, Goodling, Graham, Greenwood, Hall (OH), Hoekstra, Jefferson, Jones (OH), Kasich, Kind (WI), Klink, Largent, Lazio, McCollum, McIntosh, Meehan, Meeks (NY), Metcalf, Mink, Morella, Nadler, Neal, Owens, Packard, Peterson (PA), Pickering, Porter, Sanders, Sanford, Shadegg, Shays, Slaughter, Spratt, Stabenow, Stupak, Talent, Thompson (MS), Toomey, Udall (CO), Wamp, Waxman, Weiner, Weldon (PA), Wexler, Wise

So the motion to adjourn was not agreed to.

¶116.6 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendments bill and a concurrent resolution of the House of the following titles:

H.R. 3218. An Act to amend title 31, United States Code, to prohibit the appearance of Social Security account numbers on or through unopened mailings of checks or other drafts issued on public money in the Treasury.

H. Con. Res. 396. Concurrent resolution celebrating the birth of James Madison and his contribution to the Nation.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 1651) ''An Act to amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country, and for other purposes.''

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 783. An Act to limit access to body armor by violent felons and to facilitate the donation of Federal surplus body armor to State and local law enforcement agencies.

S. 1898. An Act to provide protection against the risks to the public that are inherent in the interstate transportation of violent prisoners.

S. 2508. An Act to amend the Colorado Ute Indian Water Rights Settlement Act of 1988 to provide for a final settlement of the claims of the Colorado Ute Indian Tribes, and for other purposes.

S. 3137. An Act to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

S. 3239. An Act to amend the Immigration and Nationality Act to provide special immigrant status for certain United Sates international broadcasting employees.

S. Con. Res. 153. Concurrent resolution expressing the sense of Congress with respect to the parliamentary elections held in Belarus on October 15, 2000, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 2440) ''An Act to amend title 49, United States Code, to improve airport security.''

The message also announced that pursuant to Public Law 106–173, the Chair, on behalf of the Majority Leader, announces the following appointments to the Abraham Lincoln Bicentennial Commission:

The Senator from Kentucky (Mr. BUNNING); and

Dr. Gabor S. Boritt, of Pennsylvania.

¶116.7 CONTEMPT OF CONGRESS

Mr. YOUNG of Alaska, by direction of the Committee on Resources, reported and pursuant to clause (a)(2) of rule XI presented a supplemental privileged report (Rept. No. 106–801, Part II) on the refusals to Comply with Subpoenas Issued by the Committee on Resources; referred to the House Calendar and ordered printed.

¶116.8 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. QUINN, pursuant to clause 8, rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, October 25, 2000.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. QUINN, announced that the yeas had it.

Mr.McNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 300
- Nays 67
- Answered present 1

¶116.9 [Roll No. 554]

YEAS—300

Abercrombie, Bachus, Baird, Baker, Baldwin, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilirakis, Bishop, Bliley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bono, Boswell, Boucher, Boyd, Brady (TX), Brown (FL), Brown (OH), Bryant, Burr, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Capps, Cardin, Carson, Castle, Chabot, Chambliss, Clayton, Clement, Coble, Coburn, Combest, Condit, Conyers, Cook, Cooksey, Cox, Coyne, Cramer, Cubin, Cunningham, Davis (FL), Davis (IL), Deal, DeGette, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dixon, Doggett, Dooley, Doolittle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Eshoo, Etheridge, Evans, Everett, Ewing, Farr, Fletcher, Frank (MA), Frelinghuysen, Frost, Gallegly, Ganske, Gejdenson, Gekas, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Gonzalez, Goode, Goodlatte, Goodling, Gordon, Goss, Granger, Green (WI), Gutierrez, Hall (TX), Hansen, Hastings (FL), Hastings (WA), Hayes, Hayworth, Herger, Hill (MT), Hinojosa, Hobson, Hoeffel, Holden, Horn, Hostettler, Houghton, Hoyer, Hunter, Hutchinson, Hyde, Inslee, Isakson, Istook, Jackson (IL), Jefferson, Jenkins, John, Johnson, E. B., Johnson, Sam, Jones (NC), Kanjorski, Kelly, Kennedy, Kildee, Kilpatrick, King (NY), Kleczka, Knollenberg, Kolbe, Kuykendall, LaHood, Lampson, Lantos, Larson, LaTourette, Leach, Lewis (CA), Lewis (KY), Linder, Lipinski, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Markey, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McHugh, McInnis, McIntyre, McKeon, McKinney, Meehan, Meek (FL), Meeks (NY), Menendez, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Minge, Mink, Moakley, Mollohan, Moore, Moran (VA), Murtha, Myrick, Nadler, Napolitano, Nethercutt, Ney, Northup, Norwood, Nussle, Ortiz, Ose, Oxley, Pastor, Paul, Payne, Pease, Pelosi, Petri, Phelps, Pickering, Pitts, Pombo, Pomeroy, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Rangel, Regula, Reyes, Reynolds, Riley, Rivers, Rodriguez, Roemer, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Roybal-Allard, Royce, Rush, Ryan (WI), Salmon, Sanchez, Sanders, Sandlin, Sanford, Sawyer, Saxton, Scarborough, Schakowsky, Scott, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Sherman, Sherwood, Shimkus, Shuster, Simpson, Sisisky, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Snyder, Souder, Spence, Stearns, Stump, Sununu, Tanner, Tauscher, Tauzin, Taylor (NC), Terry, Thomas, Thornberry, Thune, Thurman, Tiahrt, Tierney, Toomey, Towns, Traficant, Turner, Upton, Vitter, Walden, Walsh, Watkins, Watt (NC), Weldon (FL), Wexler, Weygand, Whitfield, Wilson, Wolf, Woolsey, Young (AK), Young (FL)

NAYS—67

Aderholt, Allen, Andrews, Becerra, Bilbray, Borski, Capuano, Clay, Clyburn, Costello, Crane, DeFazio, English, Fattah, Filner, Ford, Green (TX), Gutknecht, Hall (OH), Hefley, Hill (IN), Hilleary, Hilliard, Hinchey, Holt, Hooley, Hulshof, Jackson-Lee (TX), Jones (OH), Kingston, Kucinich, LaFalce, Latham, Lee, Levin, Lewis (GA), LoBiondo, McDermott, McGovern, McNulty, Miller, George, Moran (KS), Oberstar, Obey, Olver, Pallone, Pascrell, Peterson (MN), Pickett, Ramstad, Sabo, Schaffer, Shows, Stark, Stenholm, Strickland, Sweeney, Taylor (MS), Thompson (CA), Udall (NM), Velazquez, Visclosky, Waters, Weller, Wicker, Wu, Wynn

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—64

Ackerman, Archer, Armey, Baca, Baldacci, Blagojevich, Bonior, Brady (PA), Burton, Campbell, Chenoweth-Hage, Collins, Crowley, Cummings, Danner, Davis (VA), Delahunt, Doyle, Emerson, Engel, Foley, Forbes, Fossella, Fowler, Franks (NJ), Graham, Greenwood, Hoekstra, Johnson (CT), Kaptur, Kasich, Kind (WI), Klink, Largent, Lazio, Manzullo, Martinez, McCollum, McCrery, McIntosh, Metcalf, Morella, Neal, Owens, Packard, Peterson (PA), Porter, Portman, Rogan, Ryun (KS), Shays, Slaughter, Spratt, Stabenow, Stupak, Talent, Thompson (MS), Udall (CO), Wamp, Watts (OK), Waxman, Weiner, Weldon (PA), Wise

So the Journal was approved.

¶116.10 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2614

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 652):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2614) to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

Mr. LINDER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared
- Yeas 209
- Nays 195

¶116.11 [Roll No. 555]

YEAS—209

Aderholt, Archer, Armey, Bachus, Baker, Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bereuter, Biggert, Bilbray, Bilirakis, Bliley, Blunt, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Castle, Chabot, Chambliss, Coble, Coburn

Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Northup
Norwood
Nussle
Ose
Oxley
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—195

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

NOT VOTING—29

Ackerman
Blagojevich
Brady (PA)
Campbell
Chenoweth-Hage
Crowley
Danner
Engel
Franks (NJ)
Hoekstra
Klink
LaTourette
Lazio
McCollum
McIntosh
Metcalf
Neal
Ney
Owens
Packard
Peterson (PA)
Shays
Spratt
Stupak
Talent
Thompson (MS)
Waxman
Weiner
Weldon (PA)

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. MOAKLEY demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 207 / Nays 200

¶116.12 [Roll No. 556]

AYES—207

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

NOES—200

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

Watt (NC)
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOT VOTING—26

Blagojevich
Brady (PA)
Campbell
Chenoweth-Hage
Crowley
Danner
Engel
Franks (NJ)
Hoekstra
Klink
LaTourette
Lazio
Lewis (CA)
McCollum
McIntosh
Metcalf
Neal
Owens
Packard
Peterson (PA)
Spratt
Stupak
Talent
Thompson (MS)
Waxman
Weldon (PA)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶116.13 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 4942

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 653):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4942) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

Mr. LINDER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. HANSEN, announced that the yeas had it.

Mr. FROST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 214
Nays 194

¶116.14 [Roll No. 557]

YEAS—214

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

NAYS—194

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

NOT VOTING—24

Blagojevich
Brady (PA)
Campbell
Chenoweth-Hage
Crowley
Danner
Franks (NJ)
Jones (OH)
Klink
Lazio
McCollum
McIntosh
Meek (FL)
Metcalf
Owens
Packard
Pallone
Peterson (PA)
Spratt
Stabenow
Stupak
Thompson (MS)
Waxman
Weldon (PA)

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. HANSEN, announced that the yeas had it.

Mr. FROST demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas 212
Nays 192

¶116.15 [Roll No. 558]

AYES—212

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad

Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—192

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

NOT VOTING—28

Bishop
Blagojevich
Borski
Brady (PA)
Campbell
Chenoweth-Hage
Cooksey
Crowley
Danner
Evans
Franks (NJ)
Horn
Klink
Larson
Lazio
Leach
McCollum
McIntosh
Meek (FL)
Metcalf
Owens
Packard
Peterson (PA)
Spratt
Stupak
Thompson (MS)
Waxman
Weldon (PA)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶116.16 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 5178. An Act to require changes in the bloodborne pathogens standard in effect under the Occupational Safety and Health Act of 1970.

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

H.R. 2498. An Act to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices.

¶116.17 PROVIDING FOR THE CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 651):

Resolved, That it shall be in order at any time on the legislative day of Thursday, October 26, 2000, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) the bill (H.R. 2498) to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices;

(2) the resolution (H. Res. 650) expressing the sense of the House with respect to the release of findings and recommendations by the Federal Energy Regulatory Commission regarding the electricity crisis in California;

(3) the bill (H.R. 1550) to authorized appropriations for the United States Fire Administration for fiscal years 2000 and 20001, and for other purposes;

(4) the bill (S. 2943) to authorize additional assistance for international malaria control, and to provide for coordination and consultation in providing assistance under the Foreign Assistance Act of 1961 with respect to malaria, HIV, and tuberculosis;

(5) the bill (S. 2712) to amend chapter 35 of title 31, United States Code, to authorize the consolidation of certain financial and performance management reports required of Federal agencies, and for other purposes;

(6) the bill (H.R. 5309) to designate the facility of the United States Postal Service located at 2305 Minton Road in West Melbourne, Florida, as the ''Ronald W. Reagan Post Office Building'';

(7) the bill (S. 3194) to designate the facility of the United States Postal Service located at 431 North George Street in Millersville, Pennsylvania, as the ''Robert S. Walker Post Office'''

(8) the bill (H.R. 4399) to designate the facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, as the ''Arthur 'Pappy'' Kennedy Post Office Building'';

(9) the bill (H.R. 4400) to designate the facility of the United States Postal Service located at 1601–1 Main Street in Jacksonville, Florida, as the ''Eddie Mae Steward Post Office Building'';

(10) the bill (H.R. 5528) to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes; and

(11) the bill (H.R. 5314) to amend title 10, United States Code, to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs.

When said resolution was considered.

After debate,

On motion of Mr. REYNOLDS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. HANSEN, announced that the yeas had it.

Mr. HALL of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 221
Nays 190

¶116.18 [Roll No. 559]

YEAS—221

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilbray
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kind (WI)
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Miller, George
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood

Nussle
Ose
Oxley
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NAYS—190

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

NOT VOTING—22

Blagojevich
Bliley
Brady (PA)
Campbell
Chenoweth-Hage
Crowley
Danner
Franks (NJ)
Klink
Lazio
McCollum
McIntosh
Metcalf
Owens
Packard
Peterson (PA)
Spratt
Stabenow
Stupak
Thompson (MS)
Waters
Waxman

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶116.19 SMALL BUSINESS INVESTMENT IMPROVEMENTS

Mr. TALENT, pursuant to House Resolution 652, called up the following conference report (Rept. No. 106–1004):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2614) to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. ENACTMENT OF OTHER PROVISIONS OF LAW.

The provisions of the following bills of the 106th Congress are hereby enacted into law:

(1) H.R. 5538, as introduced on October 25, 2000 (the Minimum Wage Act of 2000).

(2) H.R. 5542, as introduced on October 25, 2000 (the Taxpayer Relief Act of 2000).

(3) H.R. 5543, as introduced on October 25, 2000 (the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000).

(4) H.R. 5544, as introduced on October 25, 2000 (the Pain Relief Promotion Act of 2000).

(5) H.R. 5545, as introduced on October 25, 2000 (the Small Business Reauthorization Act of 2000).

SEC. 2. PUBLICATION OF ACT.

In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval appendixes setting forth the texts of the bills referred to in section 1.

And the Senate agree to the same.

JIM TALENT,
DICK ARMEY,
Managers on the Part of the House.

CHRISTOPHER BOND,
CONRAD BURNS,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Ms. VELAZQUEZ demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 237; Nays ..... 174; Answered present 1 }

¶116.20 [Roll No. 560]

YEAS—237

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

NAYS—174

Abercrombie
Ackerman
Allen
Andrews
Archer
Baca
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Berman
Berry
Blumenauer
Bonior
Borski
Brown (FL)
Brown (OH)
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cummings
Davis (FL)

Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shuster
Skelton
Slaughter
Smith (WA)
Snyder
Stark
Stenholm
Strickland
Stump
Stupak
Tanner
Taylor (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walden
Waters
Watt (NC)
Weiner
Wexler
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—1

Paul

NOT VOTING—21

Blagojevich
Bliley
Brady (PA)
Campbell
Chenoweth-Hage
Crowley
Danner
Franks (NJ)
Johnson, Sam
Klink
Lazio
Martinez
McCollum
McIntosh
Metcalf
Packard
Payne
Peterson (PA)
Spratt
Thompson (MS)
Waxman

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶116.21 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 646, called up the joint resolution (H.J. Res. 116) making further continuing appropriations for fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. OBEY demanded a recorded vote on agreeing to said joint resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 392 / Nays ..... 10 }

¶116.22 [Roll No. 561]

AYES—392

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crane
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—10

Baird
Barton
Capuano
Costello
DeFazio
Dingell
Kaptur
Miller, George
Stupak
Visclosky

NOT VOTING—30

Blagojevich
Bliley
Brady (PA)
Campbell
Chenoweth-Hage
Crowley
Danner
Fowler
Franks (NJ)
Hall (OH)
Hutchinson
Johnson, Sam
Klink
Lazio
Martinez
McCollum
McIntosh
Metcalf
Ney
Packard
Payne
Peterson (PA)
Schaffer
Spratt
Talent
Tauzin
Thompson (MS)
Waters
Waxman
Wise

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶116.23 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶116.24 DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. ISTOOK, pursuant to House Resolution 653, called up the following conference report (Rept. No. 106–1005):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4942) ''making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2001, and for

other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter stricken and inserted by said amendment, insert:

Section 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

(1) H.R. 5547, as introduced on October 25, 2000.

(2) H.R. 5548, as introduced on October 25, 2000.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the text of the bills referred to in subsection (a) of this section.

And the Senate agree to the same.

ERNEST J. ISTOOK, Jr.,
RANDY ''DUKE'' CUNNINGHAM,
TODD TIAHRT,
ROBERT B. ADERHOLT,
JO ANN EMERSON,
JOHN E. SUNUNU,
C.W. BILL YOUNG,
Managers on the Part of the House.

KAY BAILEY HUTCHISON,
JON KYL,
TED STEVENS,
RICHARD J. DURBIN,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LAHOOD, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 206 / Nays 198

¶116.25 [Roll No. 562]

YEAS—206

Abercrombie
Archer
Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Bass
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Coble
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dixon
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Jones (NC)
Kanjorski
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Pease
Peterson (MN)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Rush
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stabenow
Stearns
Sununu
Sweeney
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NAYS—198

Aderholt
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barr
Barrett (WI)
Barton
Becerra
Bentsen
Berkley
Berman
Blumenauer
Bonior
Borski
Boswell
Boyd
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Condit
Conyers
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Riley
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Royce
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Schaffer
Schakowsky
Scott
Shadegg
Sherman
Skelton
Smith (WA)
Snyder
Stark
Stenholm
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Weiner
Weldon (FL)
Wexler
Weygand
Wolf
Woolsey
Wu
Wynn

NOT VOTING—29

Ackerman
Bilbray
Blagojevich
Bliley
Brady (PA)
Campbell
Chenoweth-Hage
Crowley
Danner
Fowler
Franks (NJ)
Johnson, Sam
Klink
Lazio
Martinez
McCollum
McIntosh
Metcalf
Packard
Payne
Peterson (PA)
Shuster
Spratt
Stump
Talent
Tauzin
Thompson (MS)
Waxman
Wise

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶116.26 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 782. An Act to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

H.J. Res. 116. Joint Resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶116.27 MESSAGE FROM THE PRESIDENT—COLOMBIA DRUG TRAFFICKERS

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to significant narcotics traffickers centered in Colombia that was declared in Executive Order 12978 of October 21, 1995.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 26, 2000.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 106–305).

¶116.28 INTERNATIONAL MALARIA CONTROL

Mr. GILMAN, pursuant to House Resolution 651, moved to suspend the rules and pass the bill of the Senate (S. 2943) to authorize additional assistance for international malaria control, and to provide for coordination and consultation in providing assistance under the Foreign Assistance Act of 1961 with re-

spect to malaria, HIV, and tuberculosis; as amended.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. GILMAN and Ms. LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

Ms. LEE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Friday, October 27, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶116.29 MILITARY WORKING DOGS

Mr. BARTLETT, pursuant to House Resolution 651, moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 5314) to require the immediate termination of the Department of Defense practice of euthanizing military working dogs at the end of their useful working life and to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and for other persons capable of caring for these dogs:

Strike out all after the enacting clause and insert:

SECTION 1. PROMOTION OF ADOPTION OF MILITARY WORKING DOGS.

(a) ADOPTION OF MILITARY WORKING DOGS.—Chapter 153 of title 10, United States Code, is amended by adding at the end the following new section:

"§2582. Military working dogs: transfer and adoption at end of useful working life

''(a) AVAILABILITY FOR ADOPTION.—The Secretary of Defense may make a military working dog of the Department of Defense available for adoption by a person or entity referred to in subsection (c) at the end of the dog's useful working life or when the dog is otherwise excess to the needs of the Department, unless the dog has been determined to be unsuitable for adoption under subsection (b).

''(b) SUITABILITY FOR ADOPTION.—The decision whether a particular military working dog is suitable or unsuitable for adoption under this section shall be made by the commander of the last unit to which the dog is assigned before being declared excess. The unit commander shall consider the recommendations of the unit's veterinarian in making the decision regarding a dog's adoptability.

''(c) AUTHORIZED RECIPIENTS.—Military working dogs may be adopted under this section by law enforcement agencies, former handlers of these dogs, and other persons capable of humanely caring for these dogs.

''(d) CONSIDERATION.—The transfer of a military working dog under this section may be without charge to the recipient.

''(e) LIMITATIONS ON LIABILITY FOR TRANSFERRED DOGS.—(1) Notwithstanding any other provision of law, the United States shall not be subject to any suit, claim, demand or action, liability, judgment, cost, or other fee arising out of any claim for personal injury or property damage (including death, illness, or loss of or damage to property or other economic loss) that results from, or is in any manner predicated upon, the act or omission of a former military working dog transferred under this section, including any training provided to the dog while a military working dog.

''(2) Notwithstanding any other provision of law, the United States shall not be liable for any veterinary expense associated with a military working dog transferred under this section for a condition of the military working dog before transfer under this section, whether or not such condition is known at the time of transfer under this section.

''(f) ANNUAL REPORT.—The Secretary shall submit to Congress an annual report specifying the number of military working dogs adopted under this section during the preceding year, the number of these dogs currently awaiting adoption, and the number of these dogs euthanized during the preceding year. With respect to each euthanized military working dog, the report shall contain an explanation of the reasons why the dog was euthanized rather than retained for adoption under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2582. Military working dogs: transfer and adoption at end of useful working life.''.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. BARTLETT and Mr. ABERCROMBIE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶116.30 CARDIAC ARREST SURVIVAL

Mr. BILIRAKIS, pursuant to House Resolution 651, moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2498) to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Public Health Improvement Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—EMERGING THREATS TO PUBLIC HEALTH

Sec. 101. Short title.
Sec. 102. Amendments to the Public Health Service Act.

TITLE II—CLINICAL RESEARCH ENHANCEMENT

Sec. 201. Short title.
Sec. 202. Findings and purpose.
Sec. 203. Increasing the involvement of the National Institutes of Health in clinical research.
Sec. 204. General clinical research centers.
Sec. 205. Loan repayment program regarding clinical researchers.
Sec. 206. Definition.
Sec. 207. Oversight by General Accounting Office.

TITLE III—RESEARCH LABORATORY INFRASTRUCTURE

Sec. 301. Short title.
Sec. 302. Findings.
Sec. 303. Biomedical and behavioral research facilities.
Sec. 304. Construction program for National Primate Research Centers.
Sec. 305. Shared instrumentation grant program.

TITLE IV—CARDIAC ARREST SURVIVAL

Subtitle A—Recommendations for Federal Buildings

Sec. 401. Short title.
Sec. 402. Findings.
Sec. 403. Recommendations and guidelines of Secretary of Health and Human Services regarding automated external defibrillators for Federal buildings.
Sec. 404. Good samaritan protections regarding emergency use of automated external defibrillators.

Subtitle B—Rural Access to Emergency Devices

Sec. 411. Short title.
Sec. 412. Findings.
Sec. 413. Grants.

TITLE V—LUPUS RESEARCH AND CARE

Sec. 501. Short title.
Sec. 502. Findings.

Subtitle A—Research on Lupus

Sec. 511. Expansion and intensification of activities.

Subtitle B—Delivery of Services Regarding Lupus

Sec. 521. Establishment of program of grants.
Sec. 522. Certain requirements.
Sec. 523. Technical assistance.
Sec. 524. Definitions.
Sec. 525. Authorization of appropriations.

TITLE VI—PROSTATE CANCER RESEARCH AND PREVENTION

Sec. 601. Short title.
Sec. 602. Amendments to the Public Health Service Act.

TITLE VII—ORGAN PROCUREMENT AND DONATION

Sec. 701. Organ procurement organization certification.
Sec. 702. Designation of Give Thanks, Give Life Day.

TITLE VIII—ALZHEIMER'S CLINICAL RESEARCH AND TRAINING

Sec. 801. Alzheimer's clinical research and training awards.

TITLE IX—SEXUALLY TRANSMITTED DISEASE CLINICAL RESEARCH AND TRAINING

Sec. 901. Sexually transmitted disease clinical research and training awards.

TITLE X—MISCELLANEOUS PROVISION

Sec. 1001. Technical correction to the Children's Health Act of 2000.

TITLE I—EMERGING THREATS TO PUBLIC HEALTH

SEC. 101. SHORT TITLE.

This title may be cited as the ''Public Health Threats and Emergencies Act''.

SEC. 102. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by striking section 319 and inserting the following:

"SEC. 319. PUBLIC HEALTH EMERGENCIES.

''(a) EMERGENCIES.—If the Secretary determines, after consultation with such public health officials as may be necessary, that—

''(1) a disease or disorder presents a public health emergency; or

''(2) a public health emergency, including significant outbreaks of infectious diseases or bioterrorist attacks, otherwise exists,

the Secretary may take such action as may be appropriate to respond to the public health emergency, including making grants and entering into contracts and conducting and supporting investigations into the cause, treatment, or prevention of a disease or disorder as described in paragraphs (1) and (2).

''(b) PUBLIC HEALTH EMERGENCY FUND.—

''(1) IN GENERAL.—There is established in the Treasury a fund to be designated as the 'Public Health Emergency Fund' to be made available to the Secretary without fiscal year limitation to carry out subsection (a) only if a public health emergency has been declared by the Secretary under such subsection. There is authorized to be appropriated to the Fund such sums as may be necessary.

''(2) REPORT.—Not later than 90 days after the end of each fiscal year, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and the Committee on Appropriations of the House of Representatives a report describing—

''(A) the expenditures made from the Public Health Emergency Fund in such fiscal year; and

''(B) each public health emergency for which the expenditures were made and the activities undertaken with respect to each emergency which was conducted or supported by expenditures from the Fund.

''(c) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

"SEC. 319A. NATIONAL NEEDS TO COMBAT THREATS TO PUBLIC HEALTH.

''(a) CAPACITIES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, and such Administrators, Directors, or Commissioners, as may be appropriate, and in collaboration with State and local health officials, shall establish reasonable capacities that are appropriate for national, State, and local public health systems and the personnel or work forces of such systems. Such capacities shall be revised every 10 years, or more frequently as the Secretary determines to be necessary.

''(2) BASIS.—The capacities established under paragraph (1) shall improve, enhance or expand the capacity of national, state and local public health agencies to detect and respond effectively to significant public health threats, including major outbreaks of infectious disease, pathogens resistant to antimicrobial agents and acts of bioterrorism. Such capacities may include the capacity to—

''(A) recognize the clinical signs and epidemiological characteristic of significant outbreaks of infectious disease;

''(B) identify disease-causing pathogens rapidly and accurately;

''(C) develop and implement plans to provide medical care for persons infected with disease-causing agents and to provide preventive care as needed for individuals likely to be exposed to disease-causing agents;

''(D) communicate information relevant to significant public health threats rapidly to local, State and national health agencies, and health care providers; or

''(E) develop or implement policies to prevent the spread of infectious disease or antimicrobial resistance.

''(b) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''(c) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to the States to assist such States in fulfilling the requirements of this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $4,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2006.

"SEC. 319B. ASSESSMENT OF PUBLIC HEALTH NEEDS.

''(a) PROGRAM AUTHORIZED.—Not later than 1 year after the date of enactment of this section and every 10 years thereafter, the Secretary shall award grants to States, or consortia of 2 or more States or political subdivisions of States, to perform, in collaboration with local public health agencies, an evaluation to determine the extent to which the States or local public health agencies can achieve the capacities applicable to State and local public health agencies described in subsection (a) of section 319A. The Secretary shall provide technical assistance to States, or consortia of 2 or more States or political subdivisions of States, in addition to awarding such grants.

''(b) PROCEDURE.—

''(1) IN GENERAL.—A State, or a consortium of 2 or more States or political subdivisions of States, may contract with an outside entity to perform the evaluation described in subsection (a).

''(2) METHODS.—To the extent practicable, the evaluation described in subsection (a) shall be completed by using methods, to be developed by the Secretary in collaboration with State and local health officials, that facilitate the comparison of evaluations conducted by a State to those conducted by other States receiving funds under this section.

''(c) REPORT.—Not later than 1 year after the date on which a State, or a consortium of 2 or more States or political subdivisions of States, receives a grant under this subsection, such State, or a consortium of 2 or more States or political subdivisions of States, shall prepare and submit to the Secretary a report describing the results of the evaluation described in subsection (a) with respect to such State, or consortia of 2 or more States or political subdivisions of States.

''(d) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $45,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2003.

"SEC. 319C. GRANTS TO IMPROVE STATE AND LOCAL PUBLIC HEALTH AGENCIES.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award competitive grants to eligible entities to address core public health capacity needs using the capacities developed under section 319A, with a particular focus on building capacity to identify, detect, monitor, and respond to threats to the public health.

''(b) ELIGIBLE ENTITIES.—A State or political subdivision of a State, or a consortium of 2 or more States or political subdivisions of States, that has completed an evaluation under section 319B(a), or an evaluation that is substantially equivalent as determined by the Secretary under section 319B(a), shall be eligible for grants under subsection (a).

''(c) USE OF FUNDS.—An eligible entity that receives a grant under subsection (a), may use funds received under such grant to—

''(1) train public health personnel;

''(2) develop, enhance, coordinate, or improve participation in an electronic network by which disease detection and public health related information can be rapidly shared among national, regional, State, and local public health agencies and health care providers;

''(3) develop a plan for responding to public health emergencies, including significant outbreaks of infectious diseases or bioterrorism attacks, which is coordinated with the capacities of applicable national, State, and local health agencies and health care providers; and

''(4) enhance laboratory capacity and facilities.

''(d) REPORT.—No later than January 1, 2005, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and the Committee on Appropriations of the House of Representatives a report that describes the activities carried out under sections 319A, 319B, and 319C.

''(e) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $50,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2006.

"SEC. 319D. REVITALIZING THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

''(a) FINDINGS.—Congress finds that the Centers for Disease Control and Prevention have an essential role in defending against and combatting public health threats of the twenty-first century and requires secure and modern facilities that are sufficient to enable such Centers to conduct this important mission.

''(b) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of achieving the mission of the Centers for Disease Control and Prevention described in subsection (a), for constructing new facilities and renovating existing facilities of such Centers, including laboratories, laboratory support buildings, health communication facilities, office buildings and other facilities and infrastructure, for better conducting the capacities described in section 319A, and for supporting related public health activities, there are authorized to be appropriated $180,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2010.

"SEC. 319E. COMBATING ANTIMICROBIAL RESISTANCE.

''(a) TASK FORCE.—

''(1) IN GENERAL.—The Secretary shall establish an Antimicrobial Resistance Task Force to provide advice and recommendations to the Secretary and coordinate Federal programs relating to antimicrobial resistance. The Secretary may appoint or select a committee, or other organization in existence as of the date of enactment of this section, to serve as such a task force, if such committee, or other organization meets the requirements of this section.

''(2) MEMBERS OF TASK FORCE.—The task force described in paragraph (1) shall be composed of representatives from such Federal agencies, and shall seek input from public health constituencies, manufacturers, veterinary and medical professional societies and others, as determined to be necessary by the Secretary, to develop and implement a comprehensive plan to address the public health threat of antimicrobial resistance.

''(3) AGENDA.—

''(A) IN GENERAL.—The task force described in paragraph (1) shall consider factors the Secretary considers appropriate, including—

''(i) public health factors contributing to increasing antimicrobial resistance;

''(ii) public health needs to detect and monitor antimicrobial resistance;

''(iii) detection, prevention, and control strategies for resistant pathogens;

''(iv) the need for improved information and data collection;

''(v) the assessment of the risk imposed by pathogens presenting a threat to the public health; and

''(vi) any other issues which the Secretary determines are relevant to antimicrobial resistance.

''(B) DETECTION AND CONTROL.—The Secretary, in consultation with the task force described in paragraph (1) and State and local public health officials, shall—

''(i) develop, improve, coordinate or enhance participation in a surveillance plan to detect and monitor emerging antimicrobial resistance; and

''(ii) develop, improve, coordinate or enhance participation in an integrated information system to assimilate, analyze, and exchange antimicrobial resistance data between public health departments.

''(4) MEETINGS.—The task force described under paragraph (1) shall convene not less than twice a year, or more frequently as the Secretary determines to be appropriate.

''(b) RESEARCH AND DEVELOPMENT OF NEW ANTIMICROBIAL DRUGS AND DIAGNOSTICS.—The Secretary and the Director of Agricultural Research Services, consistent with the recommendations of the task force established under subsection (a), shall conduct and support research, investigations, experiments, demonstrations, and studies in the health sciences that are related to—

''(1) the development of new therapeutics, including vaccines and antimicrobials, against resistant pathogens;

''(2) the development or testing of medical diagnostics to detect pathogens resistant to antimicrobials;

''(3) the epidemiology, mechanisms, and pathogenesis of antimicrobial resistance;

''(4) the sequencing of the genomes of priority pathogens as determined by the Director of the National Institutes of Health in consultation with the task force established under subsection (a); and

''(5) other relevant research areas.

''(c) EDUCATION OF MEDICAL AND PUBLIC HEALTH PERSONNEL.—The Secretary, after consultation with the Assistant Secretary for Health, the Surgeon General, the Director of the Centers for Disease Control and Prevention, the Administrator of the Health Resources and Services Administration, the Director of the Agency for Healthcare Research and Quality, members of the task force described in subsection (a), professional organizations and societies, and such other public health officials as may be necessary, shall—

''(1) develop and implement educational programs to increase the awareness of the general public with respect to the public health threat of antimicrobial resistance and the appropriate use of antibiotics;

''(2) develop and implement educational programs to instruct health care professionals in the prudent use of antibiotics; and

''(3) develop and implement programs to train laboratory personnel in the recognition or identification of resistance in pathogens.

''(d) GRANTS.—

''(1) IN GENERAL.—The Secretary shall award competitive grants to eligible entities to enable such entities to increase the capacity to detect, monitor, and combat antimicrobial resistance.

''(2) ELIGIBLE ENTITIES.—Eligible entities for grants under paragraph (1) shall be State or local public health agencies, Indian tribes or tribal organizations, or other public or private nonprofit entities.

''(3) USE OF FUNDS.—An eligible entity receiving a grant under paragraph (1) shall use funds from such grant for activities that are consistent with the factors identified by the task force under subsection (a)(3), which may include activities that—

''(A) provide training to enable such entity to identify patterns of resistance rapidly and accurately;

''(B) develop, improve, coordinate or enhance participation in information systems by which data on resistant infections can be shared rapidly among relevant national, State, and local health agencies and health care providers; and

''(C) develop and implement policies to control the spread of antimicrobial resistance.

''(e) GRANTS FOR DEMONSTRATION PROGRAMS.—

''(1) IN GENERAL.—The Secretary shall award competitive grants to eligible entities to establish demonstration programs to promote judicious use of antimicrobial drugs or control the spread of antimicrobial-resistant pathogens.

''(2) ELIGIBLE ENTITIES.—Eligible entities for grants under paragraph (1) may include hospitals, clinics, institutions of long-term care, professional medical societies, or other public or private nonprofit entities.

''(3) TECHNICAL ASSISTANCE.—The Secretary shall provide appropriate technical assistance to eligible entities that receive grants under paragraph (1).

''(f) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $40,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2006.

"SEC. 319F. PUBLIC HEALTH COUNTERMEASURES TO A BIOTERRORIST ATTACK.

''(a) WORKING GROUP ON PREPAREDNESS FOR ACTS OF BIOTERRORISM.—The Secretary, in coordination with the Secretary of Defense, shall establish a joint interdepartmental working group on preparedness and readiness for the medical and public health effects of a bioterrorist attack on the civilian population. Such joint working group shall—

''(1) coordinate research on pathogens likely to be used in a bioterrorist attack on the civilian population as well as therapies to treat such pathogens;

''(2) coordinate research and development into equipment to detect pathogens likely to be used in a bioterrorist attack on the civilian population and protect against infection from such pathogens;

''(3) develop shared standards for equipment to detect and to protect against infection from pathogens likely to be used in a bioterrorist attack on the civilian population; and

''(4) coordinate the development, maintenance, and procedures for the release of, strategic reserves of vaccines, drugs, and medical supplies which may be needed rapidly after a bioterrorist attack upon the civilian population.

''(b) WORKING GROUP ON THE PUBLIC HEALTH AND MEDICAL CONSEQUENCES OF BIOTERRORISM.—

''(1) IN GENERAL.—The Secretary, in collaboration with the Director of the Federal Emergency Management Agency, the Attorney General, and the Secretary of Agriculture, shall establish a joint interdepartmental working group to address the public health and medical consequences of a bioterrorist attack on the civilian population.

''(2) FUNCTIONS.—Such working group shall—

''(A) assess the priorities for and enhance the preparedness of public health institutions, providers of medical care, and other emergency service personnel to detect, diagnose, and respond to a bioterrorist attack; and

''(B) in the recognition that medical and public health professionals are likely to provide much of the first response to such an attack, develop, coordinate, enhance, and assure the quality of joint planning and training programs that address the public health and medical consequences of a bioterrorist attack on the civilian population between—

''(i) local firefighters, ambulance personnel, police and public security officers, or other emergency response personnel; and

''(ii) hospitals, primary care facilities, and public health agencies.

''(3) WORKING GROUP MEMBERSHIP.—In establishing such working group, the Secretary shall act through the Assistant Secretary for Health and the Director of the Centers for Disease Control and Prevention.

''(4) COORDINATION.—The Secretary shall ensure coordination and communication between the working groups established in this subsection and subsection (a).

''(c) GRANTS.—

''(1) IN GENERAL.—The Secretary, in coordination with the working group established under subsection (b), shall, on a competitive basis and following scientific or technical review, award grants to or enter into cooperative agreements with eligible entities to enable such entities to increase their capacity to detect, diagnose, and respond to acts of bioterrorism upon the civilian population.

''(2) ELIGIBILITY.—To be an eligible entity under this subsection, such entity must be a State, political subdivision of a State, a consortium of 2 or more States or political subdivisions of States, or a hospital, clinic, or primary care facility.

''(3) USE OF FUNDS.—An entity that receives a grant under this subsection shall use such funds for activities that are consistent with the priorities identified by the working group under subsection (b), including—

''(A) training health care professionals and public health personnel to enhance the ability of such personnel to recognize the symptoms and epidemiological characteristics of exposure to a potential bioweapon;

''(B) addressing rapid and accurate identification of potential bioweapons;

''(C) coordinating medical care for individuals exposed to bioweapons; and

''(D) facilitating and coordinating rapid communication of data generated from a bioterrorist attack between national, State, and local health agencies, and health care providers.

''(4) COORDINATION.—The Secretary, in awarding grants under this subsection, shall—

''(A) notify the Director of the Office of Justice Programs, and the Director of the National Domestic Preparedness Office annually as to the amount and status of grants awarded under this subsection; and

''(B) coordinate grants awarded under this subsection with grants awarded by the Office of Emergency Preparedness and the Centers for Disease Control and Prevention for the purpose of improving the capacity of health care providers and public health agencies to respond to bioterrorist attacks on the civilian population.

''(5) ACTIVITIES.—An entity that receives a grant under this subsection shall, to the greatest extent practicable, coordinate activities carried out with such funds with the activities of a local Metropolitan Medical Response System.

''(d) FEDERAL ASSISTANCE.—The Secretary shall ensure that the Department of Health and Human Services is able to provide such assistance as may be needed to State and local health agencies to enable such agencies to respond effectively to bioterrorist attacks.

''(e) EDUCATION.—The Secretary, in collaboration with members of the working group described in subsection (b), and professional organizations and societies, shall—

''(1) develop and implement educational programs to instruct public health officials, medical professionals, and other personnel working in health care facilities in the recognition and care of victims of a bioterrorist attack; and

''(2) develop and implement programs to train laboratory personnel in the recognition and identification of a potential bioweapon.

''(f) FUTURE RESOURCE DEVELOPMENT.—The Secretary shall consult with the working group described in subsection (a), to develop priorities for and conduct research, investigations, experi-

ments, demonstrations, and studies in the health sciences related to—

''(1) the epidemiology and pathogenesis of potential bioweapons;

''(2) the development of new vaccines or other therapeutics against pathogens likely to be used in a bioterrorist attack;

''(3) the development of medical diagnostics to detect potential bioweapons; and

''(4) other relevant research areas.

''(g) GENERAL ACCOUNTING OFFICE REPORT.—Not later than 180 days after the date of enactment of this section, the Comptroller General shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and the Committee on Appropriations of the House of Representatives a report that describes—

''(1) Federal activities primarily related to research on, preparedness for, and the management of the public health and medical consequences of a bioterrorist attack against the civilian population;

''(2) the coordination of the activities described in paragraph (1);

''(3) the amount of Federal funds authorized or appropriated for the activities described in paragraph (1); and

''(4) the effectiveness of such efforts in preparing national, State, and local authorities to address the public health and medical consequences of a potential bioterrorist attack against the civilian population.

''(h) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $215,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2006.

"SEC. 319G. DEMONSTRATION PROGRAM TO ENHANCE BIOTERRORISM TRAINING, COORDINATION, AND READINESS.

''(a) IN GENERAL.—The Secretary shall make grants to not more than three eligible entities to carry out demonstration programs to improve the detection of pathogens likely to be used in a bioterrorist attack, the development of plans and measures to respond to bioterrorist attacks, and the training of personnel involved with the various responsibilities and capabilities needed to respond to acts of bioterrorism upon the civilian population. Such awards shall be made on a competitive basis and pursuant to scientific and technical review.

''(b) ELIGIBLE ENTITIES.—Eligible entities for grants under subsection (a) are States, political subdivisions of States, and public or private non-profit organizations.

''(c) SPECIFIC CRITERIA.—In making grants under subsection (a), the Secretary shall take into account the following factors:

''(1) Whether the eligible entity involved is proximate to, and collaborates with, a major research university with expertise in scientific training, identification of biological agents, medicine, and life sciences.

''(2) Whether the entity is proximate to, and collaborates with, a laboratory that has expertise in the identification of biological agents.

''(3) Whether the entity demonstrates, in the application for the program, support and participation of State and local governments and research institutions in the conduct of the program.

''(4) Whether the entity is proximate to, and collaborates with, or is, an academic medical center that has the capacity to serve an uninsured or underserved population, and is equipped to educate medical personnel.

''(5) Such other factors as the Secretary determines to be appropriate.

''(d) DURATION OF AWARD.—The period during which payments are made under a grant under subsection (a) may not exceed five years. The provision of such payments shall be subject to annual approval by the Secretary of the payments and subject to the availability of appropriations for the fiscal year involved to make the payments.

''(e) SUPPLEMENT NOT SUPPLANT.—Grants under subsection (a) shall be used to supplement, and not supplant, other Federal, State, or local public funds provided for the activities described in such subsection.

''(f) GENERAL ACCOUNTING OFFICE REPORT.—Not later than 180 days after the conclusion of the demonstration programs carried out under subsection (a), the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate, and the Committee on Commerce and the Committee on Appropriations of the House of Representatives, a report that describes the ability of grantees under such subsection to detect pathogens likely to be used in a bioterrorist attack, develop plans and measures for dealing with such threats, and train personnel involved with the various responsibilities and capabilities needed to deal with bioterrorist threats.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $6,000,000 for fiscal year 2001, and such sums as may be necessary through fiscal year 2006.''.

TITLE II—CLINICAL RESEARCH ENHANCEMENT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Clinical Research Enhancement Act of 1999''.

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Clinical research is critical to the advancement of scientific knowledge and to the development of cures and improved treatment for disease.

(2) Tremendous advances in biology are opening doors to new insights into human physiology, pathophysiology and disease, creating extraordinary opportunities for clinical research.

(3) Clinical research includes translational research which is an integral part of the research process leading to general human applications. It is the bridge between the laboratory and new methods of diagnosis, treatment, and prevention and is thus essential to progress against cancer and other diseases.

(4) The United States will spend more than $1,200,000,000,000 on health care in 1999, but the Federal budget for health research at the National Institutes of Health was $15,600,000,000 only 1 percent of that total.

(5) Studies at the Institute of Medicine, the National Research Council, and the National Academy of Sciences have all addressed the current problems in clinical research.

(6) The Director of the National Institutes of Health has recognized the current problems in clinical research and appointed a special panel, which recommended expanded support for existing National Institutes of Health clinical research programs and the creation of new initiatives to recruit and retain clinical investigators.

(7) The current level of training and support for health professionals in clinical research is fragmented, undervalued, and underfunded.

(8) Young investigators are not only apprentices for future positions but a crucial source of energy, enthusiasm, and ideas in the day-to-day research that constitutes the scientific enterprise. Serious questions about the future of life-science research are raised by the following:

(A) The number of young investigators applying for grants dropped by 54 percent between 1985 and 1993.

(B) The number of physicians applying for first-time National Institutes of Health research project grants fell from 1226 in 1994 to 963 in 1998, a 21 percent reduction.

(C) Newly independent life-scientists are expected to raise funds to support their new research programs and a substantial proportion of their own salaries.

(9) The following have been cited as reasons for the decline in the number of active clinical researchers, and those choosing this career path:

(A) A medical school graduate incurs an average debt of $85,619, as reported in the Medical School Graduation Questionnaire by the Association of American Medical Colleges (AAMC).

(B) The prolonged period of clinical training required increases the accumulated debt burden.

(C) The decreasing number of mentors and role models.

(D) The perceived instability of funding from the National Institutes of Health and other Federal agencies.

(E) The almost complete absence of clinical research training in the curriculum of training grant awardees.

(F) Academic Medical Centers are experiencing difficulties in maintaining a proper environment for research in a highly competitive health care marketplace, which are compounded by the decreased willingness of third party payers to cover health care costs for patients engaged in research studies and research procedures.

(10) In 1960, general clinical research centers were established under the Office of the Director of the National Institutes of Health with an initial appropriation of $3,000,000.

(11) Appropriations for general clinical research centers in fiscal year 1999 equaled $200,500,000.

(12) Since the late 1960s, spending for general clinical research centers has declined from approximately 3 percent to 1 percent of the National Institutes of Health budget.

(13) In fiscal year 1999, there were 77 general clinical research centers in operation, supplying patients in the areas in which such centers operate with access to the most modern clinical research and clinical research facilities and technologies.

(b) PURPOSE.—It is the purpose of this title to provide additional support for and to expand clinical research programs.

SEC. 203. INCREASING THE INVOLVEMENT OF THE NATIONAL INSTITUTES OF HEALTH IN CLINICAL RESEARCH.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

"SEC. 409C. CLINICAL RESEARCH.

''(a) IN GENERAL.—The Director of National Institutes of Health shall undertake activities to support and expand the involvement of the National Institutes of Health in clinical research.

''(b) REQUIREMENTS.—In carrying out subsection (a), the Director of National Institutes of Health shall—

''(1) consider the recommendations of the Division of Research Grants Clinical Research Study Group and other recommendations for enhancing clinical research; and

''(2) establish intramural and extramural clinical research fellowship programs directed specifically at medical and dental students and a continuing education clinical research training program at the National Institutes of Health.

''(c) SUPPORT FOR THE DIVERSE NEEDS OF CLINICAL RESEARCH.—The Director of National Institutes of Health, in cooperation with the Directors of the Institutes, Centers, and Divisions of the National Institutes of Health, shall support and expand the resources available for the diverse needs of the clinical research community, including inpatient, outpatient, and critical care clinical research.

''(d) PEER REVIEW.—The Director of National Institutes of Health shall establish peer review mechanisms to evaluate applications for the awards and fellowships provided for in subsection (b)(2) and section 409D. Such review mechanisms shall include individuals who are exceptionally qualified to appraise the merits of potential clinical research training and research grant proposals.''.

SEC. 204. GENERAL CLINICAL RESEARCH CENTERS.

(a) GRANTS.—Subpart 1 of part E of title IV of the Public Health Service Act (42 U.S.C. 287 et seq.) is amended by adding at the end the following:

"SEC. 481C. GENERAL CLINICAL RESEARCH CENTERS.

''(a) GRANTS.—The Director of the National Center for Research Resources shall award grants for the establishment of general clinical research centers to provide the infrastructure for clinical research including clinical research training and career enhancement. Such centers shall support clinical studies and career development in all settings of the hospital or academic medical center involved.

''(b) ACTIVITIES.—In carrying out subsection (a), the Director of National Institutes of Health shall expand the activities of the general clinical research centers through the increased use of telecommunications and telemedicine initiatives.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each fiscal year.''.

(b) ENHANCEMENT AWARDS.—Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.), as amended by section 203, is further amended by adding at the end the following:

"SEC. 409D. ENHANCEMENT AWARDS.

''(a) MENTORED PATIENT-ORIENTED RESEARCH CAREER DEVELOPMENT AWARDS.—

''(1) GRANTS.—

''(A) IN GENERAL.—The Director of the National Institutes of Health shall make grants (to be referred to as 'Mentored Patient-Oriented Research Career Development Awards') to support individual careers in clinical research at general clinical research centers or at other institutions that have the infrastructure and resources deemed appropriate for conducting patient-oriented clinical research.

''(B) USE.—Grants under subparagraph (A) shall be used to support clinical investigators in the early phases of their independent careers by providing salary and such other support for a period of supervised study.

''(2) APPLICATIONS.—An application for a grant under this subsection shall be submitted by an individual scientist at such time as the Director may require.

''(3) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each fiscal year.

''(b) MID-CAREER INVESTIGATOR AWARDS IN PATIENT-ORIENTED RESEARCH.—

''(1) GRANTS.—

''(A) IN GENERAL.—The Director of the National Institutes of Health shall make grants (to be referred to as 'Mid-Career Investigator Awards in Patient-Oriented Research') to support individual clinical research projects at general clinical research centers or at other institutions that have the infrastructure and resources deemed appropriate for conducting patient-oriented clinical research.

''(B) USE.—Grants under subparagraph (A) shall be used to provide support for mid-career level clinicians to allow such clinicians to devote time to clinical research and to act as mentors for beginning clinical investigators.

''(2) APPLICATIONS.—An application for a grant under this subsection shall be submitted by an individual scientist at such time as the Director requires.

''(3) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each fiscal year.

''(c) GRADUATE TRAINING IN CLINICAL INVESTIGATION AWARD.—

''(1) IN GENERAL.—The Director of the National Institutes of Health shall make grants (to be referred to as 'Graduate Training in Clinical Investigation Awards') to support individuals pursuing master's or doctoral degrees in clinical investigation.

''(2) APPLICATIONS.—An application for a grant under this subsection shall be submitted by an individual scientist at such time as the Director may require.

''(3) LIMITATIONS.—Grants under this subsection shall be for terms of 2 years or more and shall provide stipend, tuition, and institutional support for individual advanced degree programs in clinical investigation.

''(4) DEFINITION.—As used in this subsection, the term 'advanced degree programs in clinical investigation' means programs that award a master's or Ph.D. degree in clinical investigation after 2 or more years of training in areas such as the following:

''(A) Analytical methods, biostatistics, and study design.

''(B) Principles of clinical pharmacology and pharmacokinetics.

''(C) Clinical epidemiology.

''(D) Computer data management and medical informatics.

''(E) Ethical and regulatory issues.

''(F) Biomedical writing.

''(5) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each fiscal year.

''(d) CLINICAL RESEARCH CURRICULUM AWARDS.—

''(1) IN GENERAL.—The Director of the National Institutes of Health shall make grants (to be referred to as 'Clinical Research Curriculum Awards') to institutions for the development and support of programs of core curricula for training clinical investigators, including medical students. Such core curricula may include training in areas such as the following:

''(A) Analytical methods, biostatistics, and study design.

''(B) Principles of clinical pharmacology and pharmacokinetics.

''(C) Clinical epidemiology.

''(D) Computer data management and medical informatics.

''(E) Ethical and regulatory issues.

''(F) Biomedical writing.

''(2) APPLICATIONS.—An application for a grant under this subsection shall be submitted by an individual institution or a consortium of institutions at such time as the Director may require. An institution may submit only 1 such application.

''(3) LIMITATIONS.—Grants under this subsection shall be for terms of up to 5 years and may be renewable.

''(4) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each fiscal year.''.

SEC. 205. LOAN REPAYMENT PROGRAM REGARDING CLINICAL RESEARCHERS.

Part G of title IV of the Public Health Service Act is amended by inserting after section 487E (42 U.S.C. 288–5) the following:

"SEC. 487F. LOAN REPAYMENT PROGRAM REGARDING CLINICAL RESEARCHERS.

''(a) IN GENERAL.—The Secretary, acting through the Director of the National Institutes of Health, shall establish a program to enter into contracts with qualified health professionals under which such health professionals agree to conduct clinical research, in consideration of the Federal Government agreeing to repay, for each year of service conducting such research, not more than $35,000 of the principal and interest of the educational loans of such health professionals.

''(b) APPLICATION OF PROVISIONS.—The provisions of sections 338B, 338C, and 338E shall, except as inconsistent with subsection (a) of this section, apply to the program established under subsection (a) to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III.

''(c) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each fiscal year.

''(2) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which the amounts were made available.''.

SEC. 206. DEFINITION.

Section 409 of the Public Health Service Act (42 U.S.C. 284d) is amended—

(1) by striking ''For purposes'' and inserting ''(a) HEALTH SERVICE RESEARCH.—For purposes''; and

(2) by adding at the end the following:

''(b) CLINICAL RESEARCH.—As used in this title, the term 'clinical research' means patient oriented clinical research conducted with human subjects, or research on the causes and consequences of disease in human populations involving material of human origin (such as tissue specimens and cognitive phenomena) for which an investigator or colleague directly interacts with human subjects in an outpatient or inpatient setting to clarify a problem in human physiology, pathophysiology or disease, or epidemiologic or behavioral studies, outcomes research or health services research, or developing new technologies, therapeutic interventions, or clinical trials.''.

SEC. 207. OVERSIGHT BY GENERAL ACCOUNTING OFFICE.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Congress a reporting describing the extent to which the National Institutes of Health has complied with the amendments made by this title.

TITLE III—RESEARCH LABORATORY INFRASTRUCTURE

SEC. 301. SHORT TITLE.

This title may be cited as the ''Twenty-First Century Research Laboratories Act''.

SEC. 302. FINDINGS.

Congress finds that—

(1) the National Institutes of Health is the principal source of Federal funding for medical research at universities and other research institutions in the United States;

(2) the National Institutes of Health has received a substantial increase in research funding from Congress for the purpose of expanding the national investment of the United States in behavioral and biomedical research;

(3) the infrastructure of our research institutions is central to the continued leadership of the United States in medical research;

(4) as Congress increases the investment in cutting-edge basic and clinical research, it is critical that Congress also examine the current quality of the laboratories and buildings where research is being conducted, as well as the quality of laboratory equipment used in research;

(5) many of the research facilities and laboratories in the United States are outdated and inadequate;

(6) the National Science Foundation found, in a 1998 report on the status of biomedical research facilities, that over 60 percent of research-performing institutions indicated that they had an inadequate amount of medical research space;

(7) the National Science Foundation reports that academic institutions have deferred nearly $11,000,000,000 in renovation and construction projects because of a lack of funds; and

(8) future increases in Federal funding for the National Institutes of Health must include increased support for the renovation and construction of extramural research facilities in the United States and the purchase of state-of-the-art laboratory instrumentation.

SEC. 303. BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES.

Section 481A of the Public Health Service Act (42 U.S.C. 287a–2 et seq.) is amended to read as follows:

"SEC. 481A. BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES.

"(a) MODERNIZATION AND CONSTRUCTION OF FACILITIES.—

"(1) IN GENERAL.—The Director of NIH, acting through the Director of the Center, may make grants or contracts to public and nonprofit private entities to expand, remodel, renovate, or alter existing research facilities or construct new research facilities, subject to the provisions of this section.

"(2) CONSTRUCTION AND COST OF CONSTRUCTION.—For purposes of this section, the terms 'construction' and 'cost of construction' include the construction of new buildings and the expansion, renovation, remodeling, and alteration of existing buildings, including architects' fees, but do not include the cost of acquisition of land or off-site improvements.

"(b) SCIENTIFIC AND TECHNICAL REVIEW BOARDS FOR MERIT-BASED REVIEW OF PROPOSALS.—

"(1) IN GENERAL: APPROVAL AS PRECONDITION TO GRANTS.—

"(A) ESTABLISHMENT.—There is established within the Center a Scientific and Technical Review Board on Biomedical and Behavioral Research Facilities (referred to in this section as the 'Board').

"(B) REQUIREMENT.—The Director of the Center may approve an application for a grant under subsection (a) only if the Board has under paragraph (2) recommended the application for approval.

"(2) DUTIES.—

"(A) ADVICE.—The Board shall provide advice to the Director of the Center and the advisory council established under section 480 (in this section referred to as the 'Advisory Council') in carrying out this section.

"(B) DETERMINATION OF MERIT.—In carrying out subparagraph (A), the Board shall make a determination of the merit of each application submitted for a grant under subsection (a), after consideration of the requirements established in subsection (c), and shall report the results of the determination to the Director of the Center and the Advisory Council. Such determinations shall be conducted in a manner consistent with procedures established under section 492.

"(C) AMOUNT.—In carrying out subparagraph (A), the Board shall, in the case of applications recommended for approval, make recommendations to the Director and the Advisory Council on the amount that should be provided under the grant.

"(D) ANNUAL REPORT.—In carrying out subparagraph (A), the Board shall prepare an annual report for the Director of the Center and the Advisory Council describing the activities of the Board in the fiscal year for which the report is made. Each such report shall be available to the public, and shall—

"(i) summarize and analyze expenditures made under this section;

"(ii) provide a summary of the types, numbers, and amounts of applications that were recommended for grants under subsection (a) but that were not approved by the Director of the Center; and

"(iii) contain the recommendations of the Board for any changes in the administration of this section.

"(3) MEMBERSHIP.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Board shall be composed of 15 members to be appointed by the Director of the Center, and such ad-hoc or temporary members as the Director of the Center determines to be appropriate. All members of the Board, including temporary and ad-hoc members, shall be voting members.

"(B) LIMITATION.—Not more than 3 individuals who are officers or employees of the Federal Government may serve as members of the Board.

"(4) CERTAIN REQUIREMENTS REGARDING MEMBERSHIP.—In selecting individuals for membership on the Board, the Director of the Center shall ensure that the members are individuals who, by virtue of their training or experience, are eminently qualified to perform peer review functions. In selecting such individuals for such membership, the Director of the Center shall ensure that the members of the Board collectively—

"(A) are experienced in the planning, construction, financing, and administration of entities that conduct biomedical or behavioral research sciences;

"(B) are knowledgeable in making determinations of the need of entities for biomedical or behavioral research facilities, including such facilities for the dentistry, nursing, pharmacy, and allied health professions;

"(C) are knowledgeable in evaluating the relative priorities for applications for grants under subsection (a) in view of the overall research needs of the United States; and

"(D) are experienced with emerging centers of excellence, as described in subsection (c)(2).

"(5) CERTAIN AUTHORITIES.—

"(A) WORKSHOPS AND CONFERENCES.—In carrying out paragraph (2), the Board may convene workshops and conferences, and collect data as the Board considers appropriate.

"(B) SUBCOMMITTEES.—In carrying out paragraph (2), the Board may establish subcommittees within the Board. Such subcommittees may hold meetings as determined necessary to enable the subcommittee to carry out its duties.

"(6) TERMS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), each appointed member of the Board shall hold office for a term of 4 years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which such member's predecessor was appointed shall be appointed for the remainder of the term of the predecessor.

"(B) STAGGERED TERMS.—Members appointed to the Board shall serve staggered terms as specified by the Director of the Center when making the appointments.

"(C) REAPPOINTMENT.—No member of the Board shall be eligible for reappointment to the Board until 1 year has elapsed after the end of the most recent term of the member.

"(7) COMPENSATION.—Members of the Board who are not officers or employees of the United States shall receive for each day the members are engaged in the performance of the functions of the Board compensation at the same rate received by members of other national advisory councils established under this title.

"(c) REQUIREMENTS FOR GRANTS.—

"(1) IN GENERAL.—The Director of the Center may make a grant under subsection (a) only if the applicant for the grant meets the following conditions:

"(A) The applicant is determined by such Director to be competent to engage in the type of research for which the proposed facility is to be constructed.

"(B) The applicant provides assurances satisfactory to the Director that—

"(i) for not less than 20 years after completion of the construction involved, the facility will be used for the purposes of the research for which it is to be constructed;

"(ii) sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility;

"(iii) sufficient funds will be available, when construction is completed, for the effective use of the facility for the research for which it is being constructed; and

"(iv) the proposed construction will expand the applicant's capacity for research, or is necessary to improve or maintain the quality of the applicant's research.

"(C) The applicant meets reasonable qualifications established by the Director with respect to—

"(i) the relative scientific and technical merit of the applications, and the relative effectiveness of the proposed facilities, in expanding the capacity for biomedical or behavioral research and in improving the quality of such research;

"(ii) the quality of the research or training, or both, to be carried out in the facilities involved;

"(iii) the congruence of the research activities to be carried out within the facility with the research and investigator manpower needs of the United States; and

"(iv) the age and condition of existing research facilities.

"(D) The applicant has demonstrated a commitment to enhancing and expanding the research productivity of the applicant.

"(2) INSTITUTIONS OF EMERGING EXCELLENCE.—From the amount appropriated under subsection (i) for a fiscal year up to $50,000,000, the Director of the Center shall make available 25 percent of such amount, and from the amount appropriated under such subsection for a fiscal year that is over $50,000,000, the Director of the Center shall make available up to 25 percent of such amount, for grants under subsection (a) to applicants that in addition to meeting the requirements established in paragraph (1), have demonstrated emerging excellence in biomedical or behavioral research, as follows:

"(A) The applicant has a plan for research or training advancement and possesses the ability to carry out the plan.

"(B) The applicant carries out research and research training programs that have a special relevance to a problem, concern, or unmet health need of the United States.

"(C) The applicant has been productive in research or research development and training.

"(D) The applicant—

"(i) has been designated as a center of excellence under section 739;

"(ii) is located in a geographic area whose population includes a significant number of individuals with health status deficit, and the applicant provides health services to such individuals; or

"(iii) is located in a geographic area in which a deficit in health care technology, services, or research resources may adversely affect the health status of the population of the area in the future, and the applicant is carrying out activities with respect to protecting the health status of such population.

"(d) REQUIREMENT OF APPLICATION.—The Director of the Center may make a grant under subsection (a) only if an application for the grant is submitted to the Director and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Director determines to be necessary to carry out this section.

"(e) AMOUNT OF GRANT; PAYMENTS.—

"(1) AMOUNT.—The amount of any grant awarded under subsection (a) shall be determined by the Director of the Center, except that such amount shall not exceed—

"(A) 50 percent of the necessary cost of the construction of a proposed facility as determined by the Director; or

"(B) in the case of a multipurpose facility, 40 percent of that part of the necessary cost of construction that the Director determines to be proportionate to the contemplated use of the facility.

"(2) RESERVATION OF AMOUNTS.—On the approval of any application for a grant under subsection (a), the Director of the Center shall reserve, from any appropriation available for such grants, the amount of such grant, and shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with the construction progress, as the Director may determine appropriate. The reservation of any amount by the Director under this paragraph may be amended by the Director, either on the approval of an amendment of the application or on the revision of the estimated cost of construction of the facility.

"(3) EXCLUSION OF CERTAIN COSTS.—In determining the amount of any grant under subsection (a), there shall be excluded from the cost of construction an amount equal to the sum of—

"(A) the amount of any other Federal grant that the applicant has obtained, or is assured of

obtaining, with respect to construction that is to be financed in part by a grant authorized under this section; and

''(B) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

''(4) WAIVER OF LIMITATIONS.—The limitations imposed under paragraph (1) may be waived at the discretion of the Director for applicants meeting the conditions described in subsection (c).

''(f) RECAPTURE OF PAYMENTS.—If, not later than 20 years after the completion of construction for which a grant has been awarded under subsection (a)—

''(1) the applicant or other owner of the facility shall cease to be a public or non profit private entity; or

''(2) the facility shall cease to be used for the research purposes for which it was constructed (unless the Director determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from obligation to do so);

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the current value (as determined by an agreement between the parties or by action brought in the United States District Court for the district in which such facility is situated) of the facility as the amount of the Federal participation bore to the cost of the construction of such facility.

''(g) GUIDELINES.—Not later than 6 months after the date of the enactment of this section, the Director of the Center, after consultation with the Advisory Council, shall issue guidelines with respect to grants under subsection (a).

''(h) REPORT TO CONGRESS.—The Director of the Center shall prepare and submit to the appropriate committees of Congress a biennial report concerning the status of the biomedical and behavioral research facilities and the availability and condition of technologically sophisticated laboratory equipment in the United States. Such reports shall be developed in concert with the report prepared by the National Science Foundation on the needs of research facilities of universities as required under section 108 of the National Science Foundation Authorization Act for Fiscal Year 1986 (42 U.S.C. 1886).

''(i) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $250,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 304. CONSTRUCTION PROGRAM FOR NATIONAL PRIMATE RESEARCH CENTERS.

Section 481B(a) of the Public Health Service Act (42 U.S.C. 287a–3(a)) is amended by striking ''1994'' and all that follows through ''$5,000,000'' and inserting ''2000 through 2002, reserve from the amounts appropriated under section 481A(i) such sums as necessary''.

SEC. 305. SHARED INSTRUMENTATION GRANT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $100,000,000 for fiscal year 2000, and such sums as may be necessary for each subsequent fiscal year, to enable the Secretary of Health and Human Services, acting through the Director of the National Center for Research Resources, to provide for the continued operation of the Shared Instrumentation Grant Program (initiated in fiscal year 1992 under the authority of section 479 of the Public Health Service Act (42 U.S.C. 287 et seq.)).

(b) REQUIREMENTS FOR GRANTS.—In determining whether to award a grant to an applicant under the program described in subsection (a), the Director of the National Center for Research Resources shall consider—

(1) the extent to which an award for the specific instrument involved would meet the scientific needs and enhance the planned research endeavors of the major users by providing an instrument that is unavailable or to which availability is highly limited;

(2) with respect to the instrument involved, the availability and commitment of the appropriate technical expertise within the major user group or the applicant institution for use of the instrumentation;

(3) the adequacy of the organizational plan for the use of the instrument involved and the internal advisory committee for oversight of the applicant, including sharing arrangements if any;

(4) the applicant's commitment for continued support of the utilization and maintenance of the instrument; and

(5) the extent to which the specified instrument will be shared and the benefit of the proposed instrument to the overall research community to be served.

(c) PEER REVIEW.—In awarding grants under the program described in subsection (a) Director of the National Center for Research Resources shall comply with the peer review requirements in section 492 of the Public Health Service Act (42 U.S.C. 289a).

TITLE IV—CARDIAC ARREST SURVIVAL

Subtitle A—Recommendations for Federal Buildings

SEC. 401. SHORT TITLE.

This subtitle may be cited as the ''Cardiac Arrest Survival Act of 2000''.

SEC. 402. FINDINGS.

Congress makes the following findings:

(1) Over 700 lives are lost every day to sudden cardiac arrest in the United States alone.

(2) Two out of every three sudden cardiac deaths occur before a victim can reach a hospital.

(3) More than 95 percent of these cardiac arrest victims will die, many because of lack of readily available life saving medical equipment.

(4) With current medical technology, up to 30 percent of cardiac arrest victims could be saved if victims had access to immediate medical response, including defibrillation and cardiopulmonary resuscitation.

(5) Once a victim has suffered a cardiac arrest, every minute that passes before returning the heart to a normal rhythm decreases the chance of survival by 10 percent.

(6) Most cardiac arrests are caused by abnormal heart rhythms called ventricular fibrillation. Ventricular fibrillation occurs when the heart's electrical system malfunctions, causing a chaotic rhythm that prevents the heart from pumping oxygen to the victim's brain and body.

(7) Communities that have implemented programs ensuring widespread public access to defibrillators, combined with appropriate training, maintenance, and coordination with local emergency medical systems, have dramatically improved the survival rates from cardiac arrest.

(8) Automated external defibrillator devices have been demonstrated to be safe and effective, even when used by lay people, since the devices are designed not to allow a user to administer a shock until after the device has analyzed a victim's heart rhythm and determined that an electric shock is required.

(9) Increasing public awareness regarding automated external defibrillator devices and encouraging their use in Federal buildings will greatly facilitate their adoption.

(10) Limiting the liability of Good Samaritans and acquirers of automated external defibrillator devices in emergency situations may encourage the use of automated external defibrillator devices, and result in saved lives.

SEC. 403. RECOMMENDATIONS AND GUIDELINES OF SECRETARY OF HEALTH AND HUMAN SERVICES REGARDING AUTOMATED EXTERNAL DEFIBRILLATORS FOR FEDERAL BUILDINGS.

Part B of title II of the Public Health Service Act (42 U.S.C. 238 et seq.) is amended by adding at the end the following:

''RECOMMENDATIONS AND GUIDELINES REGARDING AUTOMATED EXTERNAL DEFIBRILLATORS FOR FEDERAL BUILDINGS

''SEC. 247. (a) GUIDELINES ON PLACEMENT.—The Secretary shall establish guidelines with respect to placing automated external defibrillator devices in Federal buildings. Such guidelines shall take into account the extent to which such devices may be used by lay persons, the typical number of employees and visitors in the buildings, the extent of the need for security measures regarding the buildings, buildings or portions of buildings in which there are special circumstances such as high electrical voltage or extreme heat or cold, and such other factors as the Secretary determines to be appropriate.

''(b) RELATED RECOMMENDATIONS.—The Secretary shall publish in the Federal Register the recommendations of the Secretary on the appropriate implementation of the placement of automated external defibrillator devices under subsection (a), including procedures for the following:

''(1) Implementing appropriate training courses in the use of such devices, including the role of cardiopulmonary resuscitation.

''(2) Proper maintenance and testing of the devices.

''(3) Ensuring coordination with appropriate licensed professionals in the oversight of training of the devices.

''(4) Ensuring coordination with local emergency medical systems regarding the placement and incidents of use of the devices.

''(c) CONSULTATIONS; CONSIDERATION OF CERTAIN RECOMMENDATIONS.—In carrying out this section, the Secretary shall—

''(1) consult with appropriate public and private entities;

''(2) consider the recommendations of national and local public-health organizations for improving the survival rates of individuals who experience cardiac arrest in nonhospital settings by minimizing the time elapsing between the onset of cardiac arrest and the initial medical response, including defibrillation as necessary; and

''(3) consult with and counsel other Federal agencies where such devices are to be used.

''(d) DATE CERTAIN FOR ESTABLISHING GUIDELINES AND RECOMMENDATIONS.—The Secretary shall comply with this section not later than 180 days after the date of the enactment of the Cardiac Arrest Survival Act of 2000.

''(e) DEFINITIONS.—For purposes of this section:

''(1) The term 'automated external defibrillator device' has the meaning given such term in section 248.

''(2) The term 'Federal building' includes a building or portion of a building leased or rented by a Federal agency, and includes buildings on military installations of the United States.''.

SEC. 404. GOOD SAMARITAN PROTECTIONS REGARDING EMERGENCY USE OF AUTOMATED EXTERNAL DEFIBRILLATORS.

Part B of title II of the Public Health Service Act, as amended by section 403, is amended by adding at the end the following:

''LIABILITY REGARDING EMERGENCY USE OF AUTOMATED EXTERNAL DEFIBRILLATORS

''SEC. 248. (a) GOOD SAMARITAN PROTECTIONS REGARDING AEDS.—Except as provided in subsection (b), any person who uses or attempts to use an automated external defibrillator device on a victim of a perceived medical emergency is immune from civil liability for any harm resulting from the use or attempted use of such device; and in addition, any person who acquired the device is immune from such liability, if the harm was not due to the failure of such acquirer of the device—

''(1) to notify local emergency response personnel or other appropriate entities of the most recent placement of the device within a reasonable period of time after the device was placed;

''(2) to properly maintain and test the device; or

''(3) to provide appropriate training in the use of the device to an employee or agent of the acquirer when the employee or agent was the person who used the device on the victim, except that such requirement of training does not apply if—

''(A) the employee or agent was not an employee or agent who would have been reasonably expected to use the device; or

''(B) the period of time elapsing between the engagement of the person as an employee or agent and the occurrence of the harm (or between the acquisition of the device and the occurrence of the harm, in any case in which the device was acquired after such engagement of the person) was not a reasonably sufficient period in which to provide the training.

''(b) INAPPLICABILITY OF IMMUNITY.—Immunity under subsection (a) does not apply to a person if—

''(1) the harm involved was caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the victim who was harmed; or

''(2) the person is a licensed or certified health professional who used the automated external defibrillator device while acting within the scope of the license or certification of the professional and within the scope of the employment or agency of the professional; or

''(3) the person is a hospital, clinic, or other entity whose purpose is providing health care directly to patients, and the harm was caused by an employee or agent of the entity who used the device while acting within the scope of the employment or agency of the employee or agent; or

''(4) the person is an acquirer of the device who leased the device to a health care entity (or who otherwise provided the device to such entity for compensation without selling the device to the entity), and the harm was caused by an employee or agent of the entity who used the device while acting within the scope of the employment or agency of the employee or agent.

''(c) RULES OF CONSTRUCTION.—

''(1) IN GENERAL.—The following applies with respect to this section:

''(A) This section does not establish any cause of action, or require that an automated external defibrillator device be placed at any building or other location.

''(B) With respect to a class of persons for which this section provides immunity from civil liability, this section supersedes the law of a State only to the extent that the State has no statute or regulations that provide persons in such class with immunity for civil liability arising from the use by such persons of automated external defibrillator devices in emergency situations (within the meaning of the State law or regulation involved).

''(C) This section does not waive any protection from liability for Federal officers or employees under—

''(i) section 224; or

''(ii) sections 1346(b), 2672, and 2679 of title 28, United States Code, or under alternative benefits provided by the United States where the availability of such benefits precludes a remedy under section 1346(b) of title 28.

''(2) CIVIL ACTIONS UNDER FEDERAL LAW.—

''(A) IN GENERAL.—The applicability of subsections (a) and (b) includes applicability to any action for civil liability described in subsection (a) that arises under Federal law.

''(B) FEDERAL AREAS ADOPTING STATE LAW.—If a geographic area is under Federal jurisdiction and is located within a State but out of the jurisdiction of the State, and if, pursuant to Federal law, the law of the State applies in such area regarding matters for which there is no applicable Federal law, then an action for civil liability described in subsection (a) that in such area arises under the law of the State is subject to subsections (a) through (c) in lieu of any related State law that would apply in such area in the absence of this subparagraph.

''(d) FEDERAL JURISDICTION.—In any civil action arising under State law, the courts of the State involved have jurisdiction to apply the provisions of this section exclusive of the jurisdiction of the courts of the United States.

''(e) DEFINITIONS.—

''(1) PERCEIVED MEDICAL EMERGENCY.—For purposes of this section, the term 'perceived medical emergency' means circumstances in which the behavior of an individual leads a reasonable person to believe that the individual is experiencing a life-threatening medical condition that requires an immediate medical response regarding the heart or other cardiopulmonary functioning of the individual.

''(2) OTHER DEFINITIONS.—For purposes of this section:

''(A) The term 'automated external defibrillator device' means a defibrillator device that—

''(i) is commercially distributed in accordance with the Federal Food, Drug, and Cosmetic Act;

''(ii) is capable of recognizing the presence or absence of ventricular fibrillation, and is capable of determining without intervention by the user of the device whether defibrillation should be performed;

''(iii) upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual; and

''(iv) in the case of a defibrillator device that may be operated in either an automated or a manual mode, is set to operate in the automated mode.

''(B)(i) The term 'harm' includes physical, nonphysical, economic, and noneconomic losses.

''(ii) The term 'economic loss' means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expense loss, replacement services loss, loss due to death, burial costs, and loss of business or employment opportunities) to the extent recovery for such loss is allowed under applicable State law.

''(iii) The term 'noneconomic losses' means losses for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation and all other nonpecuniary losses of any kind or nature.''.

Subtitle B—Rural Access to Emergency Devices

SEC. 411. SHORT TITLE.

This subtitle may be cited as the ''Rural Access to Emergency Devices Act'' or the ''Rural AED Act''.

SEC. 412. FINDINGS.

Congress makes the following findings:

(1) Heart disease is the leading cause of death in the United States.

(2) The American Heart Association estimates that 250,000 Americans die from sudden cardiac arrest each year.

(3) A cardiac arrest victim's chance of survival drops 10 percent for every minute that passes before his or her heart is returned to normal rhythm.

(4) Because most cardiac arrest victims are initially in ventricular fibrillation, and the only treatment for ventricular fibrillation is defibrillation, prompt access to defibrillation to return the heart to normal rhythm is essential.

(5) Lifesaving technology, the automated external defibrillator, has been developed to allow trained lay rescuers to respond to cardiac arrest by using this simple device to shock the heart into normal rhythm.

(6) Those people who are likely to be first on the scene of a cardiac arrest situation in many communities, particularly smaller and rural communities, lack sufficient numbers of automated external defibrillators to respond to cardiac arrest in a timely manner.

(7) The American Heart Association estimates that more than 50,000 deaths could be prevented each year if defibrillators were more widely available to designated responders.

(8) Legislation should be enacted to encourage greater public access to automated external defibrillators in communities across the United States.

SEC. 413. GRANTS.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Rural Health Outreach Office of the Health Resources and Services Administration, shall award grants to community partnerships that meet the requirements of subsection (b) to enable such partnerships to purchase equipment and provide training as provided for in subsection (c).

(b) COMMUNITY PARTNERSHIPS.—A community partnership meets the requirements of this subsection if such partnership—

(1) is composed of local emergency response entities such as community training facilities, local emergency responders, fire and rescue departments, police, community hospitals, and local non-profit entities and for-profit entities concerned about cardiac arrest survival rates;

(2) evaluates the local community emergency response times to assess whether they meet the standards established by national public health organizations such as the American Heart Association and the American Red Cross; and

(3) submits to the Secretary of Health and Human Services an application at such time, in such manner, and containing such information as the Secretary may require.

(c) USE OF FUNDS.—Amounts provided under a grant under this section shall be used—

(1) to purchase automated external defibrillators that have been approved, or cleared for marketing, by the Food and Drug Administration; and

(2) to provide defibrillator and basic life support training in automated external defibrillator usage through the American Heart Association, the American Red Cross, or other nationally recognized training courses.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report containing data relating to whether the increased availability of defibrillators has affected survival rates in the communities in which grantees under this section operated. The procedures under which the Secretary obtains data and prepares the report under this subsection shall not impose an undue burden on program participants under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $25,000,000 for fiscal years 2001 through 2003 to carry out this section.

TITLE V—LUPUS RESEARCH AND CARE

SEC. 501. SHORT TITLE.

This title may be cited as the ''Lupus Research and Care Amendments of 2000''.

SEC. 502. FINDINGS.

The Congress finds that—

(1) lupus is a serious, complex, inflammatory, autoimmune disease of particular concern to women;

(2) lupus affects women nine times more often than men;

(3) there are three main types of lupus: systemic lupus, a serious form of the disease that affects many parts of the body; discoid lupus, a form of the disease that affects mainly the skin; and drug-induced lupus caused by certain medications;

(4) lupus can be fatal if not detected and treated early;

(5) the disease can simultaneously affect various areas of the body, such as the skin, joints, kidneys, and brain, and can be difficult to diagnose because the symptoms of lupus are similar to those of many other diseases;

(6) lupus disproportionately affects African-American women, as the prevalence of the dis-

ease among such women is three times the prevalence among white women, and an estimated 1 in 250 African-American women between the ages of 15 and 65 develops the disease;

(7) it has been estimated that between 1,400,000 and 2,000,000 Americans have been diagnosed with the disease, and that many more have undiagnosed cases;

(8) current treatments for the disease can be effective, but may lead to damaging side effects;

(9) many victims of the disease suffer debilitating pain and fatigue, making it difficult to maintain employment and lead normal lives; and

(10) in fiscal year 1996, the amount allocated by the National Institutes of Health for research on lupus was $33,000,000, which is less than one-half of 1 percent of the budget for such Institutes.

Subtitle A—Research on Lupus

SEC. 511. EXPANSION AND INTENSIFICATION OF ACTIVITIES.

Subpart 4 of part C of title IV of the Public Health Service Act (42 U.S.C. 285d et seq.) is amended by inserting after section 441 the following:

''LUPUS

''SEC. 441A. (a) IN GENERAL.—The Director of the Institute shall expand and intensify research and related activities of the Institute with respect to lupus.

''(b) COORDINATION WITH OTHER INSTITUTES.—The Director of the Institute shall coordinate the activities of the Director under subsection (a) with similar activities conducted by the other national research institutes and agencies of the National Institutes of Health to the extent that such Institutes and agencies have responsibilities that are related to lupus.

''(c) PROGRAMS FOR LUPUS.—In carrying out subsection (a), the Director of the Institute shall conduct or support research to expand the understanding of the causes of, and to find a cure for, lupus. Activities under such subsection shall include conducting and supporting the following:

''(1) Research to determine the reasons underlying the elevated prevalence of lupus in women, including African-American women.

''(2) Basic research concerning the etiology and causes of the disease.

''(3) Epidemiological studies to address the frequency and natural history of the disease and the differences among the sexes and among racial and ethnic groups with respect to the disease.

''(4) The development of improved diagnostic techniques.

''(5) Clinical research for the development and evaluation of new treatments, including new biological agents.

''(6) Information and education programs for health care professionals and the public.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2003.''.

Subtitle B—Delivery of Services Regarding Lupus

SEC. 521. ESTABLISHMENT OF PROGRAM OF GRANTS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall in accordance with this subtitle make grants to provide for projects for the establishment, operation, and coordination of effective and cost-efficient systems for the delivery of essential services to individuals with lupus and their families.

(b) RECIPIENTS OF GRANTS.—A grant under subsection (a) may be made to an entity only if the entity is a public or nonprofit private entity, which may include a State or local government; a public or nonprofit private hospital, community-based organization, hospice, ambulatory care facility, community health center, migrant health center, or homeless health center; or other appropriate public or nonprofit private entity.

(c) CERTAIN ACTIVITIES.—To the extent practicable and appropriate, the Secretary shall ensure that projects under subsection (a) provide services for the diagnosis and disease management of lupus. Activities that the Secretary may authorize for such projects may also include the following:

(1) Delivering or enhancing outpatient, ambulatory, and home-based health and support services, including case management and comprehensive treatment services, for individuals with lupus; and delivering or enhancing support services for their families.

(2) Delivering or enhancing inpatient care management services that prevent unnecessary hospitalization or that expedite discharge, as medically appropriate, from inpatient facilities of individuals with lupus.

(3) Improving the quality, availability, and organization of health care and support services (including transportation services, attendant care, homemaker services, day or respite care, and providing counseling on financial assistance and insurance) for individuals with lupus and support services for their families.

(d) INTEGRATION WITH OTHER PROGRAMS.—To the extent practicable and appropriate, the Secretary shall integrate the program under this subtitle with other grant programs carried out by the Secretary, including the program under section 330 of the Public Health Service Act.

SEC. 522. CERTAIN REQUIREMENTS.

A grant may be made under section 521 only if the applicant involved makes the following agreements:

(1) Not more than 5 percent of the grant will be used for administration, accounting, reporting, and program oversight functions.

(2) The grant will be used to supplement and not supplant funds from other sources related to the treatment of lupus.

(3) The applicant will abide by any limitations deemed appropriate by the Secretary on any charges to individuals receiving services pursuant to the grant. As deemed appropriate by the Secretary, such limitations on charges may vary based on the financial circumstances of the individual receiving services.

(4) The grant will not be expended to make payment for services authorized under section 521(a) to the extent that payment has been made, or can reasonably be expected to be made, with respect to such services—

(A) under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or

(B) by an entity that provides health services on a prepaid basis.

(5) The applicant will, at each site at which the applicant provides services under section 521(a), post a conspicuous notice informing individuals who receive the services of any Federal policies that apply to the applicant with respect to the imposition of charges on such individuals.

SEC. 523. TECHNICAL ASSISTANCE.

The Secretary may provide technical assistance to assist entities in complying with the requirements of this subtitle in order to make such entities eligible to receive grants under section 521.

SEC. 524. DEFINITIONS.

For purposes of this subtitle:

(1) OFFICIAL POVERTY LINE.—The term ''official poverty line'' means the poverty line established by the Director of the Office of Management and Budget and revised by the Secretary in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

SEC. 525. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of carrying out this subtitle, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2003.

TITLE VI—PROSTATE CANCER RESEARCH AND PREVENTION

SEC. 601. SHORT TITLE.

This title may be cited as the ''Prostate Cancer Research and Prevention Act''.

SEC. 602. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) PREVENTIVE HEALTH MEASURES.—Section 317D of the Public Health Service Act (42 U.S.C. 247b–5) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to States and local health departments for the purpose of enabling such States and departments to carry out programs that may include the following:

''(1) To identify factors that influence the attitudes or levels of awareness of men and health care practitioners regarding screening for prostate cancer.

''(2) To evaluate, in consultation with the Agency for Health Care Policy and Research and the National Institutes of Health, the effectiveness of screening strategies for prostate cancer.

''(3) To identify, in consultation with the Agency for Health Care Policy and Research, issues related to the quality of life for men after prostrate cancer screening and followup.

''(4) To develop and disseminate public information and education programs for prostate cancer, including appropriate messages about the risks and benefits of prostate cancer screening for the general public, health care providers, policy makers and other appropriate individuals.

''(5) To improve surveillance for prostate cancer.

''(6) To address the needs of underserved and minority populations regarding prostate cancer.

''(7) Upon a determination by the Secretary, who shall take into consideration recommendations by the United States Preventive Services Task Force and shall seek input, where appropriate, from professional societies and other private and public entities, that there is sufficient consensus on the effectiveness of prostate cancer screening—

''(A) to screen men for prostate cancer as a preventive health measure;

''(B) to provide appropriate referrals for the medical treatment of men who have been screened under subparagraph (A) and to ensure, to the extent practicable, the provision of appropriate followup services and support services such as case management;

''(C) to establish mechanisms through which State and local health departments can monitor the quality of screening procedures for prostate cancer, including the interpretation of such procedures; and

''(D) to improve, in consultation with the Health Resources and Services Administration, the education, training, and skills of health practitioners (including appropriate allied health professionals) in the detection and control of prostate cancer.

''(8) To evaluate activities conducted under paragraphs (1) through (7) through appropriate surveillance or program monitoring activities.''; and

(2) in subsection (l)(1), by striking ''1998'' and inserting ''2004''.

(b) NATIONAL INSTITUTES OF HEALTH.—Section 417B(c) of the Public Health Service Act (42 U.S.C. 286a–8(c)) is amended by striking ''and 1996'' and inserting ''through 2004''.

TITLE VII—ORGAN PROCUREMENT AND DONATION

SEC. 701. ORGAN PROCUREMENT ORGANIZATION CERTIFICATION.

(a) SHORT TITLE.—This section may be cited as the ''Organ Procurement Organization Certification Act of 2000''.

(b) FINDINGS.—Congress makes the following findings:

(1) Organ procurement organizations play an important role in the effort to increase organ donation in the United States.

(2) The current process for the certification and recertification of organ procurement organizations conducted by the Department of Health and Human Services has created a level of uncertainty that is interfering with the effectiveness of organ procurement organizations in raising the level of organ donation.

(3) The General Accounting Office, the Institute of Medicine, and the Harvard School of Public Health have identified substantial limitations in the organ procurement organization certification and recertification process and have recommended changes in that process.

(4) The limitations in the recertification process include:

(A) An exclusive reliance on population-based measures of performance that do not account for the potential in the population for organ donation and do not permit consideration of other outcome and process standards that would more accurately reflect the relative capability and performance of each organ procurement organization.

(B) A lack of due process to appeal to the Secretary of Health and Human Services for recertification on either substantive or procedural grounds.

(5) The Secretary of Health and Human Services has the authority under section 1138(b)(1)(A)(i) of the Social Security Act (42 U.S.C. 1320b–8(b)(1)(A)(i)) to extend the period for recertification of an organ procurement organization from 2 to 4 years on the basis of its past practices in order to avoid the inappropriate disruption of the nation's organ system.

(6) The Secretary of Health and Human Services can use the extended period described in paragraph (5) for recertification of all organ procurement organizations to—

(A) develop improved performance measures that would reflect organ donor potential and interim outcomes, and to test these measures to ensure that they accurately measure performance differences among the organ procurement organizations; and

(B) improve the overall certification process by incorporating process as well as outcome performance measures, and developing equitable processes for appeals.

(c) CERTIFICATION AND RECERTIFICATION OF ORGAN PROCUREMENT ORGANIZATIONS.—Section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)) is amended—

(1) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively;

(2) by realigning the margin of subparagraph (F) (as so redesignated) so as to align with subparagraph (E) (as so redesignated); and

(3) by inserting after subparagraph (C) the following:

''(D) notwithstanding any other provision of law, has met the other requirements of this section and has been certified or recertified by the Secretary within the previous 4-year period as meeting the performance standards to be a qualified organ procurement organization through a process that either—

''(i) granted certification or recertification within such 4-year period with such certification or recertification in effect as of January 1, 2000, and remaining in effect through the earlier of—

''(I) January 1, 2002; or

''(II) the completion of recertification under the requirements of clause (ii); or

''(ii) is defined through regulations that are promulgated by the Secretary by not later than January 1, 2002, that—

''(I) require recertifications of qualified organ procurement organizations not more frequently than once every 4 years;

''(II) rely on outcome and process performance measures that are based on empirical evidence, obtained through reasonable efforts, of organ donor potential and other related factors in each service area of qualified organ procurement organizations;

''(III) use multiple outcome measures as part of the certification process; and

''(IV) provide for a qualified organ procurement organization to appeal a decertification to the Secretary on substantive and procedural grounds;''.

SEC. 702. DESIGNATION OF GIVE THANKS, GIVE LIFE DAY.

(a) FINDINGS.—Congress finds that—

(1) traditionally, Thanksgiving is a time for families to take time out of their busy lives to come together and to give thanks for the many blessings in their lives;

(2) approximately 21,000 men, women, and children in the United States are given the gift of life each year through transplantation surgery, made possible by the generosity of organ and tissue donations;

(3) more than 66,000 Americans are awaiting their chance to prolong their lives by finding a matching donor;

(4) nearly 5,000 of these patients each year (or 13 patients each day) die while waiting for a donated heart, liver, kidney, or other organ;

(5) nationwide there are up to 15,000 potential donors annually, but families' consent to donation is received for less than 6,000;

(6) the need for organ donations greatly exceeds the supply available;

(7) designation as an organ donor on a driver's license or voter's registration is a valuable step, but does not ensure donation when an occasion arises;

(8) the demand for transplantation will likely increase in the coming years due to the growing safety of transplantation surgery due to improvements in technology and drug developments, prolonged life expectancy, and increased prevalence of diseases that may lead to organ damage and failure, including hypertension, alcoholism, and hepatitis C infection;

(9) the need for a more diverse donor pool, including a variety of racial and ethnic minorities, will continue to grow in the coming years;

(10) the final decision on whether a potential donor can share the gift of life usually is made by surviving family members regardless of the patient's initial intent;

(11) many Americans have indicated a willingness to donate their organs and tissues but have not discussed this critical matter with the family members who are most likely to make the decision, if the occasion arises, as to whether that person will be an organ and tissue donor;

(12) some family members may be reluctant to give consent to donate their deceased loved one's organs and tissues at a very difficult and emotional time if that person has not clearly expressed a desire or willingness to do so;

(13) the vast majority of Americans are likely to spend part of Thanksgiving Day with some of those family members who would be approached to make such a decision; and

(14) it is fitting for families to spend a portion of that day discussing how they might give life to others on a day devoted to giving thanks for their own blessings.

(b) DESIGNATION.—November 23, 2000, Thanksgiving Day, is hereby designated as a day to ''Give Thanks, Give Life'' and to discuss organ and tissue donation with other family members so that informed decisions can be made if the occasion to donate arises.

TITLE VIII—ALZHEIMER'S CLINICAL RESEARCH AND TRAINING

SEC. 801. ALZHEIMER'S CLINICAL RESEARCH AND TRAINING AWARDS.

Subpart 5 of part C of title IV of the Public Health Service Act (42 U.S.C. 285e et seq.) is amended—

(1) by redesignating section 445I as section 445J; and

(2) by inserting after section 445H the following:

"SEC. 445I. ALZHEIMER'S CLINICAL RESEARCH AND TRAINING AWARDS.

''(a) IN GENERAL.—The Director of the Institute is authorized to establish and maintain a program to enhance and promote the translation of new scientific knowledge into clinical practice related to the diagnosis, care and treatment of individuals with Alzheimer's disease.

''(b) SUPPORT OF PROMISING CLINICIANS.—In order to foster the application of the most current developments in the etiology, pathogenesis, diagnosis, prevention and treatment of Alzheimer's disease, amounts made available under this section shall be directed to the support of promising clinicians through awards for research, study, and practice at centers of excellence in Alzheimer's disease research and treatment.

''(c) EXCELLENCE IN CERTAIN FIELDS.—Research shall be carried out under awards made under subsection (b) in environments of demonstrated excellence in neuroscience, neurobiology, geriatric medicine, and psychiatry and shall foster innovation and integration of such disciplines or other environments determined suitable by the Director of the Institute.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $2,250,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 through 2005.''.

TITLE IX—SEXUALLY TRANSMITTED DISEASE CLINICAL RESEARCH AND TRAINING

SEC. 901. SEXUALLY TRANSMITTED DISEASE CLINICAL RESEARCH AND TRAINING AWARDS.

Subpart 6 of part C of title IV of the Public Health Service Act (42 U.S.C. 285f et seq.) is amended by adding at the end the following:

"SEC. 447B. SEXUALLY TRANSMITTED DISEASE CLINICAL RESEARCH AND TRAINING AWARDS.

''(a) IN GENERAL.—The Director of the Institute is authorized to establish and maintain a program to enhance and promote the translation of new scientific knowledge into clinical practice related to the diagnosis, care and treatment of individuals with sexually transmitted diseases.

''(b) SUPPORT OF PROMISING CLINICIANS.—In order to foster the application of the most current developments in the etiology, pathogenesis, diagnosis, prevention and treatment of sexually transmitted diseases, amounts made available under this section shall be directed to the support of promising clinicians through awards for research, study, and practice at centers of excellence in sexually transmitted disease research and treatment.

''(c) EXCELLENCE IN CERTAIN FIELDS.—Research shall be carried out under awards made under subsection (b) in environments of demonstrated excellence in the etiology and pathogenesis of sexually transmitted diseases and shall foster innovation and integration of such disciplines or other environments determined suitable by the Director of the Institute.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $2,250,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 through 2005.''.

TITLE X—MISCELLANEOUS PROVISION

SEC. 1001. TECHNICAL CORRECTION TO THE CHILDREN'S HEALTH ACT OF 2000.

(a) IN GENERAL.—Section 2701 of the Children's Health Act of 2000 is amended by striking ''part 45 of title 46'' and inserting ''part 46 of title 45''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the date of enactment of the Children's Health Act of 2000.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. BILIRAKIS and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to the amendment?

The SPEAKER pro tempore, Mr. THUNE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BROWN of Ohio objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. THUNE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Friday, October 27, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶116.31 ELECTRICITY CRISIS IN CALIFORNIA

Mr. COX, pursuant to House Resolution 651, moved to suspend the rules and agree to the following resolution (H. Res. 650):

Whereas the Federal Energy Regulatory Commission has completed its investigation of the California energy crisis: Now, therefore, be it

Resolved, That it is the sense of the United States House of Representatives that, before November 1, 2000, the Federal Energy Regulatory Commission should make public its findings and recommendations regarding the electricity crisis in California.

The SPEAKER pro tempore, Mr. THUNE, recognized Mr. COX and Mr. BOUCHER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. THUNE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BOUCHER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. THUNE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Friday, October 27, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶116.32 ORDER OF BUSINESS—PRIVATE CALENDAR

On motion of Mr. SENSENBRENNER, by unanimous consent,

Ordered, That it be in order on Friday, October 27, 2000, to call the Private Calendar.

¶116.33 AGREEING TO THE AMENDMENT OF THE SENATE WITH AN AMENDMENT TO H.R. 1550

Mr. SENSENBRENNER, pursuant to House Resolution 651, moved to suspend the rules and agree to the following resolution (H. Res. 655):

Resolved, That, upon the adoption of this resolution, the House shall be considered to have taken from the Speaker's table the bill H.R. 1550 together with the Senate amendment thereto, and to have concurred in the Senate amendment with amendments as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

TITLE I—UNITED STATES FIRE ADMINISTRATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Fire Administration Authorization Act of 2000''.

SEC. 102. AUTHORIZATION OF APPROPRIATIONS.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

(1) by striking ''and'' at the end of subparagraph (G);

(2) by striking the period at the end of subparagraph (H) and inserting a semicolon; and

(3) by adding at the end the following:

''(I) $44,753,000 for fiscal year 2001, of which $3,000,000 is for research activities, and $250,000 may be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which $6,000,000 is for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel;

''(J) $47,800,000 for fiscal year 2002, of which $3,250,000 is for research activities, and $250,000 may be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which $7,000,000 is for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel; and

''(K) $50,000,000 for fiscal year 2003, of which $3,500,000 is for research activities, and $250,000 may be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which $8,000,000 is for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel.''.

None of the funds authorized for the United States Fire Administration for fiscal year 2002 may be obligated unless the Administrator has verified to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that the obligation of funds is consistent with the strategic plan transmitted under section 103 of this Act.

SEC. 103. STRATEGIC PLAN.

(a) REQUIREMENT.—Not later than April 30, 2001, the Administrator of the United States Fire Administration shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a 5-year strategic plan of program activities for the United States Fire Administration.

(b) CONTENTS OF PLAN.—The plan required by subsection (a) shall include—

(1) a comprehensive mission statement covering the major functions and operations of the United States Fire Administration in the areas of training; research, development, test and evaluation; new technology and non-developmental item implementation; safety; counterterrorism; data collection and analysis; and public education;

(2) general goals and objectives, including those related to outcomes, for the major functions and operations of the United States Fire Administration;

(3) a description of how the goals and objectives identified under paragraph (2) are to be achieved, including operational processes, skills and technology, and the human, capital, information, and other resources required to meet those goals and objectives;

(4) an analysis of the strengths and weaknesses of, opportunities for, and threats to the United States Fire Administration;

(5) an identification of the fire-related activities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies, and a discussion of how those activities can be coordinated with and contribute to the achievement of the goals and objectives identified under paragraph (2);

(6) a description of objective, quantifiable performance goals needed to define the level of performance achieved by program activities in training, research, data collection and analysis, and public education, and how these performance goals relate to the general goals and objectives in the strategic plan;

(7) an identification of key factors external to the United States Fire Administration and beyond its control that could affect significantly the achievement of the general goals and objectives;

(8) a description of program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations;

(9) a plan for the timely distribution of information and educational materials to State and local firefighting services, including volunteer, career, and combination services throughout the United States;

(10) a description of how the strategic plan prepared under this section will be incorporated into the strategic plan and the performance plans and reports of the Federal Emergency Management Agency;

(11)(A) a description of the current and planned use of the Internet for the delivery of training courses by the National Fire Academy, including a listing of the types of courses and a description of each course's provisions for real time interaction between instructor and students, the number of students enrolled, and the geographic distribution of students, for the most recent fiscal year;

(B) an assessment of the availability and actual use by the National Fire Academy of Federal facilities suitable for distance education applications, including facilities with teleconferencing capabilities; and

(C) an assessment of the benefits and problems associated with delivery of instructional courses using the Internet, including limitations due to network bandwidth at training sites, the availability of suitable course materials, and the effectiveness of such courses in terms of student performance;

(12) timeline for implementing the plan; and

(13) the expected costs for implementing the plan.

SEC. 104. RESEARCH AGENDA.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the United States Fire Administration, in consultation with the Director of the Federal Emergency Management Agency, the Director of the National Institute of Standards and Technology, representatives of trade, professional, and non-profit associations, State and local firefighting services, and other appropriate entities, shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the United States Fire Administration's research agenda and including a plan for implementing that agenda.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall—

(1) identify research priorities;

(2) describe how the proposed research agenda will be coordinated and integrated with the programs and capabilities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies;

(3) identify potential roles of academic, trade, professional, and non-profit associa-

tions, and other research institutions in achieving the research agenda;

(4) provide cost estimates, anticipated personnel needs, and a schedule for completing the various elements of the research agenda;

(5) describe ways to leverage resources through partnerships, cooperative agreements, and other means; and

(6) discuss how the proposed research agenda will enhance training, improve State and local firefighting services, impact standards and codes, increase firefighter and public safety, and advance firefighting techniques.

(c) USE IN PREPARING STRATEGIC PLAN.—The research agenda prepared under this section shall be used in the preparation of the strategic plan required by section 103.

SEC. 105. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

"SEC. 33. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

''The Administrator shall make publicly available, including through the Internet, information on procedures for acquiring surplus and excess equipment or property that may be useful to State and local fire, emergency, and hazardous material handling service providers.''.

SEC. 106. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

The Federal Fire Prevention and Control Act of 1974, as amended by section 105, is amended by adding at the end the following new section:

"SEC. 34. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

''The Administrator shall make publicly available, including through the Internet, information on procedures for establishing cooperative agreements between State and local fire and emergency services and Federal facilities in their region relating to the provision of fire and emergency services.''.

SEC. 107. NEED FOR ADDITIONAL TRAINING IN COUNTERTERRORISM.

(a) IN GENERAL.—The Administrator of the United States Fire Administration shall conduct an assessment of the need for additional capabilities for Federal counterterrorism training of emergency response personnel.

(b) CONTENTS OF ASSESSMENT.—The assessment conducted under this section shall include—

(1) a review of the counterterrorism training programs offered by the United States Fire Administration and other Federal agencies;

(2) an estimate of the number and types of emergency response personnel that have, during the period between January 1, 1994, and October 1, 1999, sought training described in paragraph (1), but have been unable to receive that training as a result of the oversubscription of the training capabilities; and

(3) a recommendation on the need to provide additional Federal counterterrorism training centers, including—

(A) an analysis of existing Federal facilities that could be used as counterterrorism training facilities; and

(B) a cost-benefit analysis of the establishment of such counterterrorism training facilities.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall prepare and submit to the Congress a report on the results of the assessment conducted under this section.

SEC. 108. WORCESTER POLYTECHNIC INSTITUTE FIRE SAFETY RESEARCH PROGRAM.

From the funds authorized to be appropriated by the amendments made by section 102, $1,000,000 may be expended for the Worcester Polytechnic Institute fire safety research program.

SEC. 109. INTERNET AVAILABILITY OF INFORMATION.

Upon the conclusion of the research under a research grant or award of $50,000 made with funds authorized by this title (or any amendments made by this title), the Administrator of the United States Fire Administration shall make available through the Internet home page of the Administration a brief summary of the results and importance of such research grant or award. Nothing in this section shall be construed to require or permit the release of any information prohibited by law or regulation from being released to the public.

SEC. 110. CONFORMING AMENDMENTS AND REPEALS.

(a) 1974 ACT.—

(1) IN GENERAL.—The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended—

(A) by striking subsection (b) of section 10 (15 U.S.C. 2209) and redesignating subsection (c) of that section as subsection (b);

(B) by striking sections 26 and 27 (15 U.S.C. 2222; 2223);

(C) by striking ''(a) The'' in section 24 (15 U.S.C. 2220) and inserting ''The''; and

(D) by striking subsection (b) of section 24.

(2) REFERENCES TO SECRETARY.—The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended—

(A) in section 4 (15 U.S.C. 2203)—

(i) by inserting ''and'' after the semicolon in paragraph (7);

(ii) by striking paragraph (8); and

(iii) by redesignating paragraph (9) as paragraph (8);

(B) by striking ''Secretary'' and inserting ''Director''—

(i) in section 5(b) (15 U.S.C. 2204(b));

(ii) each place it appears in section 7 (15 U.S.C. 2206);

(iii) the first place it appears in section 11(c) (15 U.S.C. 2210(c));

(iv) in section 15(b)(2), (c), and (f) (15 U.S.C. 2214(b)(2), (c), and (f));

(v) the second place it appears in section 15(e)(1)(A) (15 U.S.C. 2214(e)(1)(A));

(vi) in section 16 (15 U.S.C. 2215);

(vii) the second place it appears in section 19(a) (42 U.S.C. 290a(a));

(viii) both places it appears in section 20 (15 U.S.C. 2217); and

(ix) in section 21(c) (15 U.S.C. 2218(c)); and

(C) in section 15, by striking ''Secretary's'' each place it appears and inserting ''Director's''.

(b) DEPARTMENT OF COMMERCE.—Section 12 of the Act of February 14, 1903 (15 U.S.C. 1511) is amended—

(1) by inserting ''and'' after ''Census;'' in paragraph (5);

(2) by striking paragraph (6); and

(3) by redesignating paragraph (7) as paragraph (6).

SEC. 111. NATIONAL FIRE ACADEMY CURRICULUM REVIEW.

(a) IN GENERAL.—The Administrator of the United States Fire Administration, in consultation with the Board of Visitors and representatives of trade and professional associations, State and local firefighting services, and other appropriate entities, shall conduct a review of the courses of instruction available at the National Fire Academy to ensure that they are up-to-date and complement, not duplicate, courses of instruction offered elsewhere. Not later than 180 days after the date of enactment of this Act, the Administrator shall prepare and submit a report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall—

(1) examine and assess the courses of instruction offered by the National Fire Academy;

(2) identify redundant and out-of-date courses of instruction;

(3) examine the current and future impact of information technology on National Fire Academy curricula, methods of instruction, and delivery of services; and

(4) make recommendations for updating the curriculum, methods of instruction, and delivery of services by the National Fire Academy considering current and future needs, State-based curricula, advances in information technologies, and other relevant factors.

SEC. 112. REPEAL OF EXCEPTION TO FIRE SAFETY REQUIREMENT.

(a) REPEAL.—Section 4 of Public Law 103–195 (107 Stat. 2298) is hereby repealed.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect 1 year after the date of the enactment of this Act.

SEC. 113. NATIONAL FALLEN FIREFIGHTERS FOUNDATION TECHNICAL CORRECTIONS.

(a) PURPOSES.—Section 151302 of title 36, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) primarily—

''(A) to encourage, accept, and administer private gifts of property for the benefit of the National Fallen Firefighters' Memorial and the annual memorial service associated with the memorial; and

''(B) to, in coordination with the Federal Government and fire services (as that term is defined in section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203)), plan, direct, and manage the memorial service referred to in subparagraph (A);'';

(2) by inserting ''and Federal'' in paragraph (2) after ''non-Federal'';

(3) in paragraph (3)—

(A) by striking ''State and local'' and inserting ''Federal, State, and local''; and

(B) by striking ''and'' after the semicolon;

(4) by striking ''firefighters.'' in paragraph (4) and inserting ''firefighters;''; and

(5) by adding at the end the following:

''(5) to provide for a national program to assist families of fallen firefighters and fire departments in dealing with line-of-duty deaths of those firefighters; and

''(6) to promote national, State, and local initiatives to increase public awareness of fire and life safety.''.

(b) BOARD OF DIRECTORS.—Section 151303 of title 36, United States Code, is amended—

(1) by striking subsections (f) and (g) and inserting the following:

''(f) STATUS AND COMPENSATION.—

''(1) Appointment to the board shall not constitute employment by or the holding of an office of the United States.

''(2) Members of the board shall serve without compensation.''; and

(2) by redesignating subsection (h) as subsection (g).

(c) OFFICERS AND EMPLOYEES.—Section 151304 of title 36, United States Code, is amended—

(1) by striking ''not more than 2'' in subsection (a); and

(2) by striking ''are not'' in subsection (b)(1) and inserting ''shall not be considered''.

(d) SUPPORT BY THE ADMINISTRATOR.—Section 151307(a)(1) of title 36, United States Code, is amended—

(1) by striking ''The Administrator'' and inserting ''During the 10-year period beginning on the date of enactment of the Fire Administration Authorization Act of 2000, the Administrator''; and

(2) by striking ''shall'' in subparagraph (B) and inserting ''may''.

TITLE II—EARTHQUAKE HAZARDS REDUCTION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Earthquake Hazards Reduction Authorization Act of 2000''.

SEC. 202. AUTHORIZATION OF APPROPRIATIONS.

(a) FEDERAL EMERGENCY MANAGEMENT AGENCY.—Section 12(a)(7) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(a)(7)) is amended—

(1) by striking ''and'' after ''1998,''; and

(2) by striking ''1999.'' and inserting ''1999; $19,861,000 for the fiscal year ending September 30, 2001, of which $450,000 is for National Earthquake Hazard Reduction Program-eligible efforts of an established multistate consortium to reduce the unacceptable threat of earthquake damages in the New Madrid seismic region through efforts to enhance preparedness, response, recovery, and mitigation; $20,705,000 for the fiscal year ending September 30, 2002; and $21,585,000 for the fiscal year ending September 30, 2003.''.

(b) UNITED STATES GEOLOGICAL SURVEY.—Section 12(b) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(b)) is amended—

(1) by inserting after ''operated by the Agency.'' the following: ''There are authorized to be appropriated to the Secretary of the Interior for purposes of carrying out, through the Director of the United States Geological Survey, the responsibilities that may be assigned to the Director under this Act $48,360,000 for fiscal year 2001, of which $3,500,000 is for the Global Seismic Network and $100,000 is for the Scientific Earthquake Studies Advisory Committee established under section 210 of the Earthquake Hazards Reduction Authorization Act of 2000; $50,415,000 for fiscal year 2002, of which $3,600,000 is for the Global Seismic Network and $100,000 is for the Scientific Earthquake Studies Advisory Committee; and $52,558,000 for fiscal year 2003, of which $3,700,000 is for the Global Seismic Network and $100,000 is for the Scientific Earthquake Studies Advisory Committee.'';

(2) by striking ''and'' at the end of paragraph (1);

(3) by striking ''1999,'' at the end of paragraph (2) and inserting ''1999;''; and

(4) by inserting after paragraph (2) the following:

''(3) $9,000,000 of the amount authorized to be appropriated for fiscal year 2001;

''(4) $9,250,000 of the amount authorized to be appropriated for fiscal year 2002; and

''(5) $9,500,000 of the amount authorized to be appropriated for fiscal year 2003,''.

(c) REAL-TIME SEISMIC HAZARD WARNING SYSTEM.—Section 2(a)(7) of the Act entitled ''An Act To authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes'' (111 Stat. 1159; 42 U.S.C. 7704 nt) is amended by striking ''1999.'' and inserting ''1999; $2,600,000 for fiscal year 2001; $2,710,000 for fiscal year 2002; and $2,825,000 for fiscal year 2003.''.

(d) NATIONAL SCIENCE FOUNDATION.—Section 12(c) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(c)) is amended—

(1) by striking ''1998, and'' and inserting ''1998,''; and

(2) by inserting after ''1999.'' the following: ''There are authorized to be appropriated to the National Science Foundation $19,000,000 for engineering research and $11,900,000 for geosciences research for fiscal year 2001; $19,808,000 for engineering research and $12,406,000 for geosciences research for fiscal year 2002; and $20,650,000 for engineering research and $12,933,000 for geosciences research for fiscal year 2003.''.

(e) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—Section 12(d) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(d)) is amended—

(1) by striking ''1998, and''; and inserting ''1998,''; and

(2) by striking ''1999.'' and inserting ''1999, $2,332,000 for fiscal year 2001, $2,431,000 for fiscal year 2002, and $2,534,300 for fiscal year 2003.''.

SEC. 203. REPEALS.

Section 10 and subsections (e) and (f) of section 12 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7705d and 7706 (e) and (f)) are repealed.

SEC. 204. ADVANCED NATIONAL SEISMIC RESEARCH AND MONITORING SYSTEM.

The Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.) is amended by adding at the end the following new section:

''SEC. 13. ADVANCED NATIONAL SEISMIC RESEARCH AND MONITORING SYSTEM.

''(a) ESTABLISHMENT.—The Director of the United States Geological Survey shall establish and operate an Advanced National Seismic Research and Monitoring System. The purpose of such system shall be to organize, modernize, standardize, and stabilize the national, regional, and urban seismic monitoring systems in the United States, including sensors, recorders, and data analysis centers, into a coordinated system that will measure and record the full range of frequencies and amplitudes exhibited by seismic waves, in order to enhance earthquake research and warning capabilities.

''(b) MANAGEMENT PLAN.—Not later than 90 days after the date of the enactment of the Earthquake Hazards Reduction Authorization Act of 2000, the Director of the United States Geological Survey shall transmit to the Congress a 5-year management plan for establishing and operating the Advanced National Seismic Research and Monitoring System. The plan shall include annual cost estimates for both modernization and operation, milestones, standards, and performance goals, as well as plans for securing the participation of all existing networks in the Advanced National Seismic Research and Monitoring System and for establishing new, or enhancing existing, partnerships to leverage resources.

''(c) AUTHORIZATION OF APPROPRIATIONS.—

''(1) EXPANSION AND MODERNIZATION.—In addition to amounts appropriated under section 12(b), there are authorized to be appropriated to the Secretary of the Interior, to be used by the Director of the United States Geological Survey to establish the Advanced National Seismic Research and Monitoring System—

''(A) $33,500,000 for fiscal year 2002;

''(B) $33,700,000 for fiscal year 2003;

''(C) $35,100,000 for fiscal year 2004;

''(D) $35,000,000 for fiscal year 2005; and

''(E) $33,500,000 for fiscal year 2006.

''(2) OPERATION.—In addition to amounts appropriated under section 12(b), there are authorized to be appropriated to the Secretary of the Interior, to be used by the Director of the United States Geological Survey to operate the Advanced National Seismic Research and Monitoring System—

''(A) $4,500,000 for fiscal year 2002; and

''(B) $10,300,000 for fiscal year 2003.''.

SEC. 205. NETWORK FOR EARTHQUAKE ENGINEERING SIMULATION.

The Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.) is further amended by adding at the end the following new section:

''SEC. 14. NETWORK FOR EARTHQUAKE ENGINEERING SIMULATION.

''(a) ESTABLISHMENT.—The Director of the National Science Foundation shall establish the George E. Brown, Jr. Network for Earthquake Engineering Simulation that will upgrade, link, and integrate a system of geographically distributed experimental facilities for earthquake engineering testing of full-sized structures and their components and partial-scale physical models. The system shall be integrated through networking software so that integrated models and databases can be used to create model-based simulation, and the components of the system shall be interconnected with a computer network and allow for remote access, information sharing, and collaborative research.

''(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts appropriated under section 12(c), there are authorized to be appropriated to the National Science Foundation for the George E. Brown, Jr. Network for Earthquake Engineering Simulation—

''(1) $28,200,000 for fiscal year 2001;

''(2) $24,400,000 for fiscal year 2002;

''(3) $4,500,000 for fiscal year 2003; and

''(4) $17,000,000 for fiscal year 2004.''.

SEC. 206. BUDGET COORDINATION.

Section 5 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704) is amended—

(1) by striking subparagraph (A) of subsection (b)(1) and redesignating subparagraphs (B) through (F) of subsection (b)(1) as subparagraphs (A) through (E), respectively; and

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

''(c) BUDGET COORDINATION.—

''(1) GUIDANCE.—The Agency shall each year provide guidance to the other Program agencies concerning the preparation of requests for appropriations for activities related to the Program, and shall prepare, in conjunction with the other Program agencies, an annual Program budget to be submitted to the Office of Management and Budget.

''(2) REPORTS.—Each Program agency shall include with its annual request for appropriations submitted to the Office of Management and Budget a report that—

''(A) identifies each element of the proposed Program activities of the agency;

''(B) specifies how each of these activities contributes to the Program; and

''(C) states the portion of its request for appropriations allocated to each element of the Program.''.

SEC. 207. REPORT ON AT-RISK POPULATIONS.

Not later than one year after the date of the enactment of this Act, and after a period for public comment, the Director of the Federal Emergency Management Agency shall transmit to the Congress a report describing the elements of the Program that specifically address the needs of at-risk populations, including the elderly, persons with disabilities, non-English-speaking families, single-parent households, and the poor. Such report shall also identify additional actions that could be taken to address those needs and make recommendations for any additional legislative authority required to take such actions.

SEC. 208. PUBLIC ACCESS TO EARTHQUAKE INFORMATION.

Section 5(b)(2)(A)(ii) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(2)(A)(ii)) is amended by inserting '', and development of means of increasing public access to available locality-specific information that may assist the public in preparing for or responding to earthquakes'' after ''and the general public''.

SEC. 209. LIFELINES.

Section 4(6) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7703(6)) is amended by inserting ''and infrastructure'' after ''communication facilities''.

SEC. 210. SCIENTIFIC EARTHQUAKE STUDIES ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Director of the United States Geological Survey shall establish a Scientific Earthquake Studies Advisory Committee.

(b) ORGANIZATION.—The Director shall establish procedures for selection of individuals not employed by the Federal Government who are qualified in the seismic sciences and other appropriate fields and may, pursuant to such procedures, select up to ten individuals, one of whom shall be designated Chairman, to serve on the Advisory Committee. Selection of individuals for the Advisory Committee shall be based solely on established records of distinguished service, and the Director shall ensure that a reasonable cross-section of views and expertise is represented. In selecting individuals to serve on the Advisory Committee, the Director shall seek and give due consideration to recommendations from the National Academy of Sciences, professional societies, and other appropriate organizations.

(c) MEETINGS.—The Advisory Committee shall meet at such times and places as may be designated by the Chairman in consultation with the Director.

(d) DUTIES.—The Advisory Committee shall advise the Director on matters relating to the United States Geological Survey's participation in the National Earthquake Hazards Reduction Program, including the United States Geological Survey's roles, goals, and objectives within that Program, its capabilities and research needs, guidance on achieving major objectives, and establishing and measuring performance goals. The Advisory Committee shall issue an annual report to the Director for submission to Congress on or before September 30 of each year. The report shall describe the Advisory Committee's activities and address policy issues or matters that affect the United States Geological Survey's participation in the National Earthquake Hazards Reduction Program.

The SPEAKER pro tempore, Mr. THUNE, recognized Mr. SENSENBRENNER and Mr. HALL of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. THUNE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HALL of Ohio objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. THUNE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Friday, October 27, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶116.34 WAKPA SICA RECONCILIATION PLACE

Mr. SHERWOOD, pursuant to House Resolution 651, moved to suspend the rules and pass the bill (H.R. 5528) to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. THUNE, recognized Mr. SHERWOOD and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. THUNE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶116.35 REPORTS CONSOLIDATION

Mr. HORN, pursuant to House Resolution 651, moved to suspend the rules and pass the bill of the Senate (S. 2712) to amend chapter 35 of the title 31, United States Code, to authorize the consolidation of certain financial and performance management reports required of Federal agencies, and for other purposes.

The SPEAKER pro tempore, Mr. THUNE, recognized Mr. HORN and Mr. TURNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. THUNE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. TURNER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. THUNE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Friday, October 27, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶116.36 RONALD W. REAGAN POST OFFICE

Mr. MCHUGH, pursuant to House Resolution 651, moved to suspend the rules and pass the bill (H.R. 5309) to designate the facility of the United States Postal Service located at 2305 Minton Road in West Melbourne, Florida, as the ''Ronald W. Reagan Post Office Building''.

The SPEAKER pro tempore, Mr. THUNE, recognized Mr. MCHUGH and Ms. BROWN of Florida, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. THUNE, announced that two-thirds of the Members present had voted in the affirmative.

Ms. BROWN of Florida objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. THUNE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Friday, October 27, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶116.37 ROBERT S. WALKER POST OFFICE

Mr. MCHUGH, pursuant to House Resolution 651, moved to suspend the rules and pass the bill of the Senate (S. 3194) to designate the facility of the United States Postal Service located at 431 George Street in Millersville, Pennsylvania, as the ''Robert S. Walker Post Office''.

The SPEAKER pro tempore, Mr. THUNE, recognized Mr. MCHUGH and Ms. BROWN of Florida, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. COBURN, announced that two-thirds of the Members present had voted in the affirmative.

Ms. BROWN of Florida objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. COBURN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Friday, October 27, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶116.38 PAPPY KENNEDY POST OFFICE

Mr. MCHUGH, pursuant to House Resolution 651, moved to suspend the rules and pass the bill (H.R. 4399) to designate the facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, as the ''Arthur 'Pappy' Kennedy Post Office Building''; as amended.

The SPEAKER pro tempore, Mr. COBURN, recognized Mr. MCHUGH and Ms. BROWN of Florida, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. COBURN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MCHUGH objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. COBURN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Friday, October 27, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶116.39 EDDIE MAE STEWARD POST OFFICE

Mr. MCHUGH, pursuant to House Resolution 651, moved to suspend the rules and pass the bill (H.R. 4400) to designate the facility of the United States Postal Service located at 1601-1

Main Street in Jacksonville, Florida, as the ''Eddie Mae Steward Post Office Building''; as amended.

The SPEAKER pro tempore, Mr. COBURN, recognized Mr. McHUGH and Ms. BROWN of Florida, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. COBURN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. McHUGH objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. COBURN, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Friday, October 27, 2000, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶116.40 SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 783. An Act to limit access to body armor by violent felons and to facilitate the donation of Federal surplus body armor to State and local law enforcement agencies, to the Committee on the Judiciary; in addition to the Committee on Government Reform for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 1898. An Act to provide protection against the risks to the public that are inherent in the interstate transportation of violent prisoners; to the Committee on the Judiciary.

S. 3137. An Act to establish a commission to commemorate the 250th anniversary of the birth of James Madison; to the Committee on Government Reform.

S. 3239. An Act to amend the Immigration and Nationality Act to provide special immigrant status for certain United States international broadcasting employees; to the Committee on the Judiciary.

S. Con. Res. 153. Concurrent resolution expressing the sense of Congress with respect to the parliamentary elections held in Belarus on October 15, 2000, and for other purposes; the Committee on International Relations.

¶116.41 ENROLLED JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 116. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶116.42 BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following title:

On October 25, 2000:

H.J. Res. 115. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

On October 26, 2000:

H.R. 468. To establish the Saint Helena Island National Scenic Area.

H.R. 1725. To provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

H.R. 2442. To provide for the preparation of a Government report detailing injustices suffered by Italian Americans during World War II, and a formal acknowledgement of such injustices by the President.

H.R. 3646. For the relief of certain Persian Gulf evacuees.

H.R. 3657. To provide for the conveyance of a small parcel of public domain land in the San Bernardino National Forest in the State of California, and for other purposes.

H.R. 3679. To provide for the minting of commemorative coins to support the 2002 Salt Lake Olympic Winter Games and the Programs of the United States Olympic Committee.

H.R. 4315. To designate the facility of the United States Postal Service located at 3695 Green Road in Beachwood, Ohio, as the ''Larry Small Post Office Building''.

H.R. 4450. To designate the facility of the United States Postal Service located at 900 East Fayette Street in Baltimore, Maryland, as the ''Judge Harry Augustus Cole Post Office Building''.

H.R. 4451. To designate the facility of the United States Postal Service located at 1001 Frederick Road in Baltimore, Maryland, as the Frederick L. Dewberry, Jr. Post Office Building''.

H.R. 4625. To designate the facility of the United States Postal Service located at 2108 East 38th Street in Erie, Pennsylvania, as the ''Gertrude A. Barber Post Office Building''.

H.R. 4786. To designate the facility of the United States Postal Service located at 110 Postal Way in Carrollton, Georgia, as the ''Samuel P. Roberts Post Office Building''.

H.R. 4831. To redesignate the facility of the United States Postal Service located at 2339 North Carolina Avenue in Chicago, Illinois, as the ''Roberto Clemente Post Office''.

H.R. 4811. Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4853. To redesignate the facility of the United States Postal Service located at 1568 South Green Road in South Euclid, Ohio, as the ''Arnold C. D'Amico Station''.

H.R. 5229. To designate the facility of the United States Postal Service located at 219 South Church Street in Odium, Georgia, as the ''Ruth Harris Coleman Post Office Building''.

H.R. 5273. To clarify the intention of the Congress with regard to the authority of the United States Mint to produce numismatic coins, and for other purposes.

¶116.43 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BILBRAY, for today after 6:30 p.m. and balance of the week;

To Mrs. CHENOWETH-HAGE, for October 18 through October 26;

To Mr. CROWLEY, for today; and

To Mrs. FOWLER, for today after 6 p.m. and balance of the week.

And then,

¶116.44 ADJOURNMENT

On motion of Ms. SANCHEZ, at 10 o'clock and 33 minutes p.m., the House adjourned.

¶116.45 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. YOUNG of Alaska: Committee on resources. Supplemental report to House Report 106–801: Contempt of Congress Report on the Refusals to Comply with Subpoenas Issued by the Committee on Resources (Rept. No. 106–801, Pt. 2). Referred to the House Calendar.

Mr. BURTON: Committee on Government Reform. Non-binding Legal Effect of Agency Guidance Documents (Rept. No. 106–1009). Referred to the Committee of the Whole House on the state of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3033. A bill to direct the Secretary of the Interior to make certain adjustments to the boundaries of Biscayne National Park in the State of Florida, and for other purposes; with an amendment (Rept. No. 106–1010). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1142. A bill to ensure that landowners receive treatment equal to that provided to the Federal Government when property must be used (Rept. No. 106–1011). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4340. A bill to simplify Federal oil and gas revenue distributions, and for other purposes (Rept. No. 106–1012). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3160. A bill to reauthorize and amend the Endangered Species Act of 1973 (Rept. No. 106–1013). Referred to the Committee of the Whole House on the State of the Union.

¶116.46 TIME LIMITATION OF REFERRED BILL

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

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 27, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 27, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 27, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 27, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 27, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 27, 2000.

H.R. 4857. Referral to the Committees on the Judiciary, Banking and Financial Services, and Commerce extended for a period ending not later than October 27, 2000.

¶116.47 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. COBLE:

H.R. 5562. A bill to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial; to the Committee on the Judiciary.

By Mr. HYDE:

H.R. 5563. A bill to authorize funding for programs that reduce recidivism and promote successful offender reintegration into the community; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL of Ohio (for himself, Mr. WOLF, and Ms. MCKINNEY):

H.R. 5564. A bill to prohibit the importation of diamonds unless the countries exporting the diamonds to the United States have in place certain controls to verify the source of the diamonds, and for other purposes; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 5565. A bill to amend the Magnunson-Stevens Fishery Conservation and Management Act to improve implementation of the western Alaska community development quota program, and for other purposes; to the Committee on Resources.

By Mr. BARRETT of Wisconsin:

H.R. 5566. A bill to amend section 8 of the United States Housing Act of 1937 to authorize the Secretary of Housing and Urban Development to waive the requirement that a family receiving project-based rental assistance be notified one year in advance of termination of the contract for such assistance in cases in which such termination facilitates purchase of the home by the tenant; to the Committee on Banking and Financial Services.

By Mr. CONYERS:

H.R. 5567. An Act to authorize funding for successful reentry of criminal offenders into local communities; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEMINT (for himself, Mr. ARMEY, Mr. COOKSEY, and Mr. TOOMEY):

H.R. 5568. A bill to encourage employer selection of freedom-of-choice health coverage; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH:

H.R. 5569. A bill to amend the Internal Revenue Code of 1986 to tax the net capital gain of closely held corporations in the same manner as individuals; to the Committee on Ways and Means.

By Mr. GILLMOR (for himself, Mr. TAUZIN, Mr. OXLEY, Mr. BLUNT, Mr. DEAL of Georgia, Mr. EHRLICH, Mr. FOSSELLA, Mr. LARGENT, Mr. PICKERING, Mr. STEARNS, and Mrs. WILSON):

H.R. 5570. A bill to establish the Commission to Study the Structure and Reauthorization of the Federal Communications Commission; to the Committee on Commerce.

By Mr. HOLT:

H.R. 5571. A bill to prohibit the making, importation, exportation, distribution, sale, offer for sale, installation, or use of an information collection device without proper labeling or notice and consent; to the Committee on Commerce.

By Ms. KAPTUR (for herself and Mrs. CUBIN):

H.R. 5572. A bill to amend title XIX of the Social Security Act to provide States with the option of covering intensive community mental health treatment under the Medicaid Program; to the Committee on Commerce.

By Mr. KIND:

H.R. 5573. A bill to establish or expand prekindergarten early learning programs; to the Committee on Education and the Workforce.

By Mr. LAMPSON (for himself, Mr. SANDLIN, Mr. TURNER, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Mr. GREEN of Texas, Mr. GONZALEZ, Mr. RODRIGUEZ, Mr. PASCRELL, Mr. CRAMER, Mr. HILLIARD, Ms. ESHOO, Mr. BRADY of Pennsylvania, Mr. OLVER, Mr. FORBES, Mr. ROTHMAN, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. SERRANO, Mr. MCCOLLUM, Mr. INSLEE, Ms. WOOLSEY, and Mr. KING):

H.R. 5574. A bill to authorize the Secretary of Health and Human Services to establish an adoption awareness program; to establish the Adoption Awareness Commission; and to promote adoptions through increased public awareness and increased tax incentives; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY:

H.R. 5575. A bill to amend title II of the Social Security Act to eliminate the two-year waiting period for divorced spouse's benefits following the divorce; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 5576. A bill to amend title II of the Social Security Act to provide for increases in widow's and widower's insurance benefits by reason of delayed retirement; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 5577. A bill to amend title II of the Social Security Act to provide for full benefits for disabled widows and widowers without regard to age; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 5578. A bill to amend title II of the Social Security Act to repeal the 7-year restriction on eligibility for widow's and widower's insurance benefits based on disability; to the Committee on Ways and Means.

By Mr. MICA:

H.R. 5579. A bill to amend the Public Health Service Act to revise certain standards that are required for petitions under the National Vaccine Injury Compensation Program; to the Committee on Commerce.

By Mr. GARY MILLER of California (for himself, Mr. SCHAFFER, Mr. TOOMEY, Mr. COBURN, Mr. BARR of Georgia, Mr. LARGENT, and Mr. BURTON of Indiana):

H.R. 5580. A bill to amend the Congressional Budget Act of 1974 to provide that, in the House of Representatives, appropriations to reduce the public debt are covered by budget allocations and to amend the Rules of the House of Representatives to allow en bloc offsetting amendments to appropriation bills to reduce spending and to reduce the public debt; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself and Mr. EVANS):

H.R. 5581. A bill to carry out an international fellowship program between the United States and Vietnam to enable Vietnamese nationals to pursue advanced studies in science, mathematics, medicine, and technology; to enable United States citizens to teach in those fields in Vietnam; and to promote reconciliation between the two countries; to the Committee on International Relations.

By Mr. OBERSTAR (for himself, Mr. SABO, Mr. PETERSON of Minnesota, Mr. RAMSTAD, Mr. MINGE, Mr. LUTHER, and Mr. GUTKNECHT):

H.R. 5582. A bill to designate a portion of the Boundary Waters Canoe Area in Minnesota as the "Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness"; to the Committee on Resources.

By Mr. TIERNEY (for himself and Mr. GEORGE MILLER of California):

H.R. 5583. A bill to amend the Higher Education Act of 1965 to establish an alternative path to teaching in needy school districts; to the Committee on Education and the Workforce.

By Mr. TOWNS:

H.R. 5584. A bill to amend the Internal Revenue Code of 1986 to designate educational empowerment zones in certain low-income areas and to give a tax incentive to attract teachers to work in such areas; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON (for himself and Mr. OBERSTAR):

H.R. 5585. A bill to ensure the energy self-sufficiency of the United States by 2010, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Science, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H. Res. 655. A resolution providing for the consideration of the bill H.R. 1550 and the Senate amendment thereto; considered and agreed to.

By Mr. TOWNS:

H. Res. 656. A resolution expressing the sense of the House of Representatives that the Government of India should take immediate steps to end the human rights abuses by government forces in India, and for other purposes; to the Committee on International Relations.

¶116.48 ADDITIONAL SPONSORS

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

H.R. 531: Mrs. JOHNSON of Connecticut.
H.R. 920: Mr. GEORGE MILLER of California.
H.R. 1196: Mr. BLUMENAUER.
H.R. 1275: Mr. BENTSEN and Ms. WATERS.
H.R. 1303: Mr. LATOURETTE and Mr. BOEHLERT.
H.R. 1317: Mr. LAMPSON.
H.R. 1388: Mr. FRELINGHUYSEN.
H.R. 1623: Mr. MCINTYRE.
H.R. 1746: Mr. LATOURETTE.
H.R. 2166: Mr. BROWN of Ohio and Mrs. TAUSCHER.
H.R. 2382: Ms. STABENOW.
H.R. 2624: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2735: Mr. LAMPSON.
H.R. 2741: Mr. FARR of California.
H.R. 3214: Mrs. MORELLA.
H.R. 3433: Mr. LAFALCE, Ms. BALDWIN, Mr. SAXTON, and Mr. FRELINGHUYSEN.
H.R. 3463: Mr. MOAKLEY.
H.R. 3580: Mr. BRADY of Texas.
H.R. 3705: Mr. CLEMENT and Mr. MATSUI.

H.R. 3872: Mr. MALONEY of Connecticut.
H.R. 4046: Mr. LANTOS and Mr. CONYERS.
H.R. 4094: Mr. ENGLISH and Mr. NETHERCUTT.
H.R. 4167: Mr. DIXON.
H.R. 4213: Mr. GOODLATTE.
H.R. 4272: Mr. HINCHEY.
H.R. 4273: Mr. HINCHEY.
H.R. 4346: Mr. WEYGAND.
H.R. 4390: Mr. RUSH, Mr. OLVER, and Ms. KILPATRICK.
H.R. 4410: Mr. FILNER.
H.R. 4527: Mr. REYES.
H.R. 4536: Mr. COYNE.
H.R. 4547: Mr. STUMP.
H.R. 4600: Mr. GOODLATTE.
H.R. 4707: Mr. DAVIS of Illinois and Mr. MEEHAN.
H.R. 4728: Mr. SIMPSON.
H.R. 4845: Mr. BARR of Georgia and Mr. GOODLATTE.
H.R. 4915: Mr. DELAHUNT.
H.R. 4964: Mr. PAYNE.
H.R. 4992: Mr. BACA.
H.R. 5027: Mr. MANZULLO and Mr. LARGENT.
H.R. 5095: Mrs. MINK of Hawaii and Mr. SERRANO.
H.R. 5096: Mr. PAYNE and Ms. CARSON.
H.R. 5151: Mr. UPTON and Mr. GILCHREST.
H.R. 5185: Mr. LANTOS, Mr. RUSH, Mr. NADLER, Mr. OBERSTAR, Mr. SABO, Mr. EDWARDS, Ms. KAPTUR, Mr. GEJDENSON, Mr. PASTOR, Ms. BALDWIN, Mr. KLECZKA, Mr. CONYERS, Mr. THOMPSON of California, Ms. SANCHEZ, and Mr. CONDIT.
H.R. 5259: Mr. DEAL of Georgia.
H.R. 5265: Mr. TRAFICANT.
H.R. 5277: Mrs. MINK of Hawaii, Mr. GORDON, and Mr. ETHERIDGE.
H.R. 5311: Mr. DOYLE and Mr. MOAKLEY.
H.R. 5339: Ms. DELAURO.
H.R. 5349: Mr. BALLENGER, Mr. BARR of Georgia, and Mr. PHELPS.
H.R. 5385: Mr. BUYER and Mr. LUCAS of Kentucky.
H.R. 5397: Mr. MCHUGH, Mr. BOUCHER, Mr. CLEMENT, Mr. DEUTSCH, Ms. ESHOO, Ms. HOOLEY of Oregon, Mr. MOLLOHAN, Mr. ROEMER, Mr. TANNER, Mr. WATT of North Carolina, Mr. WEINER, Mr. BARRETT of Wisconsin, Mr. CARDIN, Mr. CLYBURN, Mr. DOGGETT, Mr. HILLIARD, Mr. HOLT, Mr. HOYER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LUTHER, Mr. NADLER, Mr. ROTHMAN, Mr. DOOLEY of California, Mr. LUCAS of Kentucky, Mr. BARCIA, Mr. CROWLEY, Mr. HILL of Indiana, Mrs. MINK of Hawaii, Mr. EDWARDS, Mr. OLVER, Mr. UDALL of New Mexico, Mr. SABO, Mr. SKELTON, Ms. VELAZQUEZ, Mr. HORN, Mr. FATTAH, Ms. KILPATRICK, Mr. LAMPSON, Mr. MINGE, Mr. HOEFFEL, Mr. KANJORSKI, Mr. SAWYER, Mr. MALONEY of Connecticut, Mr. WAXMAN, Mr. CUMMINGS, Mr. CONYERS, and Mrs. MORELLA.
H.R. 5475: Mr. DINGELL.
H.R. 5485: Mr. OXLEY.
H.R. 5502: Mr. EVANS.
H.R. 5530: Mr. CASTLE, Mr. CANADY of Florida, Mr. BRYANT, Mr. GALLEGLY, Ms. ROS-LEHTINEN, Mr. WICKER, and Mr. EHRLICH.
H.R. 5552: Mr. GEKAS, Mr. PETERSON of Pennsylvania, Mr. HOEFFEL, Mr. UDALL of Colorado, and Ms. CARSON.
H.J. Res. 107: Mrs. LOWEY, Mr. BERMAN, and Mr. OWENS.
H. Con. Res. 431: Mr. WAXMAN, Ms. HOOLEY of Oregon, and Mr. GILCHREST.
H. Res. 602: Mr. HUNTER, Mr. STARK, and Mr. GREEN of Texas.
H. Res. 635: Mr. KASICH.
H. Res. 650: Mr. FILNER, Mr. CUNNINGHAM, Mr. LEWIS of California, Mrs. BONO, Mr. MARTINEZ, Mr. HORN, Mr. RADANOVICH, and Mr. THOMPSON of California.

¶116.49 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsor was deleted from the public bill as follows:

H.R. 2335: Mr. INSLEE.

FRIDAY, OCTOBER 27, 2000 (117)

The House was called to order by the SPEAKER.

¶117.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, October 26, 2000.

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

¶117.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10745. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Termination of Designation of the State of North Dakota with Respect to the Inspection of Meat and Meat Food Products [Docket No. 00–038F] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10746. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Amendments to the Regulations for Cotton Warehouses Regarding the Delivery of Stored Cotton (RIN: 0560–AF13) received October 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10747. A letter from the Under Secretary, Rural Development, Department of Agriculture, transmitting the Department's final rule—Business and Industry Guaranteed Loan Program—Domestic Lamb Industry Adjustment Assistance Program Set Aside (RIN: 0570–AA31) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10748. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Grants and Milan, New Mexico) [Docket No. 99–75; RM–9446] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10749. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule— Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Pearsall, Texas) [Docket No. 00–26 RM–9822] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10750. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (Urbana, Illinois) [Docket No. 00–76 RM–9809] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10751. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (THOMASville, Georgia) [Docket No. 00–98 RM–9811] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10752. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—New Dosimetry Technology (RIN: 3150–AG21) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10753. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Israel [Transmittal No. DTC 124–00], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10754. A letter from the Independent Counsel, Office of Independent Counsel, transmitting the report from Independent Counsel, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

10755. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30209; Amdt. No. 425] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10756. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30206; Amdt. No. 2014] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10757. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30207; Amdt. No. 2015] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10758. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2000–NM–312–AD; Amendment 39–11928; AD 2000–20–03 R1] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10759. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120, EMB–120ER, and EMB–120RT Series Airplanes [Docket No. 2000–NM–122–AD; Amendment 39–11908; AD 2000–19–07] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10760. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS–350B, BA, B1, B2, B3, C, D, and D1, and AS–355E, F, F1, F2 and N Helicopters [Docket No. 2000–SW–25–AD; Amendment 39–11931; AD 2000–20–19] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10761. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 1900, 1900C, and 1900D Airplanes [Docket No. 2000–CE–29–AD; Amendment 39–11918; AD 2000–20–07 (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10762. A letter from the Program Analyst, Department of Transportation, FAA, trans-

mitting the Department's final rule—Airworthiness Directives; DG Flugzeugbau GmbH Model DG–800B Sailplanes [Docket No. 99–CE–90–AD; Amendment 39–11921; AD 2000–20–10] (RIN 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10763. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; LET Aeronautical Works Model L–13 ''Blanik'' Sailplanes [Docket No. 99–CE–91–AD; Amendment 39–11922; AD 2000–20–11] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10764. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; British Aerospace HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes [Docket No. 2000–CE–12–AD; Amendment 39–11924; AD 2000–20–13] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10765. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models A36 and B36TC Airplanes [Docket No. 2000–CE–15–AD; Amendment 39–11925; AD 2000–20–14] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10766. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Aerotechnik s.r.o. Model L 13 SEH VIVAT Sailplanes [Docket No. 2000–CE 01–AD; Amendment 39–11923; AD 2000–20–12] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10767. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120 Series Airplanes [Docket No. 99–NM–356–AD; Amendment 39–11916; AD 2000–20–05] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶117.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 2780. An Act to authorize the Attorney General to provide grants for organizations to find missing adults.

H.R. 4404. An Act to permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Service, to allow for waiver and indemnification in mutual law enforcement agreements between the National Park Service and a State or political subdivision when required by State law, and for other purposes.

H.R. 4957. An Act to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work.

H.R. 5083. An Act to extend the authority of the Los Angeles Unified School District to use certain park lands in the City of South Gate, California, which were acquired with amounts provided from the land and water conservation fund, for elementary school purposes.

H.R. 5157. An Act to amend title 44, United States Code, to ensure preservation of the records of the Freedmen's Bureau.

H.R. 5331. An Act to authorize the Frederick Douglass Gardens, Inc., to establish a memorial and gardens on Department of the Interior lands in the District of Columbia or its environs in honor and commemoration of Frederick Douglass.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill and a joint resolution of the House of the following titles:

H.R. 4940. An Act to designate the museum operated by the Secretary of Energy in Oak Ridge, Tennessee, as the ''American Museum of Science and Energy'', and for other purposes.

H.J. Res. 102. Joint resolution recognizing that the Birmingham Pledge has made a significant contribution in fostering racial harmony and reconciliation in the United States and around the world, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 4868) ''An Act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.''

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 1880. An Act to amend the Public Health Service Act to improve the health of minority individuals.

S. 3045. An Act to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes, and for other purposes.

S. Con. Res. 156. Concurrent resolution to make a correction in the enrollment of the bill S. 1474.

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 768) ''An Act to establish court-martial jurisdiction over civilians serving with the Armed Forces during contingency operations, and to establish Federal jurisdiction over crimes committed outside the United States by former members of the Armed Forces and civilians accompanying the Armed Forces outside the United States.''

¶117.4 PRIVATE CALENDAR

Pursuant to clause 5, rule XV and the special order agreed to on Thursday, October 26, 2000.

The SPEAKER pro tempore, Mr. PEASE, directed the Private Calendar to be called.

When,

¶117.5 BILLS PASSED

The bills of the Senate of the following titles were severally considered, read twice, ordered to be read a third time, were severally read a third time by title, and passed:

S. 11. An Act for the relief of Wei Jingsheng.

S. 150. An Act for the relief of Marina Khalina and her son, Albert Mifakhov.

S. 276. An Act for the relief of Sergio Lozano, Faurico Lozano and Ana Lozano.

S. 785. An Act for the relief of Frances Schochenmaier.

S. 869. An Act for the relief of Mina Vehedi Notash.

S. 1078. An Act for the relief of Mrs. Elizabeth Eka Bassey and her children, Emmanuel O. Paul Bassey, Jacob Paul Bassey, and Mary Idongesit Paul Bassey.

S. 1513. An Act for the relief of Jacqueline Salinas and her children Gareiela Salinas, Alejandro Salinas, and Omar Salinas.

S. 2000. An Act for the relief of Guy Taylor.

S. 2002. An Act for the relief of Tony Lara.

S. 2019. An Act for the relief of Malia Miller.

S. 2289. An Act for the relief of Jose Guadalupe Tellez Pinales.

Ordered, That the Clerk notify the Senate thereof.

¶117.6 BILL PASSED OVER

By unanimous consent, the bill of the following title was passed over without prejudice and retains its place on the Private Calendar:

S. 199. An Act for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko.

Motions severally made to reconsider the votes whereby each bill on the Private Calendar was disposed of today were, by unanimous consent, laid on the table.

¶117.7 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 646, called up the joint resolution (H.J. Res. 117) making further continuing appropriations for fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 366 / Nays 13

¶117.8 [Roll No. 563]

YEAS—366

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Coyne
Crane
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Paul
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—13

Baird
Capuano
Costello
DeFazio
Dingell
Ford
Frank (MA)
Hilliard
Kaptur
Miller, George
Pastor
Stupak
Visclosky

NOT VOTING—53

Barr
Barton
Bilbray
Campbell
Chenoweth-Hage
Clay
Cox
Cramer
Crowley
Danner
Dickey
Dixon
Dunn
Fattah
Fowler
Franks (NJ)
Ganske
Gilchrest
Hefley
Hinchey
Hutchinson
Isakson
Jefferson
Johnson, Sam
Kasich
Kingston
Klink
Kolbe
Lazio
Martinez
McCollum
McCrery
McInnis
McIntosh
McIntyre
Metcalf
Mollohan
Olver
Peterson (PA)
Regula
Sanders
Serrano
Shays
Spratt
Stark
Talent
Tauzin
Thompson (MS)
Watkins
Watts (OK)
Waxman
Weiner
Wise

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶117.9 PRIVILEGES OF THE HOUSE

Mr. YOUNG of Alaska rose to a question of the privileges of the House and by direction of the Committee on Resources called up the following privileged report (H. Rept. No. 106–801):

CONTEMPT OF CONGRESS

REPORT ON THE REFUSALS TO COMPLY WITH SUBPOENAS ISSUED BY THE COMMITTEE ON RESOURCES

DON YOUNG, CHAIRMAN

U.S. House of Representatives
Committee on Resources
Washington, DC 20515

LETTER OF TRANSMITTAL

July 27, 2000

Honorable Dennis J. Hastert
Speaker of the House of Representatives
Washington, D.C.

Dear Mr. Speaker:

Since May 1999, the Committee on Resources has been conducting an oversight review of payments made by a private corporation to two federal employees with duties affecting public lands. That oversight project focuses on three areas: the payments and the source of the funds used to make the payments; the possibility that those payments affected policies and actions concerning public lands; and statutes, rules and practices of the Department of the Interior and Department of Energy which were circumvented or inadequate to disclose the payments.

During the course of our work, many witnesses refused voluntary interviews and requests for records. In June 1999, the Committee authorized me to issue subpoenas in this oversight project. I thereupon issued subpoenas requiring the production of records from various parties. In spite of the plain requirements of one subpoena, certain documents were heavily redacted. In February 2000, that same party and two others announced publicly that they intended to refuse production under subpoenas issued on February 17, 2000. Further subpoenas were also met with defiance.

On May 4, 2000, the Subcommittee on Energy and Mineral Resources began a series of hearings in this matter. Because many important witnesses had refused requests for interviews, I issued subpoenas requiring appearances at four hearings. During the course of those hearings, four witnesses refused to answer questions ruled by the Subcommittee to be pertinent and ordered to be answered.

This Report includes facts describing the refusals by Mr. Henry M. Banta; Mr. Keith Rutter; and Ms. Danielle Brian Stockton to both refuse compliance with subpoenas for records and refuse answers to pertinent questions while testifying under subpoena; the refusal of Mr. Robert A. Berman to answer pertinent questions while testifying under subpoena; and the refusal of the Project on Oversight to produce subpoenaed records.

The Committee on Resources reports these facts to the House with a recommended resolution authorizing you to report the facts of these refusals to the United States Attorney for the District of Columbia. If the House accepts the Committee's recommendation and adopts our report, upon certification by you, the United States Attorney would ask a grand jury to consider Contempt of Congress charges against these parties.

The standards of proof applicable to these offenses is a matter for another branch of government. This Committee and the House of Representatives fulfill the legislative branch's obligation by making a report of the facts.

During consideration of the report, the Committee considered and rejected a motion to abandon the historical view of the House and the established practice of the Committee on Resources regarding claims of common law privileges such as the attorney-client privilege.

The Committee on Resources believes that the important work of this oversight project and the broader oversight responsibilities of the Congress require action to sanction these parties for refusing compliance with duly authorized subpoenas. Oversight of possible abuses of public trust often require the use of subpoena power. If subpoenas may be openly defied, the power of Congress to conduct oversight is eroded.

The Committee on Resources voted to approve the attached report and resolution and recommends favorable action by the House of Representatives.

DON YOUNG
Chairman

CONTEMPT OF CONGRESS

Mr. Young of Alaska, Chairman of the Committee on Resources,
with Mrs. Cubin, Chairman of the Subcommittee on Energy and Mineral Resources
submits the following to the Committee on Resources

REPORT

Introduction

Chairman DON YOUNG together with Representative BARBARA CUBIN, Chairman of the Subcommittee on Energy and Mineral Resources, submits to the Committee the following Report including the following Resolution recommending to the House of Representatives that Mr. Henry M. Banta; Mr. Robert A. Berman; Mr. Keith Rutter; Ms. Danielle Brian Stockton; and the Project on Government Oversight, a corporation organized in the District of Columbia, be cited for Contempt of Congress:

> *Resolved*, That pursuant to sections 102 and 104 of the Revised Statutes of the United States (2 U.S.C. §§192 and 194), the Speaker of the House of Representatives shall certify to the United States Attorney for the District of Columbia the report of the Committee on Resources detailing (1.) the refusal of Mr. Henry M. Banta; Mr. Keith Rutter; and Ms. Danielle Brian Stockton to produce papers subpoenaed by the Committee on Resources and the refusal of each to answer questions while appearing under subpoena before the Subcommittee on Energy and Mineral Resources; (2.) the refusal of the Project on Government Oversight, a corporation organized in the District of Columbia, to produce papers subpoenaed by the Committee on Resources; and (3.) the refusal of Mr. Robert A. Berman to answer questions while appearing under subpoena before the Subcommittee on Energy and Mineral Resources, to the end that Mr. Henry M. Banta; Mr. Robert A. Berman; Mr. Keith Rutter; Ms. Danielle Brian Stockton; and the Project on Government Oversight be proceeded against in the manner and form provided by law.

The Committee on Resources directed the preparation of this Report by a Motion adopted on July 12, 2000 by a vote of 26 to 11 (Exhibit FF), after Mr. Banta, Mr. Rutter, Ms. Brian, and the Project on Government Oversight defied rulings by the Committee on Resources ordering production of the papers over objections, and after the Subcommittee on Energy and Mineral Resources sustained rulings by the chair which overruled objections raised and ordered that questions be answered by Mr. Banta, Mr. Berman, Mr. Rutter, and Ms. Brian. (Exhibit GG)

Committee Consideration

On July 19, 2000, the Full Resources Committee met in open session with a quorum present to consider a resolution and report of contempt against Henry M. Banta; Keith Rutter; Danielle Brian Stockton; and the Project on Government Oversight, a corporation organized in the District of Columbia, for failure to comply with subpoenas for records; and against Henry M. Banta, Keith Rutter, Danielle Brian Stockton and Robert Berman for refusing to answer pertinent questions while testifying under subpoena.

Congressman Jay Inslee (D-WA) offered an amendment to the report; the amendment was defeated by a roll call vote of 16 to 26, as follows:

Committee on Resources
U.S. House of Representatives
106th Congress

Full Committee

Date 7-19-00

Roll No. 1

Bill No. _____ Short Title Resolution & Report regarding Contempt of Congress.

Amendment or matter voted on: Amendment offered by Mr. Inslee

Members	Yeas	Nays	Pres.	Members	Yeas	Nays	Pres.
Mr. Young (Chairman)		X		*Mr. Miller*	X		
Mr. Tauzin		X		*Mr. Rahall*	X		
Mr. Hansen		X		*Mr. Vento*			
Mr. Saxton		X		*Mr. Kildee*	X		
Mr. Gallegly		X		*Mr. DeFazio*			
Mr. Duncan		X		*Mr. Faleomavaega*	X		
Mr. Hefley		X		*Mr. Abercrombie*	X		
Mr. Doolittle		X		*Mr. Ortiz*			
Mr. Gilchrest		X		*Mr. Pickett*			
Mr. Calvert		X		*Mr. Pallone*			
Mr. Pombo		X		*Mr. Dooley*	X		
Mrs. Cubin		X		*Mr. Romero-Barcelo*	X		
Mrs. Chenoweth-Hage		X		*Mr. Underwood*	X		
Mr. Radanovich				*Mr. Kennedy*			
Mr. Jones		X		*Mr. Smith*			
Mr. Thornberry		X		*Mr. John*			
Mr. Cannon				*Mrs. Christensen*	X		
Mr. Brady		X		*Mr. Kind*	X		
Mr. Peterson		X		*Mr. Inslee*	X		
Mr. Hill		X		*Mrs. Napolitano*	X		
Mr. Schaffer		X		*Mr. Tom Udall*	X		
Mr. Gibbons		X		*Mr. Mark Udall*	X		
Mr. Souder		X		*Mr. Crowley*	X		
Mr. Walden		X		*Mr. Holt*	X		
Mr. Sherwood		X					
Mr. Hayes		X					
Mr. Simpson		X					
Mr. Tancredo		X		**TOTAL**	16	26	

No further amendments were offered, and the Committee on Resources approved the resolution and report by a roll call vote of 27-16, as follows:

Committee on Resources
U.S. House of Representatives
106th Congress

Full Committee

Date 7-19-00

Roll No. 2

Bill No. _____ Short Title Resolution & Report regarding Contempt of Congress.

Amendment or matter voted on: Final Passage

Member	Aye	Nay	Pass	Member	Aye	Nay	Pass
Mr. Young (Chairman)	X			*Mr. Miller*		X	
Mr. Tauzin	X			*Mr. Rahall*		X	
Mr. Hansen	X			*Mr. Vento*			
Mr. Saxton	X			*Mr. Kildee*		X	
Mr. Gallegly	X			*Mr. DeFazio*		X	
Mr. Duncan	X			*Mr. Faleomavaega*		X	
Mr. Hefley	X			*Mr. Abercrombie*	X		
Mr. Doolittle	X			*Mr. Ortiz*			
Mr. Gilchrest	X			*Mr. Pickett*			
Mr. Calvert	X			*Mr. Pallone*			
Mr. Pombo	X			*Mr. Dooley*		X	
Mrs. Cubin	X			*Mr. Romero-Barcelo*		X	
Mrs. Chenoweth-Hage	X			*Mr. Underwood*		X	
Mr. Radanovich				*Mr. Kennedy*			
Mr. Jones	X			*Mr. Smith*			
Mr. Thornberry	X			*Mr. John*			
Mr. Cannon				*Mrs. Christensen*		X	
Mr. Brady	X			*Mr. Kind*		X	
Mr. Peterson	X			*Mr. Inslee*		X	
Mr. Hill	X			*Mrs. Napolitano*		X	
Mr. Schaffer	X			*Mr. Tom Udall*		X	
Mr. Gibbons	X			*Mr. Mark Udall*		X	
Mr. Souder	X			*Mr. Crowley*		X	
Mr. Walden	X			*Mr. Holt*		X	
Mr. Sherwood	X						
Mr. Hayes	X						
Mr. Simpson	X						
Mr. Tancredo	X			TOTAL	27	16	

I. Background

In April 1999, an oil industry publication reported that two federal employees had been paid by the Project on Government Oversight (POGO). (Exhibit A) POGO is a private corporation which is pursuing changes in oil valuation policies and regulations. The payments, totaling $383,600 to each official, were derived from the private corporation's participation in a False Claims Act lawsuit alleging fraudulent underpayment of royalties due on oil from federal and Indian leases.

In May 1999, the Committee on Resources opened an oversight review to: examine the payments; the possibility that the payments tainted or cast a shadow over recent major oil valuation policy actions; and to review agency rules and procedures which may have been circumvented or inadequate to stop the payments. On June 9, 1999, the Committee authorized the Chairman to issue subpoenas in this matter. (Exhibit B)

The Committee's oversight review began by making official written requests for documents and information from the Department of the Interior, the Department of Energy, and POGO. Later in 1999, subpoenas duces tecum were issued to POGO, Mr. Berman, and Mr. Speir.

Analysis of records and information gathered through subpoenas, official requests, and other means cast considerable doubt on the explanations provided by the parties. Records of POGO Board of Directors meetings and of POGO's dealings with Mr. Berman and Mr. Speir suggested that the three parties intended a binding agreement to equally share POGO's oil litigation proceeds. This agreement was concluded orally in early December 1996, memorialized on January 8, 1998, and restated in writing on October 8, 1998. None of these written or oral forms of the agreement suggest that the payments were intended as public service awards. An excerpt from minutes taken of the October 27, 1998, POGO Board of Directors meeting along with testimony received by the Subcommittee on Energy and Mineral Resources indicates that consultation with attorneys and accountants led to a decision to record the payments as awards but does not suggest that the Board intended or understood the payments as such.

Information was gathered and further research and analysis was conducted through the balance of 1999. By March of 2000, the Committee concluded that a more robust inquiry was required to attempt to determine the purpose and nature of the POGO/Berman/Speir agreement; to examine its possible effects on federal oil valuation and royalty policy deliberations and actions; and to review the agency ethics and financial disclosure rules and policies which may have been circumvented in concealing the agreement or which were inadequate to uncover such an agreement.

On March 21, 2000, Chairman Young charged the Subcommittee on Energy and Mineral Resources with advancing the oversight inquiry. In the letter making that charge, Chairman Young also stated a revised subject of the oversight inquiry. (Exhibit C) That statement of

subject remains unchanged. It was provided to the parties soon after it was transmitted to the Subcommittee and on numerous subsequent occasions.

II. Authority and Legislative Purpose

The authority of the Committee on Resources to conduct this oversight review has been provided to the parties cited for Contempt of Congress in correspondence and in statements at the opening of hearings.

The Committee on Resources is a duly established committee of the House of Representatives, pursuant to the Rules of the House of Representatives, 106th Congress. The jurisdiction granted to the Committee by House Rule X includes "petroleum conservation on public lands. . . ." and "[p]ublic lands generally", which plainly includes policies and programs for collecting royalties owed on crude oil from federal and Native American leases and related matters. House Rule X 2(a) and (b) confer general oversight responsibility on the Committee on Resources. Clause 2(a)(1)(A) of Rule X charges the Committee on Resources with conducting oversight examinations of "the application, administration, [and] execution . . . of federal laws ". Clause 2(a)(1)(B) of Rule X extends the oversight mandate to "conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation." Clause 2(b)(1)(B) of Rule X additionally empowers the Committee to examine the "operation of Federal agencies" which administer matters under the Committee's jurisdiction. (Exhibit D)

Under these mandates contained in the Rules of the House of Representatives, 106th Congress, the Committee on Resources has clear authority to conduct an oversight review of payments made to federal oil valuation and royalty policy advisors; the possible effect of those payments on federal oil valuation and royalty policy deliberations and actions; and laws and regulations and federal policies which bear on those payments.

Rule 6 of the Rules for the Committee on Resources, 106th Congress, establishes the Subcommittee on Energy and Mineral Resources and delegates to it jurisdiction and responsibility for "Petroleum conservation on the public lands . . . ." and related matters. (Exhibit E)

Since the First Congress, the legislative branch has conducted inquiries into suspected corruption and mismanagement by federal officials. Supreme Court decisions confirm the power of Congress to engage in oversight and investigation and to reach all sources of information enabling it to carry out its legislative function. Congress, through duly established committees such as the Committee on Resources, has considerable power to require from executive agencies, private persons and organizations production of information needed to discharge legislative branch functions.

The Supreme Court has also firmly established that the oversight and investigative power of Congress is integral to legislative branch functions and is implicit in the Constitution's general vesting of legislative power in Congress. Eastland v. United States Servicemen's Fund (421 U.S. 491, 504 n. 15 (quoting Barenblatt v. United States, 360 U.S. 109, 111 (1950)) reiterates that Congress' "scope of power of its power of inquiry . . . is as penetrating and far reaching as the potential power to enact and appropriate under the Constitution." Watkins v. United States reaffirmed that statement and made it clear that Congress' oversight and investigation power is "at its peak when the subject is alleged waste, fraud, abuse, or maladministration within a government department." (354 U.S. 178, 187 (1957))

The authority of the Committee on Resources to issue subpoenas is equally clear. House Rule XI 2(m) authorizes the Committee to issue subpoenas and to delegate that power to the Chairman under its own rules. (Exhibit F) Committee Rule 4(e) governs issuance of subpoenas. (Exhibit G) Under that authority, on June 9, 1999, the Committee delegated subpoena power to the Chairman for purposes of this oversight review. The Chairman has exercised that authority by issuing subpoenas duces tecum and subpoenas to appear before the Subcommittee on Energy and Mineral Resources. The Chairman has also exercised that authority to consider and rule on objections, to alter the terms of subpoenas to accommodate objections, and to order production of withheld records.

During the course of hearings, the Chairman of the Subcommittee on Energy and Mineral Resources has exercised the authority of a chairman to consider and rule on objections and to order that questions be answered by witnesses appearing under subpoena.

III. Refusals to Comply With Subpoenas

A. Henry M. Banta

See Exhibit H for information and subpoenas.

February 17, 2000 Subpoena Duces Tecum

Mr. Banta has refused to comply with this subpoena by:

(1.) Redacting records: Mr. Banta produced a photocopy of a document on 8 ½" X 11" POGO letterhead which was redacted so severely as to have no independent meaning.(Exhibit I) In the upper left hand corner, the date "February 5, 1998" is typed. Approximately 7.125" from the top of the page, along the left hand margin and indented, the words "III. Oil Case Discussion" is typed. All other portions of the first page of the document and the entire second page is stamped "Redacted Based Upon Lack of Pertinency" Mr. Banta provided no information or arguments to permit the Committee to review and rule upon his objection to producing the redacted portions. Chairman Young ruled by a letter dated June 26, 2000, that Mr. Banta was required to produce unredacted

versions of responsive records. (Exhibit S) The Committee sustained that determination and ordered production of such records on July 12, 2000, by a vote of 26 to 11. (Exhibit FF)

The Committee has obtained a document under subpoena to POGO which appears to be the same as the severely redacted document produced by Mr. Banta. (Exhibit J) The POGO version of the document is redacted differently and establishes that Mr. Banta concealed a portion of this document which is pertinent to the subject under examination by the Committee.

Mr. Banta produced a redacted version of minutes taken of the October 27, 1998, POGO Board of Directors meeting. (Exhibit AA) A version of these minutes obtained by subpoena from POGO establishes that Mr. Banta's redaction concealed a portion of this record which is pertinent to the subject under examination by the Committee. (Exhibit BB) Chairman Young ruled by a letter dated June 26, 2000, that Mr. Banta was required to produce unredacted versions of responsive records. (Exhibit S) The Committee sustained that determination and ordered production of such records on July 12, 2000, by a vote of 26 to 11. (Exhibit FF)

(2.) Refusing to Comply with Orders to Produce: Mr. Banta, as required by this subpoena, provided a log of responsive records withheld under a claim of privilege. The Chairman reviewed each claim and ruled on each. Mr. Banta was ordered to produce many of the withheld records but was invited to provide additional information to support claims of attorney-client or attorney work product privileges asserted by Mr. Banta. That offer was not accepted. On June 26, 2000, Chairman Young ordered Mr. Banta to produce twelve specified records which do not qualify for protection under the judicial branch privileges for attorney-client communications or attorney work product.(Exhibit S) These rulings and orders were sustained by the Committee on July 12, 2000, by a vote of 26 to 11, as noted above. (Exhibit FF)

On July 12, 2000, by a vote of 26 to 11(Exhibit FF), the Committee also sustained the Chairman's rulings that neither 29 U.S.C. §1733 or 30 U.S.C. §1733 are applicable to withholding records sought to be protected under those claims and must be produced. Mr. Banta is withholding four specified records under these claims.(Exhibit CC)

Mr. Banta is also refusing to produce eight records under claims that they are not pertinent to the statement of the subject under examination contained in Chairman Young's March 21, 2000, letter to Representative Cubin. Chairman Young considered each claim and overruled each. (Exhibits K and S) On July 12, 2000, by a vote of 26 to 11, the Committee sustained these rulings and ordered that the records be produced. (Exhibit FF)

April 10, 2000 Subpoena Duces Tecum

Mr. Banta has refused to comply with this subpoena by:

(1.) Failure to Comply: Mr. Banta did not produce a required log of responsive records withheld under a claim of privilege.

(2.) Refusal to Produce: Mr. Banta possesses but did not produce an unredacted agenda for the February 17, 1998, POGO Board Meeting and unredacted minutes of the October 27, 1998, POGO Board meeting.

Subpoena to Appear on May 18, 2000

This subpoena was issued by Chairman Young on May 9, 2000. It required Mr. Banta to appear and testify before the Subcommittee on Energy and Mineral Resources on May 18, 2000. (Exhibit H)

Prior to appearing at that hearing and a hearing on May 4, 2000, Mr. Banta was provided with a statement of the subject under examination, with a copy of the Committee rules and relevant portions of House rules, and was advised that he would be placed under oath and may be accompanied by counsel to advise on constitutional rights and privileges.

During testimony on May 4, 2000, and May 18, 2000, Mr. Banta answered without objection or volunteered information about the link between POGO's oil royalty litigation effort and the agreement to pay Mr. Berman and Mr. Speir; his knowledge of specific aspects of and actions taken during POGO's oil royalty litigation effort; and his professional assessment of POGO's chances of success in its case or as a co-relator in Johnson v. Shell. But when asked specifically about his knowledge of Johnson v. Shell while that case was under seal, he refused to answer. The Chair ruled the question to be pertinent and within jurisdiction of the Subcommittee and Committee. The question was asked again and an answer was again refused. On June 29, 2000, the Subcommittee, by a vote of 9 to 0, sustained the Chairman's ruling and order that the question be answered. (Exhibit GG)

The relevant excerpt from the hearing transcript is attached as Exhibit L.

B. Mr. Robert A. Berman
See Exhibit M for information and subpoenas.

Subpoena to Appear on July 11, 2000

On April 17, 2000, Chairman Young issued a subpoena requiring Mr. Berman to appear before the Subcommittee on Energy and Mineral Resources on May 18, 2000. That subpoena is

not at issue in this report. On June 29, 2000, Chairman Young issued a subpoena requiring Mr. Berman to appear again before the Subcommittee, on July 11, 2000. (Exhibit M)

At the May 18, 2000, hearing, Mr. Berman objected to conducting the hearing outside of Executive Session, citing a House rule applicable to conducting closed-door business meetings and mark-ups. In a letter received on the morning of the hearing, Mr. Berman's attorney, Steven C. Tabackman, made the same incorrectly grounded objection.(Exhibit N) These missteps notwithstanding, the Chairman made a corrected motion to discuss closing the hearing to the public, on behalf of Mr. Berman. The motion was defeated on a voice vote. When questioned, Mr. Berman refused to answer unless one of two demands was met: Members who Mr. Berman believed had defamed him waived their constitutional immunity for official acts and remarks so that Mr. Berman might sue them for defamation; or those allegedly offending Members apologize to Mr. Berman and state publicly that they had no basis for making statements found objectionable by Mr. Berman.

Mr. Berman was warned against refusing to answer questions on this basis and was dismissed by the Chairman.

At the July 11, 2000, hearing, proceedings were conducted in Executive Session and under House Rule XI.2(k) procedures applicable to Investigative Hearings on a motion approved by a vote of 9 to 0. (Exhibit GG)

Refusal to Answer

When questioned in Executive Session during the July 11, 2000, hearing under the extraordinary witness protections provided by Rule XI.2(k), Mr. Berman again refused to answer questions unless Members acquiesced to his demands and limited questioning to matters deemed to be pertinent by Mr. Berman. After answers were refused to several questions, the Chairman ruled each question to be pertinent to the stated subject under review and ordered Mr. Berman to answer each question not answered. Mr. Berman did not comply. Thereupon, by a vote of 6 to 3, the Subcommittee sustained the Chairman's rulings and orders and directed that Mr. Berman's refusal to answer while testifying under subpoenas be reported to the Committee on Resources. (Exhibit GG) Mr. Berman was thereupon provide with a final opportunity to answer. He declined. The Chairman then provided an extraordinary opportunity for Mr. Berman and Mr. Tabackman to explain their grievances to the Subcommittee. Even after being allowed to deliver these highly unusual statements, Mr. Berman refused to answer questions posed by Members.

Under questioning by a Minority Member, Mr. Berman made it clear that he would refuse to answer any questions unless his grievances and demands were addressed satisfactorily. (Exhibit Z)

Relevant portions of the July 11 hearing transcript are included as Exhibit O.

C. Mr. Keith Rutter
See Exhibit P for information and subpoenas.

April 10, 2000 Subpoena Duces Tecum

Mr. Rutter has refused to comply with this subpoena by:

(1.) Withholding Records: At the time the subpoena was issued and served, Mr. Rutter was required to provide the IRS Form 990 filed by POGO for tax years 1996, 1997, and 1998. The 1998 form had been produced in answer to the June 18, 1999, subpoena to POGO. It was included in this subpoena to ensure that the Committee had any changes or modifications made since the original filing. Later production by POGO confirmed that the copy provided to the Committee has been superceded by a corrected form filed on July 10, 2000. Under the continuing obligation imposed by this subpoena, Mr. Rutter is now required to produce the corrected form for tax year 1998, the forms for tax years 1996, 1997, and 1999. None of these has been produced. By letter dated June 26, 2000, (Exhibit S) Chairman Young rejected Mr. Rutter's objection, made in a letter dated April 21, 2000, from Stanley M. Brand, that this subpoena requirement is not pertinent to the stated subject under review and is outside the authority of the Committee. (Exhibit Q) On July 12, 2000, the Committee sustained the Chairman's ruling in this regard and his order that the records be produced, by a vote of 26 to 11, as discussed earlier. (Exhibit FF)

It must be noted that although Mr. Rutter asserts that the IRS Form 990 filed by POGO for tax years 1996 through 1999 need not be produced to the Committee, POGO itself has provided two versions of the 1998 Form 990 under a subpoena which did not separately specify tax records of oil litigation income, expenses, and disbursements.

This subpoena also required Mr. Rutter to produce the publicly-available records relating to POGO's IRS Form 1023, an application for tax exempt status. This record would help determine whether the POGO Board of Directors intended to reward Mr. Berman and Mr. Speir under an existing or newly established program of public service monetary awards. Mr. Rutter's objection (Exhibit Q) to producing this record was considered by the Chairman and rejected. (Exhibit S) That ruling and the Chairman's order to produce the record was sustained by the Committee on July 12, 2000, by a vote of 26 to 11, as noted earlier. (Exhibit FF)

This subpoena also required Mr. Rutter to produce the articles of incorporation for POGO and the corporate by-laws in effect for the years 1996 through 1999. These records are needed to help determine whether the agreement to pay Mr. Berman and Mr. Speir the initial payments served a valid corporate purpose or may have been intended as part of an improper scheme. Mr. Rutter objected to this production requirement as not pertinent to the subject under review. (Exhibit Q) That objection was considered by the Chairman

and rejected by a letter dated June 26, 2000. (Exhibit S) That ruling and order to produce these records was sustained by the Committee on July 12, 2000, by a vote of 26 to 11, as noted earlier. (Exhibit FF)

This subpoena also required Mr. Rutter to produce records relating to civil litigation deposition testimony given by Ms. Brian which concerned Mr. Rutter's job responsibilities. By letter dated April 21, 2000, Mr. Rutter objected that this item constituted a written interrogatory outside the authority of the Committee.(Exhibit Q) On June 26, 2000, Chairman Young overruled this objection, explaining that the subpoena only required production of existing records concerning or relating to the facts contained in Ms. Brian's deposition, and ordered the records produced. (Exhibit S) On July 12, 2000, the Committee sustained this ruling and order by a vote of 26 to 11, as discussed earlier. (Exhibit FF)

(2.) Failure to Produce: Mr. Rutter failed to provide a required log of responsive records withheld by him under a claim of privilege.

D. Ms. Danielle Brian Stockton
See Exhibit T for information and subpoenas.

June 18, 1999 Subpoena Duces Tecum

Ms. Brian has refused to comply with this subpoena by:

(1.) Redacting Records: Pursuant to this subpoena, the Committee received two excerpts from two POGO Board of Directors meetings conducted some 20 months apart. (Exhibit R) Complete minutes should have been produced for those meetings and for all meetings at which subjects concerning oil royalty litigation and payments to Mr. Berman and Speir were discussed. By letter dated June 26, 2000, Chairman Young ordered that unredacted copies of responsive records be produced to the Committee. (Exhibit S) That determination was sustained by the Committee on July 12, 2000, by a vote of 26 to 11, as discussed above. (Exhibit FF)

(2.) Withholding Records: Sworn civil litigation testimony by Ms. Brian indicates that the Board may have touched on these matters at as many as twenty sessions from 1994 until the present. Excerpts from Board meeting minutes provided to the Committee, outside of any subpoena, establish that Ms. Brian failed to produce complete minutes and agendas for Board meetings held on January 5, 1995; December 9, 1996; February 17, 1998; October 27, 1998; April 26, 1999; and September 9, 1999. (Exhibits X, EE, R and J)

February 17, 2000 Subpoena Duces Tecum

Ms. Brian has refused to comply with this subpoena by:

(1.) Failure to Comply: Ms. Brian failed to produce a required log of responsive records withheld under a claim of privilege. Chairman Young ordered production of a log of responsive withheld records by letter dated June 26, 2000.(Exhibit S) On July 12, 2000, the Committee sustained this order by a vote of 26 to 11, as noted above. (Exhibit FF)

Subpoena to Appear on May 18, 2000

On April 17, 2000, Chairman Young issued a subpoena requiring Ms. Brian to appear before the Subcommittee on Energy and Mineral Resources on May 18, 2000. (See Exhibit T)

Prior to appearing at that hearing, Ms. Brian was provided with a statement of the subject under examination, with a copy of the Committee rules and relevant portions of House rules, and was advised that she would be placed under oath and may be accompanied by counsel to advise on constitutional rights and privileges.

Failure to Comply

Ms. Brian has refused to comply with this subpoena by:

Refusing to Answer: At the outset of her testimony on May 18, 2000, Ms. Brian acknowledged without protest that the hearings and oversight review were examining POGO's oil royalty litigation effort and consequent payments to Mr. Berman and Mr. Speir. Ms. Brian also volunteered her view of the effect the POGO/Berman/Speir agreement had on Johnson v. Shell. But, when asked if she attempted to discuss Johnson v. Shell with Mr. Johnson while the case was under seal or if she had knowledge of the case while it was under seal, Ms. Brian refused to answer. Both questions were ruled by the Chair to be pertinent and within the jurisdiction of the Subcommittee and Committee. Both questions were repeated. Each time, Ms. Brian refused to answer. On June 29, 2000, the Subcommittee, by a vote of 9 to 0, sustained the Chairman's ruling and order that the question be answered. (Exhibit GG)

The relevant excerpts from the hearing transcript are attached as Exhibits U and V.

E. Project on Government Oversight

See Exhibit W for information and subpoena.

February 17, 2000 Subpoena Duces Tecum

The Project on Government Oversight has refused to comply with this subpoena by:

(1.) Refusing to Produce Records: By letter from Stanley M. Brand, Esq., on behalf of POGO, to Chairman Young dated February 28, 2000, POGO objected to providing records reflecting the names and office addresses of POGO Directors during the period of January 1, 1994, through the present. (Exhibit DD) POGO argued that the identity of the individuals legally responsible for overseeing POGO's oil royalty campaign, for authorizing the agreement to pay Mr. Berman and Mr. Speir, and for authorizing the initial payments of $383,600 each made on November 2, 1998, are not pertinent to the stated subject under review. By letters dated April 6, 2000, and June 26, 2000, Chairman Young overruled this claim and ordered production of these records. (Exhibits K and S) By a vote of 26 to 11 on July 12, 2000, the Committee sustained this ruling and order that these records be produced, as noted previously. (Exhibit FF)

Records provided to the Committee by the Department of Treasury establishes that POGO possesses records showing the names and addresses of Board members. Common sense presumes that notices of Board meetings and other correspondence with and among the governing body is not addressed from memory.

This subpoena required POGO to produce records concerning payments to Mr. Berman or Mr. Speir discussed since January 1, 1999. POGO offered no argument to justify failing to comply with this requirement. By letters dated April 6, 2000, and June 26, 2000, Chairman Young ordered production of such records. (Exhibits K and S) By a vote of 26 to 11 on July 12, 2000, the Committee sustained this order, as noted earlier. (Exhibit FF)

The Committee has obtained a record from Stanley M. Brand, Esq. which establishes that POGO possesses but did not produce a record described by this item of the subpoena. (Exhibit X) In response to an inquiry from Chairman Young, Mr. Brand informed the Committee that the record in question was not intended to satisfy any subpoena and was not offered by POGO. (Exhibit Y)

(2.)Refusing to Comply: POGO has not provided a log of responsive records withheld from production under this subpoena under a claim of privilege. Chairman Young ordered production of a log of responsive withheld records by letter dated June 26, 2000. (Exhibit S) On July 12, 2000, the Committee sustained this order by a vote of 26 to 11, as discussed earlier. (Exhibit FF)

IV. Rules Requirements

Committee Oversight Findings and Recommendations

Pursuant to clause 3(c) of Rule XIII of the Rules of the House of Representatives, and as outlined in this report, the Committee held several oversight, investigative and business meetings and made the findings that are reflected in this report.

Committee on Government Reform Oversight Findings

Pursuant to clause 3(c)(4) of Rule XIII of the Rules of the House of Representatives, no oversight findings have been submitted to the Committee by the Committee on Government Reform.

New Budget Authority, Entitlement Authority, and Tax Expenditures; Committee Cost Estimate; Congressional Budget Office Estimate; and Federal Mandates Statement

The Committee finds that clauses 3(c)(2) and (3) of Rule XIII, clause 3(d) of Rule XIII, sections 308(a) and 402 of the Congressional Budget Act of 1974, and section 423 of the Unfunded Mandates Reform Act are inapplicable to this report. Therefore, the Committee did not request or receive a cost estimate from the Congressional Budget Office and makes no findings as to the budgetary impacts of this report or the costs incurred to carry out the report.

Advisory Committee Statement

The Committee finds that section 5(b) of the Federal Advisory Committee Act is inapplicable to this report.

Applicability to Legislative Branch

The Committee finds that the report does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

Changes in Existing Law

This report makes no changes in any existing federal statute.

Preemption of State, Local or Tribal law

This report does not preempt any state, local or tribal law.

¶117.10 PRIVILEGES OF THE HOUSE

Mr. YOUNG of Alaska, by direction of the Committee on Resources, submitted the following privileged resolution (H. Res. 657):

Resolved, That pursuant to sections 102 and 104 of the Revised Statutes of the United States (2 U.S.C. §§192 and 194), the Speaker of the House of Representatives shall certify to the United States Attorney for the District of Columbia the report of the Committee on Resources detailing (1) the refusal of Mr. Henry M. Banta; Mr. Keith Rutter; and Ms. Danielle Brian Stockton to produce papers subpoenaed by the Committee on Resources and the refusal of each to answer questions while appearing under subpoena before the Subcommittee on Energy and Mineral Resources; (2) the refusal of the Project on Government Oversight, a corporation organized in the District of Columbia, to produce papers subpoenaed by the Committee on Resources; and (3) the refusal of Mr. Robert A. Berman to answer questions while appearing under subpoena before the Subcommittee on Energy and Mineral Resources, to the end that Mr. Henry M. Banta; Mr. Robert A. Berman; Mr. Keith Rutter; Ms. Danielle Brian Stockton; and the Project on Government Oversight be proceeded against in the manner and form provided by law.

The SPEAKER ruled that the resolution submitted did present a question of the privileges of the House under rule IX. The gentleman from Alaska [Mr. YOUNG] was recognized for one hour.

Pending consideration of said resolution.

Mr. YOUNG of Alaska submitted the following amendment in the nature of a substitute:

Strike all after the resolving clause and insert the following:

SECTION 1. CERTIFICATION OF REPORT REQUIRED.

Pursuant to sections 102 and 104 of the Revised Statutes of the United States (2 U.S.C. 192 and 194), the Speaker of the House of Representatives shall certify the report of the Committee on Resources (House Report No. 106–801) detailing the refusals described in section 2 to the United States Attorney for the District of Columbia, to the end that each individual referred to in section 2 be proceeded against in the manner and form provided by law.

SEC. 2. REFUSALS DESCRIBED.

The refusals referred to in section 1 are the following:

(1) The refusal of Mr. Robert A. Berman to answer questions while appearing under subpoena before the Subcommittee on Energy and Mineral Resources of the Committee on Resources.

(2) The refusal by Mr. Henry M. Banta to answer questions while appearing under subpoena before the Subcommittee on Energy and Mineral Resources of the Committee on Resources.

(3) The refusal by Ms. Danielle Brian Stockton to answer questions while appearing under subpoena before the Subcommittee on Energy and Mineral Resources of the Committee on Resources.

Mr. YOUNG of Alaska demanded that the question on the resolution, as amended, be divided within section 2 so that refusal of each of the 3 named individuals be voted on separately.

The SPEAKER pro tempore, Mr. PEASE, ruled that if the amendment to the resolution was adopted, the question on adoption of the resolution, as proposed to be amended, under the precedents would be grammatically and substantively divisible among the three paragraphs of section 2. There would then be an opportunity for a separate vote on the certification on each individual. The question would be so divided at the appropriate time.

When said resolution was considered.

After debate,

On motion of Mr. YOUNG of Alaska, pursuant to clause 2 of rule XVI the resolution was withdrawn.

¶117.11 RECESS—11:36 A.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 36 minutes a.m., subject to the call of the Chair.

¶117.12 AFTER RECESS—12:10 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, called the House to order.

¶117.13 S. 2943—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2943) to authorize additional assistance for international malaria control, and to provide for coordination and consultation in providing assistance under the Foreign Assistance Act of 1961 with respect to malaria, HIV, and tuberculosis; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of those present had voted in the affirmative.

Mr. TIERNEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 385 / Nays ..... 2 }

¶117.14 [Roll No. 564]

YEAS—385

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Wamp
Waters
Watkins
Watt (NC)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand

Whitfield	Wolf	Wynn
Wicker	Woolsey	Young (AK)
Wilson	Wu	Young (FL)

NAYS—2

Paul	Sanford

NOT VOTING—45

Abercrombie	Franks (NJ)	Metcalf
Barr	Ganske	Mollohan
Bilbray	Graham	Packard
Brady (PA)	Hefley	Peterson (PA)
Campbell	Isakson	Pickett
Chenoweth-Hage	Kasich	Quinn
Coburn	Kingston	Sessions
Conyers	Klink	Shays
Cox	Kolbe	Spratt
Coyne	Lazio	Stark
Cramer	Martinez	Talent
Danner	McCollum	Walsh
Dickey	McInnis	Watts (OK)
Dunn	McIntosh	Waxman
Fowler	McKeon	Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to authorize additional assistance for international malaria control, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶117.15 H.R. 2498—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2498) to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Public Health Improvement Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—EMERGING THREATS TO PUBLIC HEALTH

Sec. 101. Short title.
Sec. 102. Amendments to the Public Health Service Act.

TITLE II—CLINICAL RESEARCH ENHANCEMENT

Sec. 201. Short title.
Sec. 202. Findings and purpose.
Sec. 203. Increasing the involvement of the National Institutes of Health in clinical research.
Sec. 204. General clinical research centers.
Sec. 205. Loan repayment program regarding clinical researchers.
Sec. 206. Definition.
Sec. 207. Oversight by General Accounting Office.

TITLE III—RESEARCH LABORATORY INFRASTRUCTURE

Sec. 301. Short title.
Sec. 302. Findings.
Sec. 303. Biomedical and behavioral research facilities.
Sec. 304. Construction program for National Primate Research Centers.
Sec. 305. Shared instrumentation grant program.

TITLE IV—CARDIAC ARREST SURVIVAL

Subtitle A—Recommendations for Federal Buildings

Sec. 401. Short title.
Sec. 402. Findings.
Sec. 403. Recommendations and guidelines of Secretary of Health and Human Services regarding automated external defibrillators for Federal buildings.
Sec. 404. Good samaritan protections regarding emergency use of automated external defibrillators.

Subtitle B—Rural Access to Emergency Devices

Sec. 411. Short title.
Sec. 412. Findings.
Sec. 413. Grants.

TITLE V—LUPUS RESEARCH AND CARE

Sec. 501. Short title.
Sec. 502. Findings.

Subtitle A—Research on Lupus

Sec. 511. Expansion and intensification of activities.

Subtitle B—Delivery of Services Regarding Lupus

Sec. 521. Establishment of program of grants.
Sec. 522. Certain requirements.
Sec. 523. Technical assistance.
Sec. 524. Definitions.
Sec. 525. Authorization of appropriations.

TITLE VI—PROSTATE CANCER RESEARCH AND PREVENTION

Sec. 601. Short title.
Sec. 602. Amendments to the Public Health Service Act.

TITLE VII—ORGAN PROCUREMENT AND DONATION

Sec. 701. Organ procurement organization certification.
Sec. 702. Designation of Give Thanks, Give Life Day.

TITLE VIII—ALZHEIMER'S CLINICAL RESEARCH AND TRAINING

Sec. 801. Alzheimer's clinical research and training awards.

TITLE IX—SEXUALLY TRANSMITTED DISEASE CLINICAL RESEARCH AND TRAINING

Sec. 901. Sexually transmitted disease clinical research and training awards.

TITLE X—MISCELLANEOUS PROVISION

Sec. 1001. Technical correction to the Children's Health Act of 2000.

TITLE I—EMERGING THREATS TO PUBLIC HEALTH

SEC. 101. SHORT TITLE.

This title may be cited as the ''Public Health Threats and Emergencies Act''.

SEC. 102. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by striking section 319 and inserting the following:

''SEC. 319. PUBLIC HEALTH EMERGENCIES.

''(a) EMERGENCIES.—If the Secretary determines, after consultation with such public health officials as may be necessary, that—

''(1) a disease or disorder presents a public health emergency; or

''(2) a public health emergency, including significant outbreaks of infectious diseases or bioterrorist attacks, otherwise exists, the Secretary may take such action as may be appropriate to respond to the public health emergency, including making grants and entering into contracts and conducting and supporting investigations into the cause, treatment, or prevention of a disease or disorder as described in paragraphs (1) and (2).

''(b) PUBLIC HEALTH EMERGENCY FUND.—

''(1) IN GENERAL.—There is established in the Treasury a fund to be designated as the 'Public Health Emergency Fund' to be made available to the Secretary without fiscal year limitation to carry out subsection (a) only if a public health emergency has been declared by the Secretary under such subsection. There is authorized to be appropriated to the Fund such sums as may be necessary.

''(2) REPORT.—Not later than 90 days after the end of each fiscal year, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and the Committee on Appropriations of the House of Representatives a report describing—

''(A) the expenditures made from the Public Health Emergency Fund in such fiscal year; and

''(B) each public health emergency for which the expenditures were made and the activities undertaken with respect to each emergency which was conducted or supported by expenditures from the Fund.

''(c) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''SEC. 319A. NATIONAL NEEDS TO COMBAT THREATS TO PUBLIC HEALTH.

''(a) CAPACITIES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, and such Administrators, Directors, or Commissioners, as may be appropriate, and in collaboration with State and local health officials, shall establish reasonable capacities that are appropriate for national, State, and local public health systems and the personnel or work forces of such systems. Such capacities shall be revised every 10 years, or more frequently as the Secretary determines to be necessary.

''(2) BASIS.—The capacities established under paragraph (1) shall improve, enhance or expand the capacity of national, state and local public health agencies to detect and respond effectively to significant public health threats, including major outbreaks of infectious disease, pathogens resistant to antimicrobial agents and acts of bioterrorism. Such capacities may include the capacity to—

''(A) recognize the clinical signs and epidemiological characteristic of significant outbreaks of infectious disease;

''(B) identify disease-causing pathogens rapidly and accurately;

''(C) develop and implement plans to provide medical care for persons infected with disease-causing agents and to provide preventive care as needed for individuals likely to be exposed to disease-causing agents;

''(D) communicate information relevant to significant public health threats rapidly to local, State and national health agencies, and health care providers; or

''(E) develop or implement policies to prevent the spread of infectious disease or antimicrobial resistance.

''(b) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''(c) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to the States to assist such States in fulfilling the requirements of this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry

out this section $4,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2006.

"SEC. 319B. ASSESSMENT OF PUBLIC HEALTH NEEDS.

''(a) PROGRAM AUTHORIZED.—Not later than 1 year after the date of enactment of this section and every 10 years thereafter, the Secretary shall award grants to States, or consortia of 2 or more States or political subdivisions of States, to perform, in collaboration with local public health agencies, an evaluation to determine the extent to which the States or local public health agencies can achieve the capacities applicable to State and local public health agencies described in subsection (a) of section 319A. The Secretary shall provide technical assistance to States, or consortia of 2 or more States or political subdivisions of States, in addition to awarding such grants.

''(b) PROCEDURE.—

''(1) IN GENERAL.—A State, or a consortium of 2 or more States or political subdivisions of States, may contract with an outside entity to perform the evaluation described in subsection (a).

''(2) METHODS.—To the extent practicable, the evaluation described in subsection (a) shall be completed by using methods, to be developed by the Secretary in collaboration with State and local health officials, that facilitate the comparison of evaluations conducted by a State to those conducted by other States receiving funds under this section.

''(c) REPORT.—Not later than 1 year after the date on which a State, or a consortium of 2 or more States or political subdivisions of States, receives a grant under this subsection, such State, or a consortium of 2 or more States or political subdivisions of States, shall prepare and submit to the Secretary a report describing the results of the evaluation described in subsection (a) with respect to such State, or consortia of 2 or more States or political subdivisions of States.

''(d) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $45,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2003.

"SEC. 319C. GRANTS TO IMPROVE STATE AND LOCAL PUBLIC HEALTH AGENCIES.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award competitive grants to eligible entities to address core public health capacity needs using the capacities developed under section 319A, with a particular focus on building capacity to identify, detect, monitor, and respond to threats to the public health.

''(b) ELIGIBLE ENTITIES.—A State or political subdivision of a State, or a consortium of 2 or more States or political subdivisions of States, that has completed an evaluation under section 319B(a), or an evaluation that is substantially equivalent as determined by the Secretary under section 319B(a), shall be eligible for grants under subsection (a).

''(c) USE OF FUNDS.—An eligible entity that receives a grant under subsection (a), may use funds received under such grant to—

''(1) train public health personnel;

''(2) develop, enhance, coordinate, or improve participation in an electronic network by which disease detection and public health related information can be rapidly shared among national, regional, State, and local public health agencies and health care providers;

''(3) develop a plan for responding to public health emergencies, including significant outbreaks of infectious diseases or bioterrorism attacks, which is coordinated with the capacities of applicable national, State, and local health agencies and health care providers; and

''(4) enhance laboratory capacity and facilities.

''(d) REPORT.—No later than January 1, 2005, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and the Committee on Appropriations of the House of Representatives a report that describes the activities carried out under sections 319A, 319B, and 319C.

''(e) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $50,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2006.

"SEC. 319D. REVITALIZING THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

''(a) FINDINGS.—Congress finds that the Centers for Disease Control and Prevention have an essential role in defending against and combatting public health threats of the twenty-first century and requires secure and modern facilities that are sufficient to enable such Centers to conduct this important mission.

''(b) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of achieving the mission of the Centers for Disease Control and Prevention described in subsection (a), for constructing new facilities and renovating existing facilities of such Centers, including laboratories, laboratory support buildings, health communication facilities, office buildings and other facilities and infrastructure, for better conducting the capacities described in section 319A, and for supporting related public health activities, there are authorized to be appropriated $180,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2010.

"SEC. 319E. COMBATING ANTIMICROBIAL RESISTANCE.

''(a) TASK FORCE.—

''(1) IN GENERAL.—The Secretary shall establish an Antimicrobial Resistance Task Force to provide advice and recommendations to the Secretary and coordinate Federal programs relating to antimicrobial resistance. The Secretary may appoint or select a committee, or other organization in existence as of the date of enactment of this section, to serve as such a task force, if such committee, or other organization meets the requirements of this section.

''(2) MEMBERS OF TASK FORCE.—The task force described in paragraph (1) shall be composed of representatives from such Federal agencies, and shall seek input from public health constituencies, manufacturers, veterinary and medical professional societies and others, as determined to be necessary by the Secretary, to develop and implement a comprehensive plan to address the public health threat of antimicrobial resistance.

''(3) AGENDA.—

''(A) IN GENERAL.—The task force described in paragraph (1) shall consider factors the Secretary considers appropriate, including—

''(i) public health factors contributing to increasing antimicrobial resistance;

''(ii) public health needs to detect and monitor antimicrobial resistance;

''(iii) detection, prevention, and control strategies for resistant pathogens;

''(iv) the need for improved information and data collection;

''(v) the assessment of the risk imposed by pathogens presenting a threat to the public health; and

''(vi) any other issues which the Secretary determines are relevant to antimicrobial resistance.

''(B) DETECTION AND CONTROL.—The Secretary, in consultation with the task force described in paragraph (1) and State and local public health officials, shall—

''(i) develop, improve, coordinate or enhance participation in a surveillance plan to detect and monitor emerging antimicrobial resistance; and

''(ii) develop, improve, coordinate or enhance participation in an integrated information system to assimilate, analyze, and exchange antimicrobial resistance data between public health departments.

''(4) MEETINGS.—The task force described under paragraph (1) shall convene not less than twice a year, or more frequently as the Secretary determines to be appropriate.

''(b) RESEARCH AND DEVELOPMENT OF NEW ANTIMICROBIAL DRUGS AND DIAGNOSTICS.—The Secretary and the Director of Agricultural Research Services, consistent with the recommendations of the task force established under subsection (a), shall conduct and support research, investigations, experiments, demonstrations, and studies in the health sciences that are related to—

''(1) the development of new therapeutics, including vaccines and antimicrobials, against resistant pathogens;

''(2) the development or testing of medical diagnostics to detect pathogens resistant to antimicrobials;

''(3) the epidemiology, mechanisms, and pathogenesis of antimicrobial resistance;

''(4) the sequencing of the genomes of priority pathogens as determined by the Director of the National Institutes of Health in consultation with the task force established under subsection (a); and

''(5) other relevant research areas.

''(c) EDUCATION OF MEDICAL AND PUBLIC HEALTH PERSONNEL.—The Secretary, after consultation with the Assistant Secretary for Health, the Surgeon General, the Director of the Centers for Disease Control and Prevention, the Administrator of the Health Resources and Services Administration, the Director of the Agency for Healthcare Research and Quality, members of the task force described in subsection (a), professional organizations and societies, and such other public health officials as may be necessary, shall—

''(1) develop and implement educational programs to increase the awareness of the general public with respect to the public health threat of antimicrobial resistance and the appropriate use of antibiotics;

''(2) develop and implement educational programs to instruct health care professionals in the prudent use of antibiotics; and

''(3) develop and implement programs to train laboratory personnel in the recognition or identification of resistance in pathogens.

''(d) GRANTS.—

''(1) IN GENERAL.—The Secretary shall award competitive grants to eligible entities to enable such entities to increase the capacity to detect, monitor, and combat antimicrobial resistance.

''(2) ELIGIBLE ENTITIES.—Eligible entities for grants under paragraph (1) shall be State or local public health agencies, Indian tribes or tribal organizations, or other public or private nonprofit entities.

''(3) USE OF FUNDS.—An eligible entity receiving a grant under paragraph (1) shall use funds from such grant for activities that are consistent with the factors identified by the task force under subsection (a)(3), which may include activities that—

''(A) provide training to enable such entity to identify patterns of resistance rapidly and accurately;

''(B) develop, improve, coordinate or enhance participation in information systems by which data on resistant infections can be shared rapidly among relevant national, State, and local health agencies and health care providers; and

''(C) develop and implement policies to control the spread of antimicrobial resistance.

''(e) GRANTS FOR DEMONSTRATION PROGRAMS.—

''(1) IN GENERAL.—The Secretary shall award competitive grants to eligible entities to establish

demonstration programs to promote judicious use of antimicrobial drugs or control the spread of antimicrobial-resistant pathogens.

''(2) ELIGIBLE ENTITIES.—Eligible entities for grants under paragraph (1) may include hospitals, clinics, institutions of long-term care, professional medical societies, or other public or private nonprofit entities.

''(3) TECHNICAL ASSISTANCE.—The Secretary shall provide appropriate technical assistance to eligible entities that receive grants under paragraph (1).

''(f) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $40,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2006.

"SEC. 319F. PUBLIC HEALTH COUNTERMEASURES TO A BIOTERRORIST ATTACK.

''(a) WORKING GROUP ON PREPAREDNESS FOR ACTS OF BIOTERRORISM.—The Secretary, in coordination with the Secretary of Defense, shall establish a joint interdepartmental working group on preparedness and readiness for the medical and public health effects of a bioterrorist attack on the civilian population. Such joint working group shall—

''(1) coordinate research on pathogens likely to be used in a bioterrorist attack on the civilian population as well as therapies to treat such pathogens;

''(2) coordinate research and development into equipment to detect pathogens likely to be used in a bioterrorist attack on the civilian population and protect against infection from such pathogens;

''(3) develop shared standards for equipment to detect and to protect against infection from pathogens likely to be used in a bioterrorist attack on the civilian population; and

''(4) coordinate the development, maintenance, and procedures for the release of, strategic reserves of vaccines, drugs, and medical supplies which may be needed rapidly after a bioterrorist attack upon the civilian population.

''(b) WORKING GROUP ON THE PUBLIC HEALTH AND MEDICAL CONSEQUENCES OF BIOTERRORISM.—

''(1) IN GENERAL.—The Secretary, in collaboration with the Director of the Federal Emergency Management Agency, the Attorney General, and the Secretary of Agriculture, shall establish a joint interdepartmental working group to address the public health and medical consequences of a bioterrorist attack on the civilian population.

''(2) FUNCTIONS.—Such working group shall—

''(A) assess the priorities for and enhance the preparedness of public health institutions, providers of medical care, and other emergency service personnel to detect, diagnose, and respond to a bioterrorist attack; and

''(B) in the recognition that medical and public health professionals are likely to provide much of the first response to such an attack, develop, coordinate, enhance, and assure the quality of joint planning and training programs that address the public health and medical consequences of a bioterrorist attack on the civilian population between—

''(i) local firefighters, ambulance personnel, police and public security officers, or other emergency response personnel; and

''(ii) hospitals, primary care facilities, and public health agencies.

''(3) WORKING GROUP MEMBERSHIP.—In establishing such working group, the Secretary shall act through the Assistant Secretary for Health and the Director of the Centers for Disease Control and Prevention.

''(4) COORDINATION.—The Secretary shall ensure coordination and communication between the working groups established in this subsection and subsection (a).

''(c) GRANTS.—

''(1) IN GENERAL.—The Secretary, in coordination with the working group established under subsection (b), shall, on a competitive basis and following scientific or technical review, award grants to or enter into cooperative agreements with eligible entities to enable such entities to increase their capacity to detect, diagnose, and respond to acts of bioterrorism upon the civilian population.

''(2) ELIGIBILITY.—To be an eligible entity under this subsection, such entity must be a State, political subdivision of a State, a consortium of 2 or more States or political subdivisions of States, or a hospital, clinic, or primary care facility.

''(3) USE OF FUNDS.—An entity that receives a grant under this subsection shall use such funds for activities that are consistent with the priorities identified by the working group under subsection (b), including—

''(A) training health care professionals and public health personnel to enhance the ability of such personnel to recognize the symptoms and epidemiological characteristics of exposure to a potential bioweapon;

''(B) addressing rapid and accurate identification of potential bioweapons;

''(C) coordinating medical care for individuals exposed to bioweapons; and

''(D) facilitating and coordinating rapid communication of data generated from a bioterrorist attack between national, State, and local health agencies, and health care providers.

''(4) COORDINATION.—The Secretary, in awarding grants under this subsection, shall—

''(A) notify the Director of the Office of Justice Programs, and the Director of the National Domestic Preparedness Office annually as to the amount and status of grants awarded under this subsection; and

''(B) coordinate grants awarded under this subsection with grants awarded by the Office of Emergency Preparedness and the Centers for Disease Control and Prevention for the purpose of improving the capacity of health care providers and public health agencies to respond to bioterrorist attacks on the civilian population.

''(5) ACTIVITIES.—An entity that receives a grant under this subsection shall, to the greatest extent practicable, coordinate activities carried out with such funds with the activities of a local Metropolitan Medical Response System.

''(d) FEDERAL ASSISTANCE.—The Secretary shall ensure that the Department of Health and Human Services is able to provide such assistance as may be needed to State and local health agencies to enable such agencies to respond effectively to bioterrorist attacks.

''(e) EDUCATION.—The Secretary, in collaboration with members of the working group described in subsection (b), and professional organizations and societies, shall—

''(1) develop and implement educational programs to instruct public health officials, medical professionals, and other personnel working in health care facilities in the recognition and care of victims of a bioterrorist attack; and

''(2) develop and implement programs to train laboratory personnel in the recognition and identification of a potential bioweapon.

''(f) FUTURE RESOURCE DEVELOPMENT.—The Secretary shall consult with the working group described in subsection (a), to develop priorities for and conduct research, investigations, experiments, demonstrations, and studies in the health sciences related to—

''(1) the epidemiology and pathogenesis of potential bioweapons;

''(2) the development of new vaccines or other therapeutics against pathogens likely to be used in a bioterrorist attack;

''(3) the development of medical diagnostics to detect potential bioweapons; and

''(4) other relevant research areas.

''(g) GENERAL ACCOUNTING OFFICE REPORT.—Not later than 180 days after the date of enactment of this section, the Comptroller General shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and the Committee on Appropriations of the House of Representatives a report that describes—

''(1) Federal activities primarily related to research on, preparedness for, and the management of the public health and medical consequences of a bioterrorist attack against the civilian population;

''(2) the coordination of the activities described in paragraph (1);

''(3) the amount of Federal funds authorized or appropriated for the activities described in paragraph (1); and

''(4) the effectiveness of such efforts in preparing national, State, and local authorities to address the public health and medical consequences of a potential bioterrorist attack against the civilian population.

''(h) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $215,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year through 2006.

"SEC. 319G. DEMONSTRATION PROGRAM TO ENHANCE BIOTERRORISM TRAINING, COORDINATION, AND READINESS.

''(a) IN GENERAL.—The Secretary shall make grants to not more than three eligible entities to carry out demonstration programs to improve the detection of pathogens likely to be used in a bioterrorist attack, the development of plans and measures to respond to bioterrorist attacks, and the training of personnel involved with the various responsibilities and capabilities needed to respond to acts of bioterrorism upon the civilian population. Such awards shall be made on a competitive basis and pursuant to scientific and technical review.

''(b) ELIGIBLE ENTITIES.—Eligible entities for grants under subsection (a) are States, political subdivisions of States, and public or private non-profit organizations.

''(c) SPECIFIC CRITERIA.—In making grants under subsection (a), the Secretary shall take into account the following factors:

''(1) Whether the eligible entity involved is proximate to, and collaborates with, a major research university with expertise in scientific training, identification of biological agents, medicine, and life sciences.

''(2) Whether the entity is proximate to, and collaborates with, a laboratory that has expertise in the identification of biological agents.

''(3) Whether the entity demonstrates, in the application for the program, support and participation of State and local governments and research institutions in the conduct of the program.

''(4) Whether the entity is proximate to, and collaborates with, or is, an academic medical center that has the capacity to serve an uninsured or underserved population, and is equipped to educate medical personnel.

''(5) Such other factors as the Secretary determines to be appropriate.

''(d) DURATION OF AWARD.—The period during which payments are made under a grant under subsection (a) may not exceed five years. The provision of such payments shall be subject to annual approval by the Secretary of the payments and subject to the availability of appropriations for the fiscal year involved to make the payments.

''(e) SUPPLEMENT NOT SUPPLANT.—Grants under subsection (a) shall be used to supplement, and not supplant, other Federal, State, or local public funds provided for the activities described in such subsection.

''(f) GENERAL ACCOUNTING OFFICE REPORT.—Not later than 180 days after the conclusion of the demonstration programs carried out under subsection (a), the Comptroller General of the

United States shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate, and the Committee on Commerce and the Committee on Appropriations of the House of Representatives, a report that describes the ability of grantees under such subsection to detect pathogens likely to be used in a bioterrorist attack, develop plans and measures for dealing with such threats, and train personnel involved with the various responsibilities and capabilities needed to deal with bioterrorist threats.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $6,000,000 for fiscal year 2001, and such sums as may be necessary through fiscal year 2006.''.

TITLE II—CLINICAL RESEARCH ENHANCEMENT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Clinical Research Enhancement Act of 1999''.

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Clinical research is critical to the advancement of scientific knowledge and to the development of cures and improved treatment for disease.

(2) Tremendous advances in biology are opening doors to new insights into human physiology, pathophysiology and disease, creating extraordinary opportunities for clinical research.

(3) Clinical research includes translational research which is an integral part of the research process leading to general human applications. It is the bridge between the laboratory and new methods of diagnosis, treatment, and prevention and is thus essential to progress against cancer and other diseases.

(4) The United States will spend more than $1,200,000,000,000 on health care in 1999, but the Federal budget for health research at the National Institutes of Health was $15,600,000,000 only 1 percent of that total.

(5) Studies at the Institute of Medicine, the National Research Council, and the National Academy of Sciences have all addressed the current problems in clinical research.

(6) The Director of the National Institutes of Health has recognized the current problems in clinical research and appointed a special panel, which recommended expanded support for existing National Institutes of Health clinical research programs and the creation of new initiatives to recruit and retain clinical investigators.

(7) The current level of training and support for health professionals in clinical research is fragmented, undervalued, and underfunded.

(8) Young investigators are not only apprentices for future positions but a crucial source of energy, enthusiasm, and ideas in the day-to-day research that constitutes the scientific enterprise. Serious questions about the future of life-science research are raised by the following:

(A) The number of young investigators applying for grants dropped by 54 percent between 1985 and 1993.

(B) The number of physicians applying for first-time National Institutes of Health research project grants fell from 1226 in 1994 to 963 in 1998, a 21 percent reduction.

(C) Newly independent life-scientists are expected to raise funds to support their new research programs and a substantial proportion of their own salaries.

(9) The following have been cited as reasons for the decline in the number of active clinical researchers, and those choosing this career path:

(A) A medical school graduate incurs an average debt of $85,619, as reported in the Medical School Graduation Questionnaire by the Association of American Medical Colleges (AAMC).

(B) The prolonged period of clinical training required increases the accumulated debt burden.

(C) The decreasing number of mentors and role models.

(D) The perceived instability of funding from the National Institutes of Health and other Federal agencies.

(E) The almost complete absence of clinical research training in the curriculum of training grant awardees.

(F) Academic Medical Centers are experiencing difficulties in maintaining a proper environment for research in a highly competitive health care marketplace, which are compounded by the decreased willingness of third party payers to cover health care costs for patients engaged in research studies and research procedures.

(10) In 1960, general clinical research centers were established under the Office of the Director of the National Institutes of Health with an initial appropriation of $3,000,000.

(11) Appropriations for general clinical research centers in fiscal year 1999 equaled $200,500,000.

(12) Since the late 1960s, spending for general clinical research centers has declined from approximately 3 percent to 1 percent of the National Institutes of Health budget.

(13) In fiscal year 1999, there were 77 general clinical research centers in operation, supplying patients in the areas in which such centers operate with access to the most modern clinical research and clinical research facilities and technologies.

(b) PURPOSE.—It is the purpose of this title to provide additional support for and to expand clinical research programs.

SEC. 203. INCREASING THE INVOLVEMENT OF THE NATIONAL INSTITUTES OF HEALTH IN CLINICAL RESEARCH.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

"SEC. 409C. CLINICAL RESEARCH.

''(a) IN GENERAL.—The Director of National Institutes of Health shall undertake activities to support and expand the involvement of the National Institutes of Health in clinical research.

''(b) REQUIREMENTS.—In carrying out subsection (a), the Director of National Institutes of Health shall—

''(1) consider the recommendations of the Division of Research Grants Clinical Research Study Group and other recommendations for enhancing clinical research; and

''(2) establish intramural and extramural clinical research fellowship programs directed specifically at medical and dental students and a continuing education clinical research training program at the National Institutes of Health.

''(c) SUPPORT FOR THE DIVERSE NEEDS OF CLINICAL RESEARCH.—The Director of National Institutes of Health, in cooperation with the Directors of the Institutes, Centers, and Divisions of the National Institutes of Health, shall support and expand the resources available for the diverse needs of the clinical research community, including inpatient, outpatient, and critical care clinical research.

''(d) PEER REVIEW.—The Director of National Institutes of Health shall establish peer review mechanisms to evaluate applications for the awards and fellowships provided for in subsection (b)(2) and section 409D. Such review mechanisms shall include individuals who are exceptionally qualified to appraise the merits of potential clinical research training and research grant proposals.''.

SEC. 204. GENERAL CLINICAL RESEARCH CENTERS.

(a) GRANTS.—Subpart 1 of part E of title IV of the Public Health Service Act (42 U.S.C. 287 et seq.) is amended by adding at the end the following:

"SEC. 481C. GENERAL CLINICAL RESEARCH CENTERS.

''(a) GRANTS.—The Director of the National Center for Research Resources shall award grants for the establishment of general clinical research centers to provide the infrastructure for clinical research including clinical research training and career enhancement. Such centers shall support clinical studies and career development in all settings of the hospital or academic medical center involved.

''(b) ACTIVITIES.—In carrying out subsection (a), the Director of National Institutes of Health shall expand the activities of the general clinical research centers through the increased use of telecommunications and telemedicine initiatives.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each fiscal year.''.

(b) ENHANCEMENT AWARDS.—Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.), as amended by section 203, is further amended by adding at the end the following:

"SEC. 409D. ENHANCEMENT AWARDS.

''(a) MENTORED PATIENT-ORIENTED RESEARCH CAREER DEVELOPMENT AWARDS.—

''(1) GRANTS.—

''(A) IN GENERAL.—The Director of the National Institutes of Health shall make grants (to be referred to as 'Mentored Patient-Oriented Research Career Development Awards') to support individual careers in clinical research at general clinical research centers or at other institutions that have the infrastructure and resources deemed appropriate for conducting patient-oriented clinical research.

''(B) USE.—Grants under subparagraph (A) shall be used to support clinical investigators in the early phases of their independent careers by providing salary and such other support for a period of supervised study.

''(2) APPLICATIONS.—An application for a grant under this subsection shall be submitted by an individual scientist at such time as the Director may require.

''(3) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each fiscal year.

''(b) MID-CAREER INVESTIGATOR AWARDS IN PATIENT-ORIENTED RESEARCH.—

''(1) GRANTS.—

''(A) IN GENERAL.—The Director of the National Institutes of Health shall make grants (to be referred to as 'Mid-Career Investigator Awards in Patient-Oriented Research') to support individual clinical research projects at general clinical research centers or at other institutions that have the infrastructure and resources deemed appropriate for conducting patient-oriented clinical research.

''(B) USE.—Grants under subparagraph (A) shall be used to provide support for mid-career level clinicians to allow such clinicians to devote time to clinical research and to act as mentors for beginning clinical investigators.

''(2) APPLICATIONS.—An application for a grant under this subsection shall be submitted by an individual scientist at such time as the Director requires.

''(3) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each fiscal year.

''(c) GRADUATE TRAINING IN CLINICAL INVESTIGATION AWARD.—

''(1) IN GENERAL.—The Director of the National Institutes of Health shall make grants (to be referred to as 'Graduate Training in Clinical Investigation Awards') to support individuals pursuing master's or doctoral degrees in clinical investigation.

''(2) APPLICATIONS.—An application for a grant under this subsection shall be submitted by an individual scientist at such time as the Director may require.

''(3) LIMITATIONS.—Grants under this subsection shall be for terms of 2 years or more and shall provide stipend, tuition, and institutional support for individual advanced degree programs in clinical investigation.

''(4) DEFINITION.—As used in this subsection, the term 'advanced degree programs in clinical

investigation' means programs that award a master's or Ph.D. degree in clinical investigation after 2 or more years of training in areas such as the following:

''(A) Analytical methods, biostatistics, and study design.

''(B) Principles of clinical pharmacology and pharmacokinetics.

''(C) Clinical epidemiology.

''(D) Computer data management and medical informatics.

''(E) Ethical and regulatory issues.

''(F) Biomedical writing.

''(5) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each fiscal year.

''(d) CLINICAL RESEARCH CURRICULUM AWARDS.—

''(1) IN GENERAL.—The Director of the National Institutes of Health shall make grants (to be referred to as 'Clinical Research Curriculum Awards') to institutions for the development and support of programs of core curricula for training clinical investigators, including medical students. Such core curricula may include training in areas such as the following:

''(A) Analytical methods, biostatistics, and study design.

''(B) Principles of clinical pharmacology and pharmacokinetics.

''(C) Clinical epidemiology.

''(D) Computer data management and medical informatics.

''(E) Ethical and regulatory issues.

''(F) Biomedical writing.

''(2) APPLICATIONS.—An application for a grant under this subsection shall be submitted by an individual institution or a consortium of institutions at such time as the Director may require. An institution may submit only 1 such application.

''(3) LIMITATIONS.—Grants under this subsection shall be for terms of up to 5 years and may be renewable.

''(4) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each fiscal year.''.

SEC. 205. LOAN REPAYMENT PROGRAM REGARDING CLINICAL RESEARCHERS.

Part G of title IV of the Public Health Service Act is amended by inserting after section 487E (42 U.S.C. 288–5) the following:

"SEC. 487F. LOAN REPAYMENT PROGRAM REGARDING CLINICAL RESEARCHERS.

''(a) IN GENERAL.—The Secretary, acting through the Director of the National Institutes of Health, shall establish a program to enter into contracts with qualified health professionals under which such health professionals agree to conduct clinical research, in consideration of the Federal Government agreeing to repay, for each year of service conducting such research, not more than $35,000 of the principal and interest of the educational loans of such health professionals.

''(b) APPLICATION OF PROVISIONS.—The provisions of sections 338B, 338C, and 338E shall, except as inconsistent with subsection (a) of this section, apply to the program established under subsection (a) to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III.

''(c) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each fiscal year.

''(2) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which the amounts were made available.''.

SEC. 206. DEFINITION.

Section 409 of the Public Health Service Act (42 U.S.C. 284d) is amended—

(1) by striking ''For purposes'' and inserting ''(a) HEALTH SERVICE RESEARCH.—For purposes''; and

(2) by adding at the end the following:

''(b) CLINICAL RESEARCH.—As used in this title, the term 'clinical research' means patient oriented clinical research conducted with human subjects, or research on the causes and consequences of disease in human populations involving material of human origin (such as tissue specimens and cognitive phenomena) for which an investigator or colleague directly interacts with human subjects in an outpatient or inpatient setting to clarify a problem in human physiology, pathophysiology or disease, or epidemiologic or behavioral studies, outcomes research or health services research, or developing new technologies, therapeutic interventions, or clinical trials.''.

SEC. 207. OVERSIGHT BY GENERAL ACCOUNTING OFFICE.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Congress a reporting describing the extent to which the National Institutes of Health has complied with the amendments made by this title.

TITLE III—RESEARCH LABORATORY INFRASTRUCTURE

SEC. 301. SHORT TITLE.

This title may be cited as the ''Twenty-First Century Research Laboratories Act''.

SEC. 302. FINDINGS.

Congress finds that—

(1) the National Institutes of Health is the principal source of Federal funding for medical research at universities and other research institutions in the United States;

(2) the National Institutes of Health has received a substantial increase in research funding from Congress for the purpose of expanding the national investment of the United States in behavioral and biomedical research;

(3) the infrastructure of our research institutions is central to the continued leadership of the United States in medical research;

(4) as Congress increases the investment in cutting-edge basic and clinical research, it is critical that Congress also examine the current quality of the laboratories and buildings where research is being conducted, as well as the quality of laboratory equipment used in research;

(5) many of the research facilities and laboratories in the United States are outdated and inadequate;

(6) the National Science Foundation found, in a 1998 report on the status of biomedical research facilities, that over 60 percent of research-performing institutions indicated that they had an inadequate amount of medical research space;

(7) the National Science Foundation reports that academic institutions have deferred nearly $11,000,000,000 in renovation and construction projects because of a lack of funds; and

(8) future increases in Federal funding for the National Institutes of Health must include increased support for the renovation and construction of extramural research facilities in the United States and the purchase of state-of-the-art laboratory instrumentation.

SEC. 303. BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES.

Section 481A of the Public Health Service Act (42 U.S.C. 287a–2 et seq.) is amended to read as follows:

"SEC. 481A. BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES.

''(a) MODERNIZATION AND CONSTRUCTION OF FACILITIES.—

''(1) IN GENERAL.—The Director of NIH, acting through the Director of the Center, may make grants or contracts to public and nonprofit private entities to expand, remodel, renovate, or alter existing research facilities or construct new research facilities, subject to the provisions of this section.

''(2) CONSTRUCTION AND COST OF CONSTRUCTION.—For purposes of this section, the terms 'construction' and 'cost of construction' include the construction of new buildings and the expansion, renovation, remodeling, and alteration of existing buildings, including architects' fees, but do not include the cost of acquisition of land or off-site improvements.

''(b) SCIENTIFIC AND TECHNICAL REVIEW BOARDS FOR MERIT-BASED REVIEW OF PROPOSALS.—

''(1) IN GENERAL: APPROVAL AS PRECONDITION TO GRANTS.—

''(A) ESTABLISHMENT.—There is established within the Center a Scientific and Technical Review Board on Biomedical and Behavioral Research Facilities (referred to in this section as the 'Board').

''(B) REQUIREMENT.—The Director of the Center may approve an application for a grant under subsection (a) only if the Board has under paragraph (2) recommended the application for approval.

''(2) DUTIES.—

''(A) ADVICE.—The Board shall provide advice to the Director of the Center and the advisory council established under section 480 (in this section referred to as the 'Advisory Council') in carrying out this section.

''(B) DETERMINATION OF MERIT.—In carrying out subparagraph (A), the Board shall make a determination of the merit of each application submitted for a grant under subsection (a), after consideration of the requirements established in subsection (c), and shall report the results of the determination to the Director of the Center and the Advisory Council. Such determinations shall be conducted in a manner consistent with procedures established under section 492.

''(C) AMOUNT.—In carrying out subparagraph (A), the Board shall, in the case of applications recommended for approval, make recommendations to the Director and the Advisory Council on the amount that should be provided under the grant.

''(D) ANNUAL REPORT.—In carrying out subparagraph (A), the Board shall prepare an annual report for the Director of the Center and the Advisory Council describing the activities of the Board in the fiscal year for which the report is made. Each such report shall be available to the public, and shall—

''(i) summarize and analyze expenditures made under this section;

''(ii) provide a summary of the types, numbers, and amounts of applications that were recommended for grants under subsection (a) but that were not approved by the Director of the Center; and

''(iii) contain the recommendations of the Board for any changes in the administration of this section.

''(3) MEMBERSHIP.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Board shall be composed of 15 members to be appointed by the Director of the Center, and such ad-hoc or temporary members as the Director of the Center determines to be appropriate. All members of the Board, including temporary and ad-hoc members, shall be voting members.

''(B) LIMITATION.—Not more than 3 individuals who are officers or employees of the Federal Government may serve as members of the Board.

''(4) CERTAIN REQUIREMENTS REGARDING MEMBERSHIP.—In selecting individuals for membership on the Board, the Director of the Center shall ensure that the members are individuals who, by virtue of their training or experience, are eminently qualified to perform peer review functions. In selecting such individuals for such membership, the Director of the Center shall ensure that the members of the Board collectively—

''(A) are experienced in the planning, construction, financing, and administration of entities that conduct biomedical or behavioral research sciences;

''(B) are knowledgeable in making determinations of the need of entities for biomedical or behavioral research facilities, including such facilities for the dentistry, nursing, pharmacy, and allied health professions;

''(C) are knowledgeable in evaluating the relative priorities for applications for grants under subsection (a) in view of the overall research needs of the United States; and

''(D) are experienced with emerging centers of excellence, as described in subsection (c)(2).

''(5) CERTAIN AUTHORITIES.—

''(A) WORKSHOPS AND CONFERENCES.—In carrying out paragraph (2), the Board may convene workshops and conferences, and collect data as the Board considers appropriate.

''(B) SUBCOMMITTEES.—In carrying out paragraph (2), the Board may establish subcommittees within the Board. Such subcommittees may hold meetings as determined necessary to enable the subcommittee to carry out its duties.

''(6) TERMS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each appointed member of the Board shall hold office for a term of 4 years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which such member's predecessor was appointed shall be appointed for the remainder of the term of the predecessor.

''(B) STAGGERED TERMS.—Members appointed to the Board shall serve staggered terms as specified by the Director of the Center when making the appointments.

''(C) REAPPOINTMENT.—No member of the Board shall be eligible for reappointment to the Board until 1 year has elapsed after the end of the most recent term of the member.

''(7) COMPENSATION.—Members of the Board who are not officers or employees of the United States shall receive for each day the members are engaged in the performance of the functions of the Board compensation at the same rate received by members of other national advisory councils established under this title.

''(c) REQUIREMENTS FOR GRANTS.—

''(1) IN GENERAL.—The Director of the Center may make a grant under subsection (a) only if the applicant for the grant meets the following conditions:

''(A) The applicant is determined by such Director to be competent to engage in the type of research for which the proposed facility is to be constructed.

''(B) The applicant provides assurances satisfactory to the Director that—

''(i) for not less than 20 years after completion of the construction involved, the facility will be used for the purposes of the research for which it is to be constructed;

''(ii) sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility;

''(iii) sufficient funds will be available, when construction is completed, for the effective use of the facility for the research for which it is being constructed; and

''(iv) the proposed construction will expand the applicant's capacity for research, or is necessary to improve or maintain the quality of the applicant's research.

''(C) The applicant meets reasonable qualifications established by the Director with respect to—

''(i) the relative scientific and technical merit of the applications, and the relative effectiveness of the proposed facilities, in expanding the capacity for biomedical or behavioral research and in improving the quality of such research;

''(ii) the quality of the research or training, or both, to be carried out in the facilities involved;

''(iii) the congruence of the research activities to be carried out within the facility with the research and investigator manpower needs of the United States; and

''(iv) the age and condition of existing research facilities.

''(D) The applicant has demonstrated a commitment to enhancing and expanding the research productivity of the applicant.

''(2) INSTITUTIONS OF EMERGING EXCELLENCE.—From the amount appropriated under subsection (i) for a fiscal year up to $50,000,000, the Director of the Center shall make available 25 percent of such amount, and from the amount appropriated under such subsection for a fiscal year that is over $50,000,000, the Director of the Center shall make available up to 25 percent of such amount, for grants under subsection (a) to applicants that in addition to meeting the requirements established in paragraph (1), have demonstrated emerging excellence in biomedical or behavioral research, as follows:

''(A) The applicant has a plan for research or training advancement and possesses the ability to carry out the plan.

''(B) The applicant carries out research and research training programs that have a special relevance to a problem, concern, or unmet health need of the United States.

''(C) The applicant has been productive in research or research development and training.

''(D) The applicant—

''(i) has been designated as a center of excellence under section 739;

''(ii) is located in a geographic area whose population includes a significant number of individuals with health status deficit, and the applicant provides health services to such individuals; or

''(iii) is located in a geographic area in which a deficit in health care technology, services, or research resources may adversely affect the health status of the population of the area in the future, and the applicant is carrying out activities with respect to protecting the health status of such population.

''(d) REQUIREMENT OF APPLICATION.—The Director of the Center may make a grant under subsection (a) only if an application for the grant is submitted to the Director and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Director determines to be necessary to carry out this section.

''(e) AMOUNT OF GRANT; PAYMENTS.—

''(1) AMOUNT.—The amount of any grant awarded under subsection (a) shall be determined by the Director of the Center, except that such amount shall not exceed—

''(A) 50 percent of the necessary cost of the construction of a proposed facility as determined by the Director; or

''(B) in the case of a multipurpose facility, 40 percent of that part of the necessary cost of construction that the Director determines to be proportionate to the contemplated use of the facility.

''(2) RESERVATION OF AMOUNTS.—On the approval of any application for a grant under subsection (a), the Director of the Center shall reserve, from any appropriation available for such grants, the amount of such grant, and shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with the construction progress, as the Director may determine appropriate. The reservation of any amount by the Director under this paragraph may be amended by the Director, either on the approval of an amendment of the application or on the revision of the estimated cost of construction of the facility.

''(3) EXCLUSION OF CERTAIN COSTS.—In determining the amount of any grant under subsection (a), there shall be excluded from the cost of construction an amount equal to the sum of—

''(A) the amount of any other Federal grant that the applicant has obtained, or is assured of obtaining, with respect to construction that is to be financed in part by a grant authorized under this section; and

''(B) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

''(4) WAIVER OF LIMITATIONS.—The limitations imposed under paragraph (1) may be waived at the discretion of the Director for applicants meeting the conditions described in subsection (c).

''(f) RECAPTURE OF PAYMENTS.—If, not later than 20 years after the completion of construction for which a grant has been awarded under subsection (a)—

''(1) the applicant or other owner of the facility shall cease to be a public or non profit private entity; or

''(2) the facility shall cease to be used for the research purposes for which it was constructed (unless the Director determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from obligation to do so);

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the current value (as determined by an agreement between the parties or by action brought in the United States District Court for the district in which such facility is situated) of the facility as the amount of the Federal participation bore to the cost of the construction of such facility.

''(g) GUIDELINES.—Not later than 6 months after the date of the enactment of this section, the Director of the Center, after consultation with the Advisory Council, shall issue guidelines with respect to grants under subsection (a).

''(h) REPORT TO CONGRESS.—The Director of the Center shall prepare and submit to the appropriate committees of Congress a biennial report concerning the status of the biomedical and behavioral research facilities and the availability and condition of technologically sophisticated laboratory equipment in the United States. Such reports shall be developed in concert with the report prepared by the National Science Foundation on the needs of research facilities of universities as required under section 108 of the National Science Foundation Authorization Act for Fiscal Year 1986 (42 U.S.C. 1886).

''(i) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $250,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 304. CONSTRUCTION PROGRAM FOR NATIONAL PRIMATE RESEARCH CENTERS.

Section 481B(a) of the Public Health Service Act (42 U.S.C. 287a–3(a)) is amended by striking ''1994'' and all that follows through ''$5,000,000'' and inserting ''2000 through 2002, reserve from the amounts appropriated under section 481A(i) such sums as necessary''.

SEC. 305. SHARED INSTRUMENTATION GRANT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $100,000,000 for fiscal year 2000, and such sums as may be necessary for each subsequent fiscal year, to enable the Secretary of Health and Human Services, acting through the Director of the National Center for Research Resources, to provide for the continued operation of the Shared Instrumentation Grant Program (initiated in fiscal year 1992 under the authority of section 479 of the Public Health Service Act (42 U.S.C. 287 et seq.)).

(b) REQUIREMENTS FOR GRANTS.—In determining whether to award a grant to an applicant under the program described in subsection (a), the Director of the National Center for Research Resources shall consider—

(1) the extent to which an award for the specific instrument involved would meet the scientific needs and enhance the planned research endeavors of the major users by providing an instrument that is unavailable or to which availability is highly limited;

(2) with respect to the instrument involved, the availability and commitment of the appropriate technical expertise within the major user group or the applicant institution for use of the instrumentation;

(3) the adequacy of the organizational plan for the use of the instrument involved and the internal advisory committee for oversight of the

applicant, including sharing arrangements if any;

(4) the applicant's commitment for continued support of the utilization and maintenance of the instrument; and

(5) the extent to which the specified instrument will be shared and the benefit of the proposed instrument to the overall research community to be served.

(c) PEER REVIEW.—In awarding grants under the program described in subsection (a) Director of the National Center for Research Resources shall comply with the peer review requirements in section 492 of the Public Health Service Act (42 U.S.C. 289a).

TITLE IV—CARDIAC ARREST SURVIVAL

Subtitle A—Recommendations for Federal Buildings

SEC. 401. SHORT TITLE.

This subtitle may be cited as the ''Cardiac Arrest Survival Act of 2000''.

SEC. 402. FINDINGS.

Congress makes the following findings:

(1) Over 700 lives are lost every day to sudden cardiac arrest in the United States alone.

(2) Two out of every three sudden cardiac deaths occur before a victim can reach a hospital.

(3) More than 95 percent of these cardiac arrest victims will die, many because of lack of readily available life saving medical equipment.

(4) With current medical technology, up to 30 percent of cardiac arrest victims could be saved if victims had access to immediate medical response, including defibrillation and cardiopulmonary resuscitation.

(5) Once a victim has suffered a cardiac arrest, every minute that passes before returning the heart to a normal rhythm decreases the chance of survival by 10 percent.

(6) Most cardiac arrests are caused by abnormal heart rhythms called ventricular fibrillation. Ventricular fibrillation occurs when the heart's electrical system malfunctions, causing a chaotic rhythm that prevents the heart from pumping oxygen to the victim's brain and body.

(7) Communities that have implemented programs ensuring widespread public access to defibrillators, combined with appropriate training, maintenance, and coordination with local emergency medical systems, have dramatically improved the survival rates from cardiac arrest.

(8) Automated external defibrillator devices have been demonstrated to be safe and effective, even when used by lay people, since the devices are designed not to allow a user to administer a shock until after the device has analyzed a victim's heart rhythm and determined that an electric shock is required.

(9) Increasing public awareness regarding automated external defibrillator devices and encouraging their use in Federal buildings will greatly facilitate their adoption.

(10) Limiting the liability of Good Samaritans and acquirers of automated external defibrillator devices in emergency situations may encourage the use of automated external defibrillator devices, and result in saved lives.

SEC. 403. RECOMMENDATIONS AND GUIDELINES OF SECRETARY OF HEALTH AND HUMAN SERVICES REGARDING AUTOMATED EXTERNAL DEFIBRILLATORS FOR FEDERAL BUILDINGS.

Part B of title II of the Public Health Service Act (42 U.S.C. 238 et seq.) is amended by adding at the end the following:

''RECOMMENDATIONS AND GUIDELINES REGARDING AUTOMATED EXTERNAL DEFIBRILLATORS FOR FEDERAL BUILDINGS

''SEC. 247. (a) GUIDELINES ON PLACEMENT.—The Secretary shall establish guidelines with respect to placing automated external defibrillator devices in Federal buildings. Such guidelines shall take into account the extent to which such devices may be used by lay persons, the typical number of employees and visitors in the buildings, the extent of the need for security measures regarding the buildings, buildings or portions of buildings in which there are special circumstances such as high electrical voltage or extreme heat or cold, and such other factors as the Secretary determines to be appropriate.

''(b) RELATED RECOMMENDATIONS.—The Secretary shall publish in the Federal Register the recommendations of the Secretary on the appropriate implementation of the placement of automated external defibrillator devices under subsection (a), including procedures for the following:

''(1) Implementing appropriate training courses in the use of such devices, including the role of cardiopulmonary resuscitation.

''(2) Proper maintenance and testing of the devices.

''(3) Ensuring coordination with appropriate licensed professionals in the oversight of training of the devices.

''(4) Ensuring coordination with local emergency medical systems regarding the placement and incidents of use of the devices.

''(c) CONSULTATIONS; CONSIDERATION OF CERTAIN RECOMMENDATIONS.—In carrying out this section, the Secretary shall—

''(1) consult with appropriate public and private entities;

''(2) consider the recommendations of national and local public-health organizations for improving the survival rates of individuals who experience cardiac arrest in nonhospital settings by minimizing the time elapsing between the onset of cardiac arrest and the initial medical response, including defibrillation as necessary; and

''(3) consult with and counsel other Federal agencies where such devices are to be used.

''(d) DATE CERTAIN FOR ESTABLISHING GUIDELINES AND RECOMMENDATIONS.—The Secretary shall comply with this section not later than 180 days after the date of the enactment of the Cardiac Arrest Survival Act of 2000.

''(e) DEFINITIONS.—For purposes of this section:

''(1) The term 'automated external defibrillator device' has the meaning given such term in section 248.

''(2) The term 'Federal building' includes a building or portion of a building leased or rented by a Federal agency, and includes buildings on military installations of the United States.''.

SEC. 404. GOOD SAMARITAN PROTECTIONS REGARDING EMERGENCY USE OF AUTOMATED EXTERNAL DEFIBRILLATORS.

Part B of title II of the Public Health Service Act, as amended by section 403, is amended by adding at the end the following:

''LIABILITY REGARDING EMERGENCY USE OF AUTOMATED EXTERNAL DEFIBRILLATORS

''SEC. 248. (a) GOOD SAMARITAN PROTECTIONS REGARDING AEDS.—Except as provided in subsection (b), any person who uses or attempts to use an automated external defibrillator device on a victim of a perceived medical emergency is immune from civil liability for any harm resulting from the use or attempted use of such device; and in addition, any person who acquired the device is immune from such liability, if the harm was not due to the failure of such acquirer of the device—

''(1) to notify local emergency response personnel or other appropriate entities of the most recent placement of the device within a reasonable period of time after the device was placed;

''(2) to properly maintain and test the device; or

''(3) to provide appropriate training in the use of the device to an employee or agent of the acquirer when the employee or agent was the person who used the device on the victim, except that such requirement of training does not apply if—

''(A) the employee or agent was not an employee or agent who would have been reasonably expected to use the device; or

''(B) the period of time elapsing between the engagement of the person as an employee or agent and the occurrence of the harm (or between the acquisition of the device and the occurrence of the harm, in any case in which the device was acquired after such engagement of the person) was not a reasonably sufficient period in which to provide the training.

''(b) INAPPLICABILITY OF IMMUNITY.—Immunity under subsection (a) does not apply to a person if—

''(1) the harm involved was caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the victim who was harmed; or

''(2) the person is a licensed or certified health professional who used the automated external defibrillator device while acting within the scope of the license or certification of the professional and within the scope of the employment or agency of the professional; or

''(3) the person is a hospital, clinic, or other entity whose purpose is providing health care directly to patients, and the harm was caused by an employee or agent of the entity who used the device while acting within the scope of the employment or agency of the employee or agent; or

''(4) the person is an acquirer of the device who leased the device to a health care entity (or who otherwise provided the device to such entity for compensation without selling the device to the entity), and the harm was caused by an employee or agent of the entity who used the device while acting within the scope of the employment or agency of the employee or agent.

''(c) RULES OF CONSTRUCTION.—

''(1) IN GENERAL.—The following applies with respect to this section:

''(A) This section does not establish any cause of action, or require that an automated external defibrillator device be placed at any building or other location.

''(B) With respect to a class of persons for which this section provides immunity from civil liability, this section supersedes the law of a State only to the extent that the State has no statute or regulations that provide persons in such class with immunity for civil liability arising from the use by such persons of automated external defibrillator devices in emergency situations (within the meaning of the State law or regulation involved).

''(C) This section does not waive any protection from liability for Federal officers or employees under—

''(i) section 224; or

''(ii) sections 1346(b), 2672, and 2679 of title 28, United States Code, or under alternative benefits provided by the United States where the availability of such benefits precludes a remedy under section 1346(b) of title 28.

''(2) CIVIL ACTIONS UNDER FEDERAL LAW.—

''(A) IN GENERAL.—The applicability of subsections (a) and (b) includes applicability to any action for civil liability described in subsection (a) that arises under Federal law.

''(B) FEDERAL AREAS ADOPTING STATE LAW.—If a geographic area is under Federal jurisdiction and is located within a State but out of the jurisdiction of the State, and if, pursuant to Federal law, the law of the State applies in such area regarding matters for which there is no applicable Federal law, then an action for civil liability described in subsection (a) that in such area arises under the law of the State is subject to subsections (a) through (c) in lieu of any related State law that would apply in such area in the absence of this subparagraph.

''(d) FEDERAL JURISDICTION.—In any civil action arising under State law, the courts of the State involved have jurisdiction to apply the provisions of this section exclusive of the jurisdiction of the courts of the United States.

''(e) DEFINITIONS.—

''(1) PERCEIVED MEDICAL EMERGENCY.—For purposes of this section, the term 'perceived medical emergency' means circumstances in which the behavior of an individual leads a reasonable person to believe that the individual is

experiencing a life-threatening medical condition that requires an immediate medical response regarding the heart or other cardiopulmonary functioning of the individual.

''(2) OTHER DEFINITIONS.—For purposes of this section:

''(A) The term 'automated external defibrillator device' means a defibrillator device that—

''(i) is commercially distributed in accordance with the Federal Food, Drug, and Cosmetic Act;

''(ii) is capable of recognizing the presence or absence of ventricular fibrillation, and is capable of determining without intervention by the user of the device whether defibrillation should be performed;

''(iii) upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual; and

''(iv) in the case of a defibrillator device that may be operated in either an automated or a manual mode, is set to operate in the automated mode.

''(B)(i) The term 'harm' includes physical, nonphysical, economic, and noneconomic losses.

''(ii) The term 'economic loss' means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expense loss, replacement services loss, loss due to death, burial costs, and loss of business or employment opportunities) to the extent recovery for such loss is allowed under applicable State law.

''(iii) The term 'noneconomic losses' means losses for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation and all other nonpecuniary losses of any kind or nature.''.

Subtitle B—Rural Access to Emergency Devices

SEC. 411. SHORT TITLE.

This subtitle may be cited as the ''Rural Access to Emergency Devices Act'' or the ''Rural AED Act''.

SEC. 412. FINDINGS.

Congress makes the following findings:

(1) Heart disease is the leading cause of death in the United States.

(2) The American Heart Association estimates that 250,000 Americans die from sudden cardiac arrest each year.

(3) A cardiac arrest victim's chance of survival drops 10 percent for every minute that passes before his or her heart is returned to normal rhythm.

(4) Because most cardiac arrest victims are initially in ventricular fibrillation, and the only treatment for ventricular fibrillation is defibrillation, prompt access to defibrillation to return the heart to normal rhythm is essential.

(5) Lifesaving technology, the automated external defibrillator, has been developed to allow trained lay rescuers to respond to cardiac arrest by using this simple device to shock the heart into normal rhythm.

(6) Those people who are likely to be first on the scene of a cardiac arrest situation in many communities, particularly smaller and rural communities, lack sufficient numbers of automated external defibrillators to respond to cardiac arrest in a timely manner.

(7) The American Heart Association estimates that more than 50,000 deaths could be prevented each year if defibrillators were more widely available to designated responders.

(8) Legislation should be enacted to encourage greater public access to automated external defibrillators in communities across the United States.

SEC. 413. GRANTS.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Rural Health Outreach Office of the Health Resources and Services Administration, shall award grants to community partnerships that meet the requirements of subsection (b) to enable such partnerships to purchase equipment and provide training as provided for in subsection (c).

(b) COMMUNITY PARTNERSHIPS.—A community partnership meets the requirements of this subsection if such partnership—

(1) is composed of local emergency response entities such as community training facilities, local emergency responders, fire and rescue departments, police, community hospitals, and local non-profit entities and for-profit entities concerned about cardiac arrest survival rates;

(2) evaluates the local community emergency response times to assess whether they meet the standards established by national public health organizations such as the American Heart Association and the American Red Cross; and

(3) submits to the Secretary of Health and Human Services an application at such time, in such manner, and containing such information as the Secretary may require.

(c) USE OF FUNDS.—Amounts provided under a grant under this section shall be used—

(1) to purchase automated external defibrillators that have been approved, or cleared for marketing, by the Food and Drug Administration; and

(2) to provide defibrillator and basic life support training in automated external defibrillator usage through the American Heart Association, the American Red Cross, or other nationally recognized training courses.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report containing data relating to whether the increased availability of defibrillators has affected survival rates in the communities in which grantees under this section operated. The procedures under which the Secretary obtains data and prepares the report under this subsection shall not impose an undue burden on program participants under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $25,000,000 for fiscal years 2001 through 2003 to carry out this section.

TITLE V—LUPUS RESEARCH AND CARE

SEC. 501. SHORT TITLE.

This title may be cited as the ''Lupus Research and Care Amendments of 2000''.

SEC. 502. FINDINGS.

The Congress finds that—

(1) lupus is a serious, complex, inflammatory, autoimmune disease of particular concern to women;

(2) lupus affects women nine times more often than men;

(3) there are three main types of lupus: systemic lupus, a serious form of the disease that affects many parts of the body; discoid lupus, a form of the disease that affects mainly the skin; and drug-induced lupus caused by certain medications;

(4) lupus can be fatal if not detected and treated early;

(5) the disease can simultaneously affect various areas of the body, such as the skin, joints, kidneys, and brain, and can be difficult to diagnose because the symptoms of lupus are similar to those of many other diseases;

(6) lupus disproportionately affects African-American women, as the prevalence of the disease among such women is three times the prevalence among white women, and an estimated 1 in 250 African-American women between the ages of 15 and 65 develops the disease;

(7) it has been estimated that between 1,400,000 and 2,000,000 Americans have been diagnosed with the disease, and that many more have undiagnosed cases;

(8) current treatments for the disease can be effective, but may lead to damaging side effects;

(9) many victims of the disease suffer debilitating pain and fatigue, making it difficult to maintain employment and lead normal lives; and

(10) in fiscal year 1996, the amount allocated by the National Institutes of Health for research on lupus was $33,000,000, which is less than one-half of 1 percent of the budget for such Institutes.

Subtitle A—Research on Lupus

SEC. 511. EXPANSION AND INTENSIFICATION OF ACTIVITIES.

Subpart 4 of part C of title IV of the Public Health Service Act (42 U.S.C. 285d et seq.) is amended by inserting after section 441 the following:

''LUPUS

''SEC. 441A. (a) IN GENERAL.—The Director of the Institute shall expand and intensify research and related activities of the Institute with respect to lupus.

''(b) COORDINATION WITH OTHER INSTITUTES.—The Director of the Institute shall coordinate the activities of the Director under subsection (a) with similar activities conducted by the other national research institutes and agencies of the National Institutes of Health to the extent that such Institutes and agencies have responsibilities that are related to lupus.

''(c) PROGRAMS FOR LUPUS.—In carrying out subsection (a), the Director of the Institute shall conduct or support research to expand the understanding of the causes of, and to find a cure for, lupus. Activities under such subsection shall include conducting and supporting the following:

''(1) Research to determine the reasons underlying the elevated prevalence of lupus in women, including African-American women.

''(2) Basic research concerning the etiology and causes of the disease.

''(3) Epidemiological studies to address the frequency and natural history of the disease and the differences among the sexes and among racial and ethnic groups with respect to the disease.

''(4) The development of improved diagnostic techniques.

''(5) Clinical research for the development and evaluation of new treatments, including new biological agents.

''(6) Information and education programs for health care professionals and the public.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2003.''.

Subtitle B—Delivery of Services Regarding Lupus

SEC. 521. ESTABLISHMENT OF PROGRAM OF GRANTS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall in accordance with this subtitle make grants to provide for projects for the establishment, operation, and coordination of effective and cost-efficient systems for the delivery of essential services to individuals with lupus and their families.

(b) RECIPIENTS OF GRANTS.—A grant under subsection (a) may be made to an entity only if the entity is a public or nonprofit private entity, which may include a State or local government; a public or nonprofit private hospital, community-based organization, hospice, ambulatory care facility, community health center, migrant health center, or homeless health center; or other appropriate public or nonprofit private entity.

(c) CERTAIN ACTIVITIES.—To the extent practicable and appropriate, the Secretary shall ensure that projects under subsection (a) provide services for the diagnosis and disease management of lupus. Activities that the Secretary may authorize for such projects may also include the following:

(1) Delivering or enhancing outpatient, ambulatory, and home-based health and support services, including case management and com-

prehensive treatment services, for individuals with lupus; and delivering or enhancing support services for their families.

(2) Delivering or enhancing inpatient care management services that prevent unnecessary hospitalization or that expedite discharge, as medically appropriate, from inpatient facilities of individuals with lupus.

(3) Improving the quality, availability, and organization of health care and support services (including transportation services, attendant care, homemaker services, day or respite care, and providing counseling on financial assistance and insurance) for individuals with lupus and support services for their families.

(d) INTEGRATION WITH OTHER PROGRAMS.—To the extent practicable and appropriate, the Secretary shall integrate the program under this subtitle with other grant programs carried out by the Secretary, including the program under section 330 of the Public Health Service Act.

SEC. 522. CERTAIN REQUIREMENTS.

A grant may be made under section 521 only if the applicant involved makes the following agreements:

(1) Not more than 5 percent of the grant will be used for administration, accounting, reporting, and program oversight functions.

(2) The grant will be used to supplement and not supplant funds from other sources related to the treatment of lupus.

(3) The applicant will abide by any limitations deemed appropriate by the Secretary on any charges to individuals receiving services pursuant to the grant. As deemed appropriate by the Secretary, such limitations on charges may vary based on the financial circumstances of the individual receiving services.

(4) The grant will not be expended to make payment for services authorized under section 521(a) to the extent that payment has been made, or can reasonably be expected to be made, with respect to such services—

(A) under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or

(B) by an entity that provides health services on a prepaid basis.

(5) The applicant will, at each site at which the applicant provides services under section 521(a), post a conspicuous notice informing individuals who receive the services of any Federal policies that apply to the applicant with respect to the imposition of charges on such individuals.

SEC. 523. TECHNICAL ASSISTANCE.

The Secretary may provide technical assistance to assist entities in complying with the requirements of this subtitle in order to make such entities eligible to receive grants under section 521.

SEC. 524. DEFINITIONS.

For purposes of this subtitle:

(1) OFFICIAL POVERTY LINE.—The term ''official poverty line'' means the poverty line established by the Director of the Office of Management and Budget and revised by the Secretary in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

SEC. 525. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of carrying out this subtitle, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2003.

TITLE VI—PROSTATE CANCER RESEARCH AND PREVENTION

SEC. 601. SHORT TITLE.

This title may be cited as the ''Prostate Cancer Research and Prevention Act''.

SEC. 602. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) PREVENTIVE HEALTH MEASURES.—Section 317D of the Public Health Service Act (42 U.S.C. 247b–5) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to States and local health departments for the purpose of enabling such States and departments to carry out programs that may include the following:

''(1) To identify factors that influence the attitudes or levels of awareness of men and health care practitioners regarding screening for prostate cancer.

''(2) To evaluate, in consultation with the Agency for Health Care Policy and Research and the National Institutes of Health, the effectiveness of screening strategies for prostate cancer.

''(3) To identify, in consultation with the Agency for Health Care Policy and Research, issues related to the quality of life for men after prostrate cancer screening and followup.

''(4) To develop and disseminate public information and education programs for prostate cancer, including appropriate messages about the risks and benefits of prostate cancer screening for the general public, health care providers, policy makers and other appropriate individuals.

''(5) To improve surveillance for prostate cancer.

''(6) To address the needs of underserved and minority populations regarding prostate cancer.

''(7) Upon a determination by the Secretary, who shall take into consideration recommendations by the United States Preventive Services Task Force and shall seek input, where appropriate, from professional societies and other private and public entities, that there is sufficient consensus on the effectiveness of prostate cancer screening—

''(A) to screen men for prostate cancer as a preventive health measure;

''(B) to provide appropriate referrals for the medical treatment of men who have been screened under subparagraph (A) and to ensure, to the extent practicable, the provision of appropriate followup services and support services such as case management;

''(C) to establish mechanisms through which State and local health departments can monitor the quality of screening procedures for prostate cancer, including the interpretation of such procedures; and

''(D) to improve, in consultation with the Health Resources and Services Administration, the education, training, and skills of health practitioners (including appropriate allied health professionals) in the detection and control of prostate cancer.

''(8) To evaluate activities conducted under paragraphs (1) through (7) through appropriate surveillance or program monitoring activities.''; and

(2) in subsection (l)(1), by striking ''1998'' and inserting ''2004''.

(b) NATIONAL INSTITUTES OF HEALTH.—Section 417B(c) of the Public Health Service Act (42 U.S.C. 286a–8(c)) is amended by striking ''and 1996'' and inserting ''through 2004''.

TITLE VII—ORGAN PROCUREMENT AND DONATION

SEC. 701. ORGAN PROCUREMENT ORGANIZATION CERTIFICATION.

(a) SHORT TITLE.—This section may be cited as the ''Organ Procurement Organization Certification Act of 2000''.

(b) FINDINGS.—Congress makes the following findings:

(1) Organ procurement organizations play an important role in the effort to increase organ donation in the United States.

(2) The current process for the certification and recertification of organ procurement organizations conducted by the Department of Health and Human Services has created a level of uncertainty that is interfering with the effectiveness of organ procurement organizations in raising the level of organ donation.

(3) The General Accounting Office, the Institute of Medicine, and the Harvard School of Public Health have identified substantial limitations in the organ procurement organization certification and recertification process and have recommended changes in that process.

(4) The limitations in the recertification process include:

(A) An exclusive reliance on population-based measures of performance that do not account for the potential in the population for organ donation and do not permit consideration of other outcome and process standards that would more accurately reflect the relative capability and performance of each organ procurement organization.

(B) A lack of due process to appeal to the Secretary of Health and Human Services for recertification on either substantive or procedural grounds.

(5) The Secretary of Health and Human Services has the authority under section 1138(b)(1)(A)(i) of the Social Security Act (42 U.S.C. 1320b–8(b)(1)(A)(i)) to extend the period for recertification of an organ procurement organization from 2 to 4 years on the basis of its past practices in order to avoid the inappropriate disruption of the nation's organ system.

(6) The Secretary of Health and Human Services can use the extended period described in paragraph (5) for recertification of all organ procurement organizations to—

(A) develop improved performance measures that would reflect organ donor potential and interim outcomes, and to test these measures to ensure that they accurately measure performance differences among the organ procurement organizations; and

(B) improve the overall certification process by incorporating process as well as outcome performance measures, and developing equitable processes for appeals.

(c) CERTIFICATION AND RECERTIFICATION OF ORGAN PROCUREMENT ORGANIZATIONS.—Section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)) is amended—

(1) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively;

(2) by realigning the margin of subparagraph (F) (as so redesignated) so as to align with subparagraph (E) (as so redesignated); and

(3) by inserting after subparagraph (C) the following:

''(D) notwithstanding any other provision of law, has met the other requirements of this section and has been certified or recertified by the Secretary within the previous 4-year period as meeting the performance standards to be a qualified organ procurement organization through a process that either—

''(i) granted certification or recertification within such 4-year period with such certification or recertification in effect as of January 1, 2000, and remaining in effect through the earlier of—

''(I) January 1, 2002; or

''(II) the completion of recertification under the requirements of clause (ii); or

''(ii) is defined through regulations that are promulgated by the Secretary by not later than January 1, 2002, that—

''(I) require recertifications of qualified organ procurement organizations not more frequently than once every 4 years;

''(II) rely on outcome and process performance measures that are based on empirical evidence, obtained through reasonable efforts, of organ donor potential and other related factors in each service area of qualified organ procurement organizations;

''(III) use multiple outcome measures as part of the certification process; and

''(IV) provide for a qualified organ procurement organization to appeal a decertification to the Secretary on substantive and procedural grounds;''.

SEC. 702. DESIGNATION OF GIVE THANKS, GIVE LIFE DAY.

(a) FINDINGS.—Congress finds that—

(1) traditionally, Thanksgiving is a time for families to take time out of their busy lives to come together and to give thanks for the many blessings in their lives;

(2) approximately 21,000 men, women, and children in the United States are given the gift of life each year through transplantation surgery, made possible by the generosity of organ and tissue donations;

(3) more than 66,000 Americans are awaiting their chance to prolong their lives by finding a matching donor;

(4) nearly 5,000 of these patients each year (or 13 patients each day) die while waiting for a donated heart, liver, kidney, or other organ;

(5) nationwide there are up to 15,000 potential donors annually, but families' consent to donation is received for less than 6,000;

(6) the need for organ donations greatly exceeds the supply available;

(7) designation as an organ donor on a driver's license or voter's registration is a valuable step, but does not ensure donation when an occasion arises;

(8) the demand for transplantation will likely increase in the coming years due to the growing safety of transplantation surgery due to improvements in technology and drug developments, prolonged life expectancy, and increased prevalence of diseases that may lead to organ damage and failure, including hypertension, alcoholism, and hepatitis C infection;

(9) the need for a more diverse donor pool, including a variety of racial and ethnic minorities, will continue to grow in the coming years;

(10) the final decision on whether a potential donor can share the gift of life usually is made by surviving family members regardless of the patient's initial intent;

(11) many Americans have indicated a willingness to donate their organs and tissues but have not discussed this critical matter with the family members who are most likely to make the decision, if the occasion arises, as to whether that person will be an organ and tissue donor;

(12) some family members may be reluctant to give consent to donate their deceased loved one's organs and tissues at a very difficult and emotional time if that person has not clearly expressed a desire or willingness to do so;

(13) the vast majority of Americans are likely to spend part of Thanksgiving Day with some of those family members who would be approached to make such a decision; and

(14) it is fitting for families to spend a portion of that day discussing how they might give life to others on a day devoted to giving thanks for their own blessings.

(b) DESIGNATION.—November 23, 2000, Thanksgiving Day, is hereby designated as a day to ''Give Thanks, Give Life'' and to discuss organ and tissue donation with other family members so that informed decisions can be made if the occasion to donate arises.

TITLE VIII—ALZHEIMER'S CLINICAL RESEARCH AND TRAINING

SEC. 801. ALZHEIMER'S CLINICAL RESEARCH AND TRAINING AWARDS.

Subpart 5 of part C of title IV of the Public Health Service Act (42 U.S.C. 285e et seq.) is amended—

(1) by redesignating section 445I as section 445J; and

(2) by inserting after section 445H the following:

"SEC. 445I. ALZHEIMER'S CLINICAL RESEARCH AND TRAINING AWARDS.

''(a) IN GENERAL.—The Director of the Institute is authorized to establish and maintain a program to enhance and promote the translation of new scientific knowledge into clinical practice related to the diagnosis, care and treatment of individuals with Alzheimer's disease.

''(b) SUPPORT OF PROMISING CLINICIANS.—In order to foster the application of the most current developments in the etiology, pathogenesis, diagnosis, prevention and treatment of Alzheimer's disease, amounts made available under this section shall be directed to the support of promising clinicians through awards for research, study, and practice at centers of excellence in Alzheimer's disease research and treatment.

''(c) EXCELLENCE IN CERTAIN FIELDS.—Research shall be carried out under awards made under subsection (b) in environments of demonstrated excellence in neuroscience, neurobiology, geriatric medicine, and psychiatry and shall foster innovation and integration of such disciplines or other environments determined suitable by the Director of the Institute.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $2,250,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 through 2005.''.

TITLE IX—SEXUALLY TRANSMITTED DISEASE CLINICAL RESEARCH AND TRAINING

SEC. 901. SEXUALLY TRANSMITTED DISEASE CLINICAL RESEARCH AND TRAINING AWARDS.

Subpart 6 of part C of title IV of the Public Health Service Act (42 U.S.C. 285f et seq.) is amended by adding at the end the following:

"SEC. 447B. SEXUALLY TRANSMITTED DISEASE CLINICAL RESEARCH AND TRAINING AWARDS.

''(a) IN GENERAL.—The Director of the Institute is authorized to establish and maintain a program to enhance and promote the translation of new scientific knowledge into clinical practice related to the diagnosis, care and treatment of individuals with sexually transmitted diseases.

''(b) SUPPORT OF PROMISING CLINICIANS.—In order to foster the application of the most current developments in the etiology, pathogenesis, diagnosis, prevention and treatment of sexually transmitted diseases, amounts made available under this section shall be directed to the support of promising clinicians through awards for research, study, and practice at centers of excellence in sexually transmitted disease research and treatment.

''(c) EXCELLENCE IN CERTAIN FIELDS.—Research shall be carried out under awards made under subsection (b) in environments of demonstrated excellence in the etiology and pathogenesis of sexually transmitted diseases and shall foster innovation and integration of such disciplines or other environments determined suitable by the Director of the Institute.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $2,250,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 through 2005.''.

TITLE X—MISCELLANEOUS PROVISION

SEC. 1001. TECHNICAL CORRECTION TO THE CHILDREN'S HEALTH ACT OF 2000.

(a) IN GENERAL.—Section 2701 of the Children's Health Act of 2000 is amended by striking ''part 45 of title 46'' and inserting ''part 46 of title 45''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the date of enactment of the Children's Health Act of 2000.

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of those present had voted in the affirmative.

Mr. ALLEN demanded a recorded vote on the motion to suspend the rules and agree to said amendment, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 384 / Nays 2

¶117.16 [Roll No. 565]

AYES—384

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad

Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Wamp
Waters
Watkins
Watt (NC)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—2

Paul
Sanford

NOT VOTING—46

Abercrombie
Barr
Bilbray
Brady (PA)
Campbell
Chenoweth-Hage
Coburn
Conyers
Cox
Coyne
Cramer
Danner
Dickey
Dunn
Fowler
Franks (NJ)
Ganske
Graham
Hefley
Isakson
Kasich
Kingston
Klink
Kolbe
Lazio
Martinez
McCollum
McInnis
McIntosh
McKeon
Metcalf
Miller, George
Mollohan
Packard
Peterson (PA)
Pickett
Quinn
Sessions
Shays
Spratt
Stark
Talent
Walsh
Watts (OK)
Waxman
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶117.17 H. RES. 650—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 650) expressing the sense of the House with respect to the release of findings and recommendations by the Federal Energy Regulatory Commission regarding the electricity crisis in California.

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶117.18 H. RES. 655—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 655) providing for the consideration of the bill (H.R. 1550) to authorize appropriations for the United States Fire Administration for fiscal years 2000 and 2001, and for other purposes; and the Senate amendment thereto.

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of those present had voted in the affirmative.

Mr. GEJDENSON demanded a recorded vote on the motion to suspend the rules and pass said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

It was decided in the affirmative ..... { Yeas ..... 384 / Nays 5

¶117.19 [Roll No. 566]

AYES—384

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—5

Johnson, Sam
Paul
Shadegg
Stump
Taylor (MS)

NOT VOTING—43

Abercrombie
Barr
Bilbray
Brady (PA)
Campbell
Chenoweth-Hage
Coburn
Conyers
Cox
Coyne
Cramer
Danner
Dickey
Dunn
Fowler
Franks (NJ)
Ganske
Graham
Hefley
Isakson
Kasich
Kingston
Klink
Kolbe
Lazio
Martinez
McCollum
McInnis
McIntosh
McKeon
Metcalf
Mollohan
Peterson (PA)
Pickett
Quinn
Sessions
Shays
Spratt
Stark
Talent
Watts (OK)
Waxman
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶117.20 S. 2712—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2712) to amend chapter 35 of the title 31, United States Code, to authorize the consolidation of certain financial and performance management reports required of Federal agencies, and for other purposes.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of those present had voted in the affirmative.

Mr. SHERMAN demanded a recorded vote on the motion to suspend the rules and pass said bill which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 385 / Nays 0

¶117.21 [Roll No. 567]

AYES—385

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—47

Abercrombie
Barr
Bilbray
Brady (PA)
Brady (TX)
Campbell
Chenoweth-Hage
Coburn
Conyers
Cox
Coyne
Cramer
Danner
DeLay
Dickey
Dunn
Fowler
Franks (NJ)
Ganske
Graham
Hefley
Isakson
Kasich
Kingston
Klink
Kolbe
Lazio
Martinez
McCollum
McInnis
McIntosh
McKeon
Metcalf
Mollohan
Peterson (PA)
Pickett
Quinn
Roukema
Sessions
Shays
Spratt
Stark
Talent
Tierney
Watts (OK)
Waxman
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶117.22 H.R. 5309—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5309) to designate the facility of the United States Postal Service located at 2305 Minton Road in West Melbourne, Florida, as the ''Ronald W. Reagan Post Office Building''.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of those present had voted in the affirmative.

Mr. KLECZKA demanded a recorded vote on the motion to suspend the rules and pass said bill which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 376 / Nays 8

¶117.23 [Roll No. 568]

AYES—376

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss

Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—8

Filner
Lee
Lofgren
McDermott
Meeks (NY)
Nadler
Oberstar
Sabo

NOT VOTING—48

Abercrombie
Barr
Bilbray
Brady (PA)
Campbell
Chenoweth-Hage
Coburn
Conyers
Cox
Coyne
Cramer
Danner
Dickey
Dunn
Fowler
Franks (NJ)
Ganske
Graham
Gutierrez
Hefley
Hunter
Isakson
Kaptur
Kasich
Kingston
Klink
Kolbe
Lazio
Martinez
McCollum
McInnis
McIntosh
McKeon
Metcalf
Minge
Mollohan
Peterson (PA)
Pickett
Quinn
Sessions
Shays
Spratt
Stark
Talent
Tierney
Watts (OK)
Waxman
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶117.24 S. 3194—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3194) to designate the facility of the United States Postal Service located at 431 George Street in Millersville, Pennsylvania, as the ''Robert S. Walker Post Office''.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of those present had voted in the affirmative.

Mr. DOGGETT demanded a recorded vote on the motion to suspend the rules and pass said bill which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 379 / Nays 7

¶117.25 [Roll No. 569]

AYES—379

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOES—7

DeFazio
Lofgren
McDermott
Olver
Radanovich
Sanford
Wu

NOT VOTING—46

Abercrombie
Barr
Bilbray
Bonior
Brady (PA)
Campbell
Chenoweth-Hage
Coburn
Conyers
Cox
Coyne
Cramer
Danner
DeLay
Dickey
Dunn
Fowler
Franks (NJ)
Ganske
Graham
Hefley

Isakson	McIntosh	Spratt
Kasich	McKeon	Stark
Kingston	Metcalf	Talent
Klink	Mollohan	Tierney
Kolbe	Peterson (PA)	Watts (OK)
Lazio	Pickett	Waxman
Martinez	Quinn	Wise
McCollum	Sessions	
McInnis	Shays	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶117.26 H.R. 4399—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4399) to designate the facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, as the ''Arthur 'Pappy' Kennedy Post Office Building''; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to designate the facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, as the 'Arthur ''Pappy'' Kennedy Post Office'.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶117.27 H.R. 4400—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4400) to designate the facility of the United States Postal Service located at 1601-1 Main Street in Jacksonville, Florida, as the ''Eddie Mae Steward Post Office Building''; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to designate the facility of the United States Postal Service located at 1601–1 Main Street in Jacksonville, Florida, as the 'Eddie Mae Steward Post Office'.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶117.28 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Ms. DELAURO, pursuant to clause 7(c)(1)(B) of rule XXII, announced her intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on the highest funding level possible for the Low Income Home Energy Assistance Program in fiscal year 2001 and fiscal year 2002.

¶117.29 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mrs. LOWEY, pursuant to clause 7(c)(1)(B) of rule XXII, announced her intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class sizes in the early grades and for local school construction and, instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

¶117.30 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 117. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶117.31 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3045. An Act to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes, and for other purposes; to the Committee on the Judiciary.

¶117.32 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1651. An Act to amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country, and for other purposes.

H.R. 3218. An Act to amend title 31, United States Code, to prohibit the appearance of Social Security account numbers on or through unopened mailings of checks or other drafts issued on public money in the Treasury.

H.R. 5178. An Act to require changes in the bloodborne pathogens standard in effect under the Occupational Safety and Health Act of 1970.

H.J. Res. 117. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶117.33 JOINT RESOLUTION PRESENTED TO THE PRESIDENT

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

On October 26, 2000:

H.J. Res. 116. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

And then,

¶117.34 ADJOURNMENT

On motion of Mr. PALLONE, at 6 o'clock and 56 minutes p.m., the House adjourned.

¶117.35 REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4144. A bill to provide for the allocation of interest accruing to the Abandoned Mine Reclamation Fund, and for other purposes, with an amendment; referred to the Committee on The Budget for a period ending not later than October 28, 2000, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(e), rule X (Rept. No. 106–1014, Pt. 1).

¶117.36 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KNOLLENBERG:

H.R. 5586. A bill to authorize the negotiation of a Free Trade Agreement with the Republic of Singapore, and to provide for expedited congressional consideration of such an agreement; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNOLLENBERG:

H.R. 5587. A bill to amend the United States Enrichment Corporation Privatization Act to prevent the untimely sale of uranium hexaflouride; to the Committee on Commerce.

By Mr. ARCHER:

H.R. 5588. A bill to establish the Government Program Evaluation Commission; to the Committee on Government Reform.

By Mr. COX (for himself, Mr. RADANOVICH, Mrs. BONO, Mr. BILBRAY, Mr. ROHRABACHER, Mr. GARY MILLER of California, and Mr. HUTCHINSON):

H.R. 5589. A bill to facilitate the cleanup of environmental degradation caused in the manufacture of methamphetamine and to combat illegal drug use by imposing new monetary fines on the manufacture and trafficking of methamphetamines; to the Committee on Commerce.

By Mr. FOSSELLA:

H.R. 5590. A bill to amend certain provisions of title 5, United States Code, relating to disability annuities for law enforcement officers, firefighters, and members of the Capitol Police; to the Committee on Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KUCINICH:

H.R. 5591. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish the authority of officers and employees of the Department of Health and Human Services to issue detention orders regarding food in any case in which there is a reasonable belief that the food is in violation of such Act, and for other purposes; to the Committee on Commerce.

By Mrs. MALONEY of New York:

H.R. 5592. A bill to amend the Child Nutrition Act of 1966 to provide vouchers for the purchase of educational books for infants and children participating in the special supplemental nutrition program for women, infants, and children under that Act; to the Committee on Education and the Workforce.

By Mr. PORTMAN (for himself and Mr. CONDIT):

H.R. 5593. A bill to establish a Bipartisan Commission on Social Security Reform; to the Committee on Ways and Means.

By Mr. RADANOVICH:

H.R. 5594. A bill to amend the Endangered Species Act of 1973 to exempt the Woodrow Wilson Bridge project from certain provisions of that Act and allow the bridge and activities elsewhere to proceed in compliance with that Act, and for other purposes; to the Committee on Resources.

By Mr. RODRIGUEZ (for himself, Ms. ROYBAL-ALLARD, Mr. PASTOR, Mr. ROMERO-BARCELO, Mr. UNDERWOOD, Mr. REYES, and Mrs. NAPOLITANO):

H.R. 5595. A bill to provide for programs regarding the health of Hispanic individuals, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAW:

H.R. 5596. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-MCDONALD:

H.R. 5597. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for internships and fellowships related to information technology; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H. Res. 657. A resolution directing the Speaker to certify the report of the Committee on Resources to the United States Attorney for the District of Columbia; considered and withdrawn.

By Mr. SMITH of New Jersey (for himself, Ms. ROS-LEHTINEN, Mr. LANTOS, Mr. ROHRABACHER, Mr. ROYCE, Mr. ABERCROMBIE, and Mr. WEXLER):

H. Res. 658. A resolution expressing the sense of the House of Representatives with respect to Dato Seri Anwar Ibrahim; to the Committee on International Relations.

By Mr. CROWLEY (for himself, Mr. WYNN, Mr. TOWNS, Mr. ROHRABACHER, Mr. WEXLER, Mr. GREEN of Texas, Mr. SESSIONS, Mr. SMITH of New Jersey, Mr. CUNNINGHAM, Mr. LAMPSON, Mr. ANDREWS, Mr. DAVIS of Florida, Ms. ESHOO, Mr. CHABOT, Mr. DEUTSCH, Mr. BROWN of Ohio, Mr. JEFFERSON, Ms. PELOSI, Mr. SOUDER, Mr. DIAZ-BALART, Mr. HINCHEY, Mr. BERMAN, Mr. ACKERMAN, and Mr. WU):

H. Res. 659. A resolution expressing the sense of the House of Representatives that the future of Taiwan should be resolved peacefully through a democratic mechanism and with the express consent of the people of Taiwan; to the Committee on International Relations.

By Ms. LEE (for herself, Mr. PAYNE, Mr. GEJDENSON, Ms. WATERS, Ms. MILLENDER-MCDONALD, and Ms. JACKSON-LEE of Texas):

H. Res. 660. A resolution to commend President Clinton for supporting the efforts of former South African President Nelson Mandela to bring peace to Burundi; to the Committee on International Relations.

¶117.37 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. REYNOLDS:

H.R. 5598. A bill for the relief of Barbara Makuch; to the Committee on the Judiciary.

By Mr. REYNOLDS:

H.R. 5599. A bill for the relief of Eugene Makuch; to the Committee on the Judiciary.

¶117.38 ADDITIONAL SPONSORS

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

H.R. 920: Mr. DELAHUNT.

H.R. 1048: Mr. GEORGE MILLER of California.

H.R. 1217: Mr. LUTHER, Mr. BARTLETT of Maryland, and Mr. GEKAS.

H.R. 1239: Mr. THOMPSON of Mississippi, Mr. SCOTT, Mr. VISCLOSKY, and Mr. FRELINGHUYSEN.

H.R. 1310: Mr. ENGLISH, Mr. DUNCAN, and Mr. TOWNS.

H.R. 2457: Mr. ROTHMAN and Ms. ROS-LEHTINEN.

H.R. 2584: Mr. PORTER.

H.R. 3610: Mr. ALLEN.

H.R. 4076: Mr. GOODLATTE.

H.R. 4213: Mr. SIMPSON.

H.R. 4277: Mr. SHIMKUS.

H.R. 4571: Mrs. CAPPS, Mrs. MALONEY of New York, Mrs. KELLY, Mr. PAYNE, and Mr. ETHERIDGE.

H.R. 4825: Mr. MCINTYRE.

H.R. 4857: Ms. ROYBAL-ALLARD.

H.R. 4949: Mr. RODRIGUEZ.

H.R. 5027: Mr. FOLEY and Mr. COLLINS.

H.R. 5345: Ms. SCHAKOWSKY.

H.R. 5447: Mr. LATOURETTE, Mr. GILLMOR, and Mr. ROGAN.

H.R. 5479: Mr. KUCINICH.

H.R. 5522: Mr. FROST.

H.R. 5537: Ms. NORTON and Mr. DELAY.

H.R. 5540: Mr. DINGELL.

H.J. Res. 48: Mr. BERRY.

H.J. Res. 107: Mr. GEORGE MILLER of California.

H. Con. Res. 337: Mr. CANADY of Florida, Mr. WALSH, and Mr. GARY MILLER of California.

SATURDAY, OCTOBER 28, 2000 (118)

The House was called to order by the SPEAKER.

¶118.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Friday, October 27, 2000.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared ....
- Yeas 256
- Nays 60
- Answered present 1

¶118.2 [Roll No. 570]

YEAS—256

Abercrombie	Collins	Gilman
Aderholt	Combest	Gonzalez
Archer	Condit	Goode
Armey	Conyers	Goodlatte
Baker	Cook	Goodling
Ballenger	Cooksey	Gordon
Barrett (NE)	Coyne	Goss
Bartlett	Cubin	Graham
Bass	Cummings	Granger
Bereuter	Cunningham	Green (TX)
Berkley	Davis (FL)	Green (WI)
Berman	Deal	Gutierrez
Biggert	DeGette	Hall (TX)
Bilirakis	DeLauro	Hansen
Bliley	DeLay	Hastings (WA)
Blumenauer	DeMint	Hayes
Blunt	Deutsch	Hayworth
Boehlert	Dicks	Hill (IN)
Boehner	Dingell	Hilleary
Bonilla	Doggett	Hinojosa
Bono	Dooley	Hobson
Boswell	Doyle	Hoeffel
Boyd	Dreier	Hoekstra
Brady (TX)	Ehlers	Holden
Bryant	Emerson	Horn
Burr	Eshoo	Hostettler
Callahan	Evans	Houghton
Calvert	Everett	Hoyer
Camp	Ewing	Hunter
Canady	Farr	Hutchinson
Cannon	Fletcher	Hyde
Capps	Foley	Inslee
Cardin	Forbes	Isakson
Castle	Ford	Istook
Chabot	Frost	Jackson (IL)
Chambliss	Gallegly	Jenkins
Chenoweth-Hage	Gekas	John
Clayton	Gephardt	Johnson (CT)
Clement	Gibbons	Johnson, Sam
Coble	Gilchrest	Jones (NC)
Coburn	Gillmor	Kelly

Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kuykendall
LaHood
Lampson
Larson
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matsui
McCarthy (NY)
McCrery
McHugh
McKinney
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Paul
Pease
Pelosi
Petri
Phelps
Pitts
Pomeroy
Portman
Price (NC)
Quinn
Rahall
Rangel
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rohrabacher
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Towns
Traficant
Turner
Upton
Walden
Walsh
Wamp
Watkins
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Wilson
Wolf
Woolsey
Young (FL)

NAYS—60

Allen
Bachus
Baird
Baldacci
Baldwin
Berry
Borski
Brady (PA)
Capuano
Carson
Costello
Cramer
DeFazio
English
Etheridge
Filner
Gejdenson
Gutknecht
Hall (OH)
Hill (MT)
Holt
Hooley
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kucinich
Latham
LoBiondo
McDermott
McGovern
McNulty
Meeks (NY)
Moran (KS)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Peterson (MN)
Ramstad
Rogan
Rothman
Sabo
Sanchez
Schaffer
Slaughter
Stenholm
Strickland
Stupak
Thompson (CA)
Tierney
Udall (CO)
Udall (NM)
Velazquez
Waters
Weller
Wicker
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—115

Ackerman
Andrews
Baca
Barcia
Barr
Barrett (WI)
Barton
Becerra
Bentsen
Bilbray
Bishop
Blagojevich
Bonior
Boucher
Brown (FL)
Brown (OH)
Burton
Buyer
Campbell
Clay
Clyburn
Cox
Crane
Crowley
Danner
Davis (IL)
Davis (VA)
Delahunt
Diaz-Balart
Dickey
Dixon
Doolittle
Duncan
Dunn
Edwards
Ehrlich
Engel
Fattah
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Ganske
Greenwood
Hastings (FL)
Hefley
Herger
Hilliard
Hinchey
Hulshof
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
King (NY)
Klink
Kolbe
LaFalce
Lantos
Largent
Lazio
Lipinski
Manzullo
Markey
Martinez
McCarthy (MO)
McCollum
McInnis
McIntosh
McIntyre
McKeon
Meehan
Meek (FL)
Menendez
Metcalf
Mink
Morella
Neal
Nethercutt
Owens
Payne
Peterson (PA)
Pickering
Pickett
Pombo
Porter
Pryce (OH)
Radanovich
Reynolds
Rogers
Ros-Lehtinen
Rush
Sandlin
Sessions
Shaw
Shays
Shuster
Spratt
Stabenow
Stark
Talent
Taylor (MS)
Taylor (NC)
Thompson (MS)
Visclosky
Vitter
Watt (NC)
Watts (OK)
Weldon (FL)
Weygand
Wise
Wynn
Young (AK)

So the Journal was approved.

¶118.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 660. An Act for the private relief of Ruth Hairston by waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity.

H.R. 848. An Act for the relief of Sepandan Farnia and Farbod Farnia.

H.R. 1235. An Act to authorize the Secretary of the Interior to enter into contracts with the Solano County Water Agency, California, to use Solano Project facilities for impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

H.R. 2941. An Act to establish the Las Cienegas National Conservation Area in the State of Arizona.

H.R. 3184. An Act for the relief of Zohreh Farhang Ghahfarokhi.

H.R. 3388. An Act to promote environmental restoration around the Lake Tahoe basin.

H.R. 3414. An Act for the relief of Luis A. Leon-Molina, Ligia Padron, Juan Leon Padron, Rendy Leon Padron, Manuel Leon Padron, and Luis Leon Padron.

H.R. 3621. An Act to provide for the posthumous promotion of William Clark of the Commonwealth of Virginia and the Commonwealth of Kentucky, co-leader of the Lewis and Clark Expedition, to the grade of captain in the Regular Army.

H.R. 4312. An Act to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing an Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes.

H.R. 4646. An Act to designate certain National Forest System lands within the boundaries of the State of Virginia as wilderness areas.

H.R. 4794. An Act to require the Secretary of the Interior to complete a resource study of the 600 mile route through Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia, used by George Washington and General Rochambeau during the American Revolutionary War.

H.R. 5266. An Act for the relief of Saeed Rezai.

H.R. 5478. An Act to authorize the Secretary of the Interior to acquire by donation suitable land to serve as the new location for the home of Alexander Hamilton, commonly known as the Hamilton Grange, and to authorize the relocation of the Hamilton Grange to the acquired land.

H. Con. Res. 408. Concurrent resolution expressing appreciation for the United States service members who were aboard the British transport HMT ROHNA when it sank, the families of these service members, and the rescuers of the HMT ROHNA's passengers and crew.

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate to the bill (H.R. 1444) ''An Act to authorize the Secretary of the Interior to plan, design, and construct fish screens, fish passage devices, and related features to mitigate adverse impacts associated with irrigation system water diversions by local governmental entities in the States of Oregon, Washington, Montana, Idaho, and California.''

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 2638. An Act to adjust the boundaries of the Gulf Islands National Seashore to include Cat Island, Mississippi.

S. 2751. An Act to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California.

S. 2789. An Act to amend the Congressional Award Act to establish a Congressional Recognition for Excellence in Arts Education Board.

S. 3181. An Act to establish the White House Commission on the National Moment of Remembrance, and for other purposes.

S. Con. Res. 138. Concurrent resolution expressing the sense of Congress that a day of peace and sharing should be established at the beginning of each year.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1936) ''An Act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes.''

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 2915) ''An Act to make improvements in the operation and administration of the Federal courts, and for other purposes.''

¶118.4 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. DOGGETT, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, in resolving the differences between the two Houses on the funding level for program management in carrying out titles XI, XVIII, XIX, and XXI of the Social Security Act, to choose a level that reflects a requirement to prohibit, through the Secretary of Health and Human Services, any market exclusivity for a prescription drug manufactured by a pharmaceutical manufacturer if the manufacturer does not make available to individuals eligible for benefits under such title XVIII all prescription drugs manufactured by the manufacturer at the

best available price (as defined in section 1927(c)(1)(C) of such Act) or at the lowest negotiated price paid to such manufacturer for such prescription drugs by any Federal agency or department.

¶118.5 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. PALLONE, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, in resolving the differences between the two Houses on the funding level for program management in carrying out titles XI, XVIII, XIX, and XXI of the Social Security Act, to choose a level that reflects a requirement on Medicare+Choice organizations to offer Medicare+Choice plans under part C of such title XVIII for a minimum contract period of three years, and to maintain the benefits specified under the contract for the three years.

¶118.6 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 646, called up the joint resolution (H.J. Res. 118) making further continuing appropriations for fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 339 / Nays ..... 7 }

¶118.7 [Roll No. 571]

YEAS—339

Abercrombie
Aderholt
Allen
Archer
Armey
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kelly
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kucinich
Kuykendall
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—7

Baird
Capuano
DeFazio
Dingell
Ford
Miller, George
Stupak

NOT VOTING—86

Ackerman
Andrews
Baca
Barr
Barton
Becerra
Bentsen
Bilbray
Bishop
Blagojevich
Boucher
Brown (FL)
Brown (OH)
Calvert
Campbell
Clay
Clyburn
Cox
Crane
Crowley
Danner
Davis (IL)
Delahunt
Diaz-Balart
Dickey
Duncan
Dunn
Fossella
Fowler
Frank (MA)
Franks (NJ)
Ganske
Gillmor
Gordon
Hastings (FL)
Hefley
Hilliard
Hulshof
Kanjorski
Kaptur
Kasich
Kennedy
King (NY)
Klink
Kolbe
LaFalce
Lantos
Lazio
Lipinski
Martinez
McCarthy (MO)
McCollum
McInnis
McIntosh
McIntyre
McKeon
Meek (FL)
Metcalf
Morella
Neal
Owens
Peterson (PA)
Pickering
Pickett
Porter
Radanovich
Ros-Lehtinen
Rush
Sessions
Shaw
Shays
Shuster
Spratt
Stark
Talent
Taylor (MS)
Taylor (NC)
Thompson (MS)
Visclosky
Waters
Watt (NC)
Watts (OK)
Weldon (FL)
Weygand
Wise
Wynn

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶118.8 MOTION TO INSTRUCT CONFEREES—H.R. 4577

Ms. DELAURO submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on the highest funding level possible for the Low Income Home Energy Assistance Program in fiscal year 2001 and fiscal year 2002.

After debate,

¶118.9 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 118. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

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

S. 1761. An Act to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley.

After further debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. PEASE, announced that the nays had it.

Ms. DELAURO objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 305 / Nays ..... 18 }

¶118.10 [Roll No. 572]

YEAS—305

Abercrombie
Aderholt
Allen
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Burr
Burton
Buyer
Callahan
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hoyer
Hunter
Hutchinson
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kelly
Kildee
Kilpatrick
Kingston
Kleczka
Knollenberg
Kucinich
LaHood
Lampson
Larson
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (NY)
McCrery
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rothman
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Serrano
Shadegg
Sherman
Sherwood
Shows
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—18

Archer
Cannon
Coble
Deal
Doolittle
Hostettler
Johnson, Sam
Largent
Linder
Miller (FL)
Paul
Rohrabacher
Royce
Salmon
Sanford
Simpson
Smith (MI)
Toomey

NOT VOTING—109

Ackerman
Andrews
Baca
Barr
Barton
Becerra
Bentsen
Bilbray
Bishop
Blagojevich
Boucher
Brown (FL)
Brown (OH)
Bryant
Calvert
Campbell
Clay
Clyburn
Cox
Crane
Crowley
Danner
Davis (IL)
Delahunt
Diaz-Balart
Dickey
Duncan
Dunn
Edwards
Ehlers
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frost
Gejdenson
Gephardt
Gillmor
Gordon
Green (TX)
Hastings (FL)
Hefley
Hilliard
Houghton
Hulshof
Hyde
Jones (NC)
Kanjorski
Kaptur
Kasich
Kennedy
Kind (WI)
King (NY)
Klink
Kolbe
Kuykendall
LaFalce
Lantos
LaTourette
Lazio
Lipinski
Maloney (CT)
Martinez
McCarthy (MO)
McCollum
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meek (FL)
Metcalf
Mollohan
Morella
Neal
Owens
Pascrell
Peterson (PA)
Pickering
Pickett
Porter
Radanovich
Ros-Lehtinen
Roukema
Rush
Sawyer
Sensenbrenner
Sessions
Shaw
Shays
Shimkus
Shuster
Spratt
Stark
Stupak
Talent
Tancredo
Taylor (MS)
Taylor (NC)
Thompson (MS)
Visclosky
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Weygand
Wise
Wynn

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶118.11 MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mrs. LOWEY submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class sizes in the early grades and for local school construction and, instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. PEASE, announced that the nays had it.

Mrs. LOWEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 150 / Nays ..... 159 }

¶118.12 [Roll No. 573]

YEAS—150

Abercrombie
Allen
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Berkley
Berman
Berry
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Capps
Capuano
Cardin
Carson
Clayton
Clement
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Davis (FL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Gilman
Gonzalez
Hall (OH)
Hill (IN)
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kildee
Kilpatrick
Kleczka
Kucinich
Lampson
Larson
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Pallone
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Sanchez
Sanders
Sandlin
Schakowsky
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Snyder
Stabenow
Stenholm
Strickland
Tanner
Tauscher
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Waters
Waxman
Weiner
Woolsey
Wu

NAYS—159

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Bass
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Burr
Burton
Buyer
Callahan
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage

Coble	Hunter	Rohrabacher
Combest	Hutchinson	Royce
Cook	Isakson	Ryan (WI)
Cooksey	Istook	Ryun (KS)
Cubin	Jenkins	Salmon
Cunningham	Johnson, Sam	Sanford
Deal	Kelly	Saxton
DeLay	Knollenberg	Scarborough
DeMint	Largent	Schaffer
Doolittle	Latham	Shadegg
Dreier	Leach	Sherwood
Ehrlich	Lewis (CA)	Simpson
Emerson	Lewis (KY)	Skeen
English	Linder	Smith (MI)
Everett	Lucas (OK)	Smith (NJ)
Ewing	Manzullo	Smith (TX)
Foley	McCrery	Smith (WA)
Frelinghuysen	Mica	Souder
Gallegly	Miller (FL)	Spence
Ganske	Miller, Gary	Stearns
Gekas	Moran (KS)	Stump
Gibbons	Myrick	Sununu
Gilchrest	Nethercutt	Sweeney
Goode	Ney	Tauzin
Goodling	Northup	Terry
Goss	Norwood	Thomas
Graham	Nussle	Thornberry
Granger	Ose	Thune
Green (WI)	Oxley	Tiahrt
Greenwood	Packard	Toomey
Gutknecht	Paul	Traficant
Hall (TX)	Pease	Upton
Hansen	Peterson (MN)	Vitter
Hastings (WA)	Petri	Walden
Hayes	Pitts	Walsh
Hayworth	Pombo	Wamp
Herger	Pryce (OH)	Weldon (PA)
Hill (MT)	Ramstad	Whitfield
Hilleary	Regula	Wicker
Hobson	Reynolds	Wilson
Hoekstra	Riley	Wolf
Horn	Rogan	Young (AK)
Hostettler	Rogers	Young (FL)

NOT VOTING—123

Ackerman	Gephardt	Murtha
Andrews	Gillmor	Neal
Baca	Goodlatte	Owens
Barr	Gordon	Pascrell
Barton	Green (TX)	Peterson (PA)
Becerra	Gutierrez	Phelps
Bentsen	Hastings (FL)	Pickering
Bilbray	Hefley	Pickett
Bishop	Hilliard	Porter
Blagojevich	Houghton	Portman
Boucher	Hulshof	Radanovich
Brown (FL)	Hyde	Ros-Lehtinen
Brown (OH)	Jones (NC)	Roukema
Bryant	Kanjorski	Rush
Calvert	Kaptur	Sabo
Campbell	Kasich	Sawyer
Clay	Kennedy	Sensenbrenner
Clyburn	Kind (WI)	Sessions
Coburn	King (NY)	Shaw
Collins	Kingston	Shays
Cox	Klink	Shimkus
Crane	Kolbe	Shuster
Crowley	Kuykendall	Sisisky
Danner	LaFalce	Spratt
Davis (IL)	LaHood	Stark
Davis (VA)	Lantos	Stupak
Delahunt	LaTourette	Talent
Diaz-Balart	Lazio	Tancredo
Dickey	Lipinski	Taylor (MS)
Dooley	Maloney (CT)	Taylor (NC)
Duncan	Martinez	Thompson (MS)
Dunn	McCarthy (MO)	Visclosky
Edwards	McCollum	Watkins
Ehlers	McHugh	Watt (NC)
Fletcher	McInnis	Watts (OK)
Fossella	McIntosh	Weldon (FL)
Fowler	McIntyre	Weller
Frank (MA)	McKeon	Wexler
Franks (NJ)	Meek (FL)	Weygand
Frost	Metcalf	Wise
Gejdenson	Morella	Wynn

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶118.13 HOUR OF MEETING

On motion of Mr. WELDON of Pennsylvania, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 6 o'clock p.m. on Sunday, October 29, 2000.

¶118.14 SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1761. An Act to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley; to the Committee on Resources.

S. 2638. An Act to adjust the boundaries of the Gulf Islands National Seashore to include Cat Island, Mississippi; to the Committee on Resources.

S. 2751. An Act to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California; to the Committee on Resources.

S. Con. Res. 138. A concurrent resolution expressing the sense of Congress that a day of peace and sharing should be established at the beginning of each year; to the Committee on International Relations.

¶118.15 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2780. An Act to authorize the Attorney General to provide grants for organizations to find missing adults.

H.R. 2884. An Act to extend energy conservation programs under the Energy Policy and Conservation Act through fiscal year 2003.

H.R. 4404. An Act to permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Service, to allow for waiver and indemnification in mutual law enforcement agreements between the National Park Service and a State or political subdivision when required by State law, and for other purposes.

H.R. 4957. An Act to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work.

H.R. 5083. An Act to extend the authority of the Los Angeles Unified School District to use certain park lands in the City of South Gate, California, which were acquired with amounts provided from the land and water conservation fund, for elementary school purposes.

H.R. 5157. An Act to amend title 44, United States Code, to ensure preservation of the records of the Freedmen's Bureau.

H.R. 5314. An Act to amend title 10, United States Code, to facilitate the adoption of retired military dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs.

H.R. 5331. An Act to authorize the Frederick Douglass Gardens, Inc., to establish a memorial and gardens on Department of the Interior lands in the District of Columbia or its environs in honor and commemoration of Frederick Douglass.

H.J. Res. 118. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶118.16 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 614. An Act to provide for regulatory reform in order to encourage investment, business, and economic development with respect to activities conducted on Indian lands.

S. 835. An Act to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes.

S. 1586. An Act to reduce the fractionated ownership of Indian lands, and for other purposes.

S. 2719. An Act to provide for business development and trade promotion for Native Americans, and for other purposes.

S. 2950. An Act to authorize the Secretary of the Interior to establish the Sand Creek Massacre National Historic Site in the State of Colorado.

¶118.17 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BECERRA, for today and October 29; and

To Mr. GREEN of Texas, for today after 11 a.m.

And then,

¶118.18 ADJOURNMENT

On motion of Mr. BLUMENAUER, pursuant to the special order heretofore agreed to, at 4 o'clock and 13 minutes p.m., the House adjourned until 6 p.m. on Sunday, October 29, 2000.

¶118.19 TIME LIMITATION OF REFERRED BILL

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

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 29, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 29, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 29, 2000.

H.R. 4144. Referral to the Committee on the Budget extended for a period ending not later than October 30, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 29, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 29, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 29, 2000.

H.R. 4857. Referral to the Committee on the Judiciary, Banking and Financial Services, and Commerce for a period ending not later than October 29, 2000.

¶118.20 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. REYES:

H. Con. Res. 438. Concurrent resolution expressing the sense of Congress regarding the importance of locating a national immigra-

tion museum in El Paso, Texas; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Ms. KILPATRICK, Mr. RUSH, Mr. KILDEE, Mr. OWENS, Mr. ANDREWS, Ms. RIVERS, Mr. REYES, Mr. PAYNE, Mr. ROMERO-BARCELO, Mr. DICKS, Mr. BLUMENAUER, Ms. SANCHEZ, Mr. GEORGE MILLER of California, Mr. FILNER, Mr. BONIOR, Mr. DINGELL, Mr. GREENWOOD, Mr. LEWIS of Georgia, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mr. MEEHAN, and Mr. HINCHEY):

H. Res. 661. A resolution supporting youth civic literacy in the United States; to the Committee on Education and the Workforce.

¶118.21 ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1275: Mrs. JONES of Ohio, and Mr. REGULA.

H.R. 1512: Mr. INSLEE.

H.R. 3842: Mr. TAUZIN, Mr. LUCAS of Oklahoma, and Mr. LARSON.

H.R. 5185: Mr. PAYNE.

SUNDAY, OCTOBER 29, 2000 (119)

The House was called to order by the SPEAKER.

¶119.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Saturday, October 28, 2000.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 286 / Nays ..... 42 }

¶119.2 [Roll No. 574]

YEAS—286

Aderholt
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boyd
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clement
Coble
Collins
Combest
Cook
Cox
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gonzalez
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hunter
Hutchinson
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson, Sam
Jones (NC)
Jones (OH)
Kelly
Kildee
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kuykendall
LaHood
Lampson
Largent
Larson
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McKeon
McKinney
McNulty
Meeks (NY)
Mica
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Ose
Packard
Pascrell
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Strickland
Stump
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wilson
Wolf
Woolsey
Young (AK)
Young (FL)

NAYS—42

Baird
Bilbray
Borski
Brady (PA)
Capuano
Clyburn
Coburn
Condit
Costello
DeFazio
English
Filner
Gejdenson
Gutknecht
Holt
Jackson-Lee (TX)
Kingston
Kucinich
Latham
Lee
LoBiondo
McDermott
McGovern
Miller, George
Moran (KS)
Neal
Oberstar
Olver
Pastor
Peterson (MN)
Ramstad
Rothman
Sabo
Schaffer
Schakowsky
Stenholm
Taylor (MS)
Thompson (CA)
Udall (NM)
Weller
Wicker
Wu

NOT VOTING—104

Abercrombie
Ackerman
Allen
Archer
Barr
Becerra
Bereuter
Bishop
Boucher
Brown (FL)
Campbell
Chenoweth-Hage
Clay
Clayton
Conyers
Cooksey
Crane
Crowley
Danner
Davis (IL)
Delahunt
Dickey
Dooley
Engel
Fattah
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Gillmor
Gilman
Goode
Goodlatte
Goodling
Greenwood
Gutierrez
Hastings (FL)
Hefley
Hilliard
Hinchey
Hoyer
Hulshof
Hyde
Johnson (CT)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kennedy
Kilpatrick
Klink
Kolbe
LaFalce
Lantos
LaTourette
Lazio
Lewis (GA)
Lipinski
Lowey
Maloney (CT)
Maloney (NY)
Martinez
McCollum
McInnis
McIntosh
McIntyre
Meehan
Meek (FL)
Menendez
Metcalf
Millender-McDonald
Moran (VA)
Owens
Oxley
Pallone
Pickett
Pryce (OH)
Quinn
Riley
Sanchez
Shaw
Shays
Shuster
Slaughter
Snyder
Spratt
Stabenow
Stark
Stupak
Sweeney
Talent
Tancredo
Thompson (MS)
Towns
Velazquez
Visclosky
Watkins
Watts (OK)
Weiner
Weygand
Wise
Wynn

So the Journal was approved.

¶119.3 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. HOLT, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources for local school construction and, instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

¶119.4 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. WU, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on disagreeing with provisions in the Senate amendment which deny the President's request for dedicated resources to reduce class size in the early grades and instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

¶119.5 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 646, called up the joint resolution (H.J. Res. 119) making further continuing appropriations for fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 342 / Nays ..... 7 }

¶119.6 [Roll No. 575]

YEAS—342

Ackerman, Aderholt, Andrews, Armey, Baca, Bachus, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barrett (NE), Barrett (WI), Bartlett, Bass, Bentsen, Berkley, Berman, Berry, Biggert, Bilbray, Bilirakis, Blagojevich, Bliley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Boswell, Boyd, Brady (PA), Brady (TX), Brown (OH), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Capps, Cardin, Carson, Castle, Chabot, Chambliss, Chenoweth-Hage, Clement, Clyburn, Coble, Coburn, Collins, Combest, Condit, Cook, Cox, Coyne, Cramer, Cubin, Cummings, Cunningham, Davis (FL), Davis (VA), Deal, DeGette, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dicks, Dixon, Doggett, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, Engel, English, Eshoo, Etheridge, Evans, Everett, Ewing, Farr, Fattah, Filner, Fletcher, Foley, Fossella, Frelinghuysen, Frost, Gallegly, Ganske, Gejdenson, Gekas, Gephardt, Gibbons, Gilchrest, Gilman, Gonzalez, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green (TX), Green (WI), Gutknecht, Hall (OH), Hall (TX), Hansen, Hastings (WA), Hayes, Hayworth, Herger, Hill (IN), Hill (MT), Hilleary, Hinojosa, Hobson, Hoeffel, Hoekstra, Holden, Holt, Hooley, Horn, Hostettler, Hoyer, Hunter, Hutchinson, Hyde, Inslee, Isakson, Istook, Jackson (IL), Jackson-Lee (TX), Jefferson, Jenkins, John, Johnson, Sam, Jones (NC), Jones (OH), Kelly, Kildee, Kind (WI), King (NY), Kingston, Kleczka, Knollenberg, Kucinich, Kuykendall, LaHood, Lampson, Largent, Larson, Latham, Leach, Lee, Levin, Lewis (CA), Lewis (KY), Linder, LoBiondo, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (NY), Manzullo, Markey, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCrery, McDermott, McGovern, McHugh, McKeon, McKinney, McNulty, Meeks (NY), Mica, Millender-McDonald, Miller (FL), Miller, Gary, Minge, Mink, Moakley, Mollohan, Moore, Moran (KS), Morella, Murtha, Myrick, Nadler, Napolitano, Neal, Nethercutt, Ney, Northup, Norwood, Nussle, Oberstar, Obey, Olver, Ortiz, Ose, Packard, Pallone, Pascrell, Pastor, Paul, Payne, Pease, Pelosi, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pitts, Pombo, Pomeroy, Porter, Portman, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Ramstad, Rangel, Regula, Reyes, Reynolds, Rivers, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Roybal-Allard, Royce, Rush, Ryan (WI), Ryun (KS), Sabo, Salmon, Sanders, Sandlin, Sanford, Sawyer, Saxton, Scarborough, Schaffer, Schakowsky, Scott, Sensenbrenner, Serrano, Sessions, Shadegg, Sherman, Sherwood, Shimkus, Shows, Simpson, Sisisky, Skeen, Skelton, Slaughter, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Souder, Spence, Stabenow, Stearns, Stenholm, Strickland, Stump, Sununu, Sweeney, Tanner, Tauscher, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thompson (CA), Thornberry, Thune, Thurman, Tiahrt, Tierney, Toomey, Towns, Traficant, Turner, Udall (CO), Udall (NM), Upton, Velazquez, Vitter, Walden, Walsh, Wamp, Waters, Watt (NC), Waxman, Weldon (FL), Weldon (PA), Weller, Wexler, Whitfield, Wicker, Wilson, Wolf, Woolsey, Wu, Young (AK), Young (FL)

NAYS—7

Baird, Barton, Capuano, Costello, DeFazio, Dingell, Miller, George

NOT VOTING—83

Abercrombie, Allen, Archer, Barr, Becerra, Bereuter, Bishop, Boucher, Brown (FL), Campbell, Clay, Clayton, Conyers, Cooksey, Crane, Crowley, Danner, Davis (IL), Delahunt, Dickey, Dooley, Forbes, Ford, Fowler, Frank (MA), Franks (NJ), Gillmor, Greenwood, Gutierrez, Hastings (FL), Hefley, Hilliard, Hinchey, Houghton, Hulshof, Johnson (CT), Johnson, E. B., Kanjorski, Kaptur, Kasich, Kennedy, Kilpatrick, Klink, Kolbe, LaFalce, Lantos, LaTourette, Lazio, Lewis (GA), Lipinski, Maloney (CT), Martinez, McCollum, McInnis, McIntosh, McIntyre, Meehan, Meek (FL), Menendez, Metcalf, Moran (VA), Owens, Oxley, Pickett, Riley, Sanchez, Shaw, Shays, Shuster, Snyder, Spratt, Stark, Stupak, Talent, Tancredo, Thompson (MS), Visclosky, Watkins, Watts (OK), Weiner, Weygand, Wise, Wynn

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶119.7 MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. PALLONE submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, in resolving the differences between the two Houses on the funding level for program management in carrying out titles XI, XVIII, XIX, and XXI of the Social Security Act, to choose a level that reflects a requirement on Medicare+Choice organizations to offer Medicare+Choice plans under part C of such title XVIII for a minimum contract period of three years, and to maintain the benefits specified under the contract for the three years.

After debate,

¶119.8 MESSAGE FROM THE SENATE

A message from the Senate from Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 119. Joint Resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

After further debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the nays had it.

Mr. PALLONE demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 170 / Nays ..... 183 }

¶119.9 [Roll No. 576]

AYES—170

Ackerman, Aderholt, Andrews, Baca, Baird, Baldacci, Baldwin, Barcia, Barrett (WI), Bentsen, Berkley, Berman, Berry, Bilbray, Blagojevich, Blumenauer, Bonior, Borski, Boswell, Boyd, Brown (OH), Capps, Capuano, Cardin, Carson, Clement, Clyburn, Condit, Costello, Coyne, Cramer, Cummings, Davis (FL), DeFazio, DeGette, DeLauro, Deutsch, Dicks, Dingell, Dixon, Doggett, Doyle, Edwards, Emerson, Engel, Eshoo, Etheridge, Evans, Farr, Fattah, Filner, Ford, Frost, Ganske, Gejdenson, Gephardt, Gilman, Gonzalez, Green (TX), Hall (OH), Hall (TX), Hill (IN), Hinchey, Hinojosa, Hoeffel, Holden, Holt, Hooley, Horn, Hoyer, Inslee, Jackson (IL), Jackson-Lee (TX), Jefferson, John, Johnson, E. B., Jones (NC), Jones (OH), Kildee, Kind (WI), Kleczka, Kucinich, Lampson, Larson, Leach, Lee, Levin, Lewis (GA), LoBiondo, Lofgren, Lowey, Lucas (KY), Luther, Maloney (CT), Maloney (NY), Markey, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McDermott, McGovern, McKinney, McNulty, Meeks (NY), Millender-McDonald, Miller, George, Mink, Moakley

Mollohan
Moore
Morella
Nadler
Napolitano
Neal
Obey
Olver
Ortiz
Pallone
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Stabenow
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Waters
Watt (NC)
Waxman
Weiner
Wexler
Wilson
Woolsey
Wu

NOES—183

Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cox
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Everett
Ewing
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hunter
Hutchinson
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Kelly
King (NY)
Kingston
Knollenberg
Kuykendall
LaHood
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McHugh
McKeon
Mica
Miller (FL)
Miller, Gary
Minge
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ose
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Simpson
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—79

Abercrombie
Allen
Archer
Barr
Becerra
Bereuter
Bishop
Boucher
Brady (PA)
Brown (FL)
Campbell
Clay
Clayton
Conyers
Cooksey
Crane
Crowley
Danner
Davis (IL)
Delahunt
Dickey
Dooley
Forbes
Fowler
Frank (MA)
Franks (NJ)
Gillmor
Gordon
Gutierrez
Hastings (FL)
Hefley
Hilliard
Hulshof
Hyde
Kanjorski
Kaptur
Kasich
Kennedy
Kilpatrick
Klink
Kolbe
LaFalce
Lantos
LaTourette
Lazio
Lipinski
Martinez
McCollum
McInnis
McIntosh
McIntyre
Meehan
Meek (FL)
Menendez
Metcalf
Moran (VA)
Murtha
Owens
Oxley
Pascrell
Pickett
Riley
Sanchez
Shaw
Shays
Shuster
Snyder
Spratt
Stark
Stupak
Talent
Tancredo
Thompson (MS)
Visclosky
Watkins
Watts (OK)
Weygand
Wise
Wynn

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶119.10 HOUR OF MEETING

Mr. REYNOLDS, moved that when the House adjourns today, it adjourn to meet at 9 o'clock a.m. on Monday, October 31, 2000 for ''morning hour debate'' and at 10 o'clock, a.m. for legislative business.

When said motion was considered and agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶119.11 PROVIDING FOR THE CONSIDERATION OF CERTAIN JOINT RESOLUTIONS

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–1015) the resolution (H. Res. 662) providing for consideration of certain joint resolutions making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶119.12 PROVIDING FOR THE CONSIDERATION OF S. 2485 AND H.R. 2614

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 106–1016) the resolution (H. Res. 663) providing for consideration of the bill (S. 2485) to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine, and providing for the adoption of a concurrent resolution directing the Clerk of the House of Representatives to make certain corrections in the enrollment of the bill (H.R. 2614) to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶119.13 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. HOEKSTRA, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to choose a level of funding for the Inspector General of the Department of Education that reflects a requirement on the Inspector General of the Department of Education, as authorized by section 211 of the Department of Education Organization Act, to use all funds appropriated to the Office of Inspector General of such Department to comply with the Inspector General Act of 1978, with priority given to section 4 of such Act.

¶119.14 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. SCHAFFER, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on those provisions that (1) maintain the utmost flexibility possible for the grant program under title VI of the Elementary and Secondary Education Act of 1965; and (2) provide local educational agencies the maximum discretion within the scope of conference to spend Federal education funds to improve the education of their students.

¶119.15 ENROLLED JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 119. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶119.16 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mrs. FOWLER, for today and the balance of the week; and

To Mr. SNYDER, for today and October 30th.

And then,

¶119.17 ADJOURNMENT

On motion of Mr. ROYCE, pursuant to the special order heretofore agreed to, at 11 o'clock and 58 minutes p.m., the House adjourned until 9 a.m. on Monday, October 30, 2000.

¶119.18 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. LINDER: Committee on Rules. House Resolution 662. Resolution providing for con-

sideration of certain joint resolutions making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. No. 106–1015). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 663. Resolution providing for consideration of the bill (S. 2485) to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine, and providing for the adoption of a concurrent resolution directing the Clerk of the House of Representatives to make certain corrections in the enrollment of the bill (H.R. 2614) to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes (Rept. No. 106–1016). Referred to the House Calendar.

¶119.19 TIME LIMITATION OF REFERRED BILL

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

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 30, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 30, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 30, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 30, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 30, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 30, 2000.

H.R. 4857. Referral to the Committees on the Judiciary, Banking and Financial Services, and Commerce, for a period ending not later than October 30, 2000.

¶119.20 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HORN (for himself, Mr. BURTON of Indiana, Mr. BALLENGER, and Mr. MICA):

H.R. 5600. A bill to establish an Office of Management in the Executive Office of the President, and to redesignate the Office of Management and Budget as the Office of the Federal Budget; to the Committee on Government Reform.

By Mr. YOUNG of Florida:

H.J. Res. 121. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. YOUNG of Florida:

H.J. Res. 122. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. YOUNG of Florida:

H.J. Res. 123. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. YOUNG of Florida:

H.J. Res. 124. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

¶119.21 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsor was added to the public bill as follows:

H.R. 4825: Mr. ALLEN.

MONDAY, OCTOBER 30, 2000 (120)

The House was called to order at 9 o'clock a.m. by the SPEAKER, when, pursuant to the order of the House of Tuesday, January 19, 1999, Members were recognized for ''morning-hour debate''.

¶120.1 RECESS—9:45 A.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess until 10 o'clock a.m.

¶120.2 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶120.3 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Sunday, October 29, 2000.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 298 / Nays ..... 47 }

¶120.4 [Roll No. 577]

YEAS—298

Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boyd
Brady (TX)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Coble
Coburn
Collins
Combest
Cook
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fletcher
Foley
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Jones (NC)
Kelly
Kennedy
Kildee
Kind (WI)
Kingston
Kleczka
Knollenberg
Kuykendall
LaHood
Lampson
Largent
Larson
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McKeon
McKinney
McNulty
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Owens
Packard
Pastor
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (FL)

NAYS—47

Aderholt
Baird
Bilbray
Borski
Capuano
Clyburn
Condit
Costello
DeFazio
English
Filner
Ford
Gejdenson
Holt
Hooley
Kucinich
Latham
LoBiondo
Markey
McDermott
McGovern
Miller, George
Moran (KS)
Oberstar
Obey
Olver
Pallone
Peterson (MN)
Phelps
Ramstad
Rogan
Rothman
Sabo
Sanchez
Schaffer
Slaughter
Stenholm
Strickland
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Udall (CO)
Udall (NM)
Velazquez
Weller
Wu

NOT VOTING—87

Abercrombie
Ackerman
Allen
Barr
Barton
Becerra
Boucher
Brady (PA)
Brown (FL)
Burton
Campbell
Cardin
Clay
Conyers
Cooksey
Cox
Crane
Crowley
Danner
Davis (IL)
Delahunt
Dickey
Dingell
Edwards
Everett
Fattah
Forbes
Fowler
Frank (MA)
Franks (NJ)
Gephardt
Gutierrez
Hastings (FL)
Hefley
Hilliard
Hinchey
Hulshof
Jefferson
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kilpatrick

King (NY)	Meek (FL)	Shuster
Klink	Menendez	Snyder
Kolbe	Metcalf	Spratt
LaFalce	Morella	Stabenow
Lantos	Neal	Stark
Lazio	Oxley	Talent
Lipinski	Pascrell	Thompson (MS)
Maloney (NY)	Pickering	Visclosky
Martinez	Pickett	Waters
McCollum	Porter	Watkins
McInnis	Riley	Watts (OK)
McIntosh	Scarborough	Weygand
McIntyre	Shaw	Wise
Meehan	Shays	Young (AK)

So the Journal was approved.

¶120.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10768. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7745] received October 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10769. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—List of Communities Eligible for the Sale of Flood Insurance [Docket No. FEMA–7736] received October 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10770. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Student Assistance General Provisions, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, and Federal Pell Grant Program (RIN: 1845–AA17) received October 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10771. A letter from the Secretary, Department of Education, transmitting the Department's final rule—Special Leveraging Educational Assistance Partnership Program (RIN: 1845–AA18) received October 27, 2000; to the Committee on Education and the Workforce.

10772. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received October 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10773. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (Killeen, Texas) [MM Docket No. 00–103; RM–9878] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10774. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule—Closed Captioning Requirements for Digital Television Receivers [ET Docket No. 99–254] Closed Captioning and Video Programming, Implementation of Section 305 of the Telecommunications Act of 1996, Video Programming Accessibility [MM Docket No. 95–176] received October 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10775. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Jenner, California)[MM Docket No. 00–33; RM–9816] (Culver, Indiana) [MM Docket No. 00–34; RM–9817] (Lake Isabella, California) [MM Docket No. 00–35; RM–9818] (Olpe, Kansas) [MM Docket No. 00–71; RM–9852] (Covelo, California) [MM Docket No. 00–72; RM–9853] (Sterling, Colorado) [MM Docket No. 00–74; RM–9862] (Kahului, Hawaii) [MM Docket No. 00–75; RM–9863] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10776. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Cloverdale, Point Arena, and Cazadero, California) [MM Docket No. 99–180; MM Docket No. 00–59; RM–9583; RM–9734; RM–9759] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10777. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Charlotte, Texas) [MM Docket No. 00–22; RM–9795] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10778. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (George West, Pearsall and Victoria, Texas) [MM Docket No. 99–342; RM–9773; RM–9844] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10779. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Eastman, Vienna, Ellaville and Byromville, Georgia) [MM Docket No. 00–56; RM–9839; RM–9905; RM–9906] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10780. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Ravenwood, Missouri) [MM Docket No. 00–109; RM–9899] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10781. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Upton and Pine Haven, Wyoming) [MM Docket No. 99–57; RM–9460; RM–9610] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10782. A letter from the Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Parts 2 and 87 of the Commission's Rules Regarding the Radionavigation Service at 31.8–32.3 GHz [ET Docket No. 98–197] received October 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10783. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Determination and Certification for Fiscal Year 2001 Concerning Argentina's and Brazil's Ineligibility Under Section 102(a)(2) of the Arms Export Control Act; to the Committee on International Relations.

10784. A letter from the Auditor, District of Columbia, transmitting a report entitled ''District's Unclaimed Property Program Needs Substantial Improvement,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

10785. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Columbia, MO [Airspace Docket No. 00–ACE–21] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10786. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Oelwein, IA; Correction [Airspace Docket No. 00–ACE–12] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10787. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Picayune, MS [Airspace Docket No. 00–ASO–28] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10788. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Harbor Springs, MI [Airspace Docket No. 00–AGL–14] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10789. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Dexter, MO [Airspace Docket No. 00–ACE–31] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10790. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30208; Amdt. No. 2016] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10791. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Moberly, MO [Airspace Docket No. 00–ACE–30] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10792. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Atwood, KS [Airspace Docket No. 00–ACE–19] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10793. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Oakley, KS [Airspace Docket No. 00–ACE–20] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10794. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Fairfield, IA [Airspace Docket No. 00–ACE–13] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10795. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757 Se-

ries Airplanes Powered by Pratt & Whitney Engines [Docket No. 99–NM–308–AD; Amendment 39–11920; AD 2000–20–09] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10796. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Elkhart, KS [Airspace Docket No. 00–ACE–22] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10797. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 98–NM–135–AD; Amendment 39–11919; AD 2000–20–08] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10798. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Pittsburg, KS [Airspace Docket No. 00–ACE–28] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10799. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 and A300–600 Series Airplanes [Docket No. 98–NM–207–AD; Amendment 39–11926; AD 2000–20–15] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10800. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes [Docket No. 99–NM–69–AD; Amendment 39–11906; AD 2000–19–05] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10801. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D and Class E Airspace, and Amendment to Class E Airspace; Garden City, KS [Airspace Docket No. 00–ACE–25] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10802. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0100 Series Airplanes [Docket No. 2000–NM–17–AD; Amendment 39–11944; AD 2000–21–12] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10803. A letter from the Program Ananlyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–300 Series Airplanes [Docket No. 99–NM–364–AD; Amendment 39–11945; AD 2000–21–13] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10804. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 and 767 Series Airplanes Powered by General Electric Model CF6–80C2 Series Engines [Docket No. 99–NM–228–AD; Amendment 39–11756; AD 2000–11–08] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10805. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS332C, L, and L1 Helicopters [Docket No. 99–SW–35–AD; Amendment 39–11929; AD 2000–20–17] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10806. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes [Docket No. 99–NM–248–AD; Amendment 39–11932; AD 2000–20–20] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10807. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E4 Airspace; Melbourne, FL [Airspace Docket No. 00–ASO–34] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10808. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters [Docket No. 2000–SW–24–AD; Amendment 39–11930; AD 2000–20–18] (RIN: 2120–AA64) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10809. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Removal of Class E Airspace; Simmons Army Airfield (AAF), NC. [Airspace Docket No. 00–ASO–39] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10810. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Ambler, AK [Airspace Docket No. 00–AAL–4] received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10811. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action on Decision John D. Shea v. Commissioner—received October 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10812. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, First-out Inventories [Rev. Rul. 2000–51] received October 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10813. A letter from the Secretary, Department of Defense, transmitting the Annual Report for the National Security Education Program for 1999; jointly to the Committees on Intelligence (Permanent Select) and Education and the Workforce.

¶120.6 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. BENTSEN, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, in resolving differences between the two Houses on the funding level for program management in carrying out titles XI, XVIII, XIX, and XXI of the Social Security Act, to choose a level that reflects a requirement that State plans for medical assistance under such title XIX provide for adequate reimbursement of physicians, providers of services, and suppliers furnishing items and services under the plan in the State.

¶120.7 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 646, called up the joint resolution (H.J. Res. 120) making further continuing appropriations for fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. PEASE announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 339 / Nays ..... 9 }

¶120.8 [Roll No. 578]

YEAS—339

Aderholt	Calvert	Dunn
Andrews	Camp	Edwards
Archer	Canady	Ehlers
Armey	Cannon	Ehrlich
Baca	Capps	Emerson
Bachus	Capuano	Engel
Baker	Carson	English
Baldacci	Castle	Eshoo
Baldwin	Chabot	Etheridge
Ballenger	Chenoweth-Hage	Evans
Barcia	Clayton	Ewing
Barrett (NE)	Clement	Farr
Barrett (WI)	Clyburn	Filner
Bartlett	Coble	Fletcher
Bass	Coburn	Foley
Bentsen	Collins	Fossella
Bereuter	Combest	Frelinghuysen
Berkley	Condit	Frost
Berry	Cook	Gallegly
Biggert	Cox	Ganske
Bilbray	Coyne	Gejdenson
Bilirakis	Cramer	Gekas
Bishop	Cubin	Gephardt
Blagojevich	Cummings	Gibbons
Bliley	Cunningham	Gilchrest
Blumenauer	Davis (FL)	Gillmor
Blunt	Davis (VA)	Gilman
Boehlert	Deal	Gonzalez
Boehner	DeGette	Goode
Bonilla	DeLauro	Goodlatte
Bonior	DeLay	Goodling
Bono	DeMint	Gordon
Borski	Deutsch	Goss
Boswell	Diaz-Balart	Graham
Boyd	Dicks	Granger
Brady (TX)	Dixon	Green (TX)
Brown (OH)	Doggett	Green (WI)
Bryant	Dooley	Gutknecht
Burr	Doolittle	Hall (OH)
Buyer	Doyle	Hall (TX)
Callahan	Dreier	Hansen

Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Kennedy
Kildee
Kind (WI)
Kingston
Kleczka
Knollenberg
Kucinich
Kuykendall
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McKeon
McNulty
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stabenow
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—9

Baird
Barton
Costello
DeFazio
Dingell
Ford
Miller, George
Phelps
Stupak

NOT VOTING—84

Abercrombie
Ackerman
Allen
Barr
Becerra
Berman
Boucher
Brady (PA)
Brown (FL)
Burton
Campbell
Cardin
Chambliss
Clay
Conyers
Cooksey
Crane
Crowley
Danner
Davis (IL)
Delahunt
Dickey
Duncan
Everett
Fattah
Forbes
Fowler
Frank (MA)
Franks (NJ)
Greenwood
Gutierrez
Hastings (FL)
Hefley
Hilliard
Hulshof
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kilpatrick
King (NY)
Klink
Kolbe
LaFalce
Lantos
Lazio
Lipinski
Maloney (NY)
Martinez
McCollum
McInnis
McIntosh
McIntyre
McKinney
Meehan
Meek (FL)
Metcalf
Morella
Neal
Oxley
Pascrell
Payne
Pickering
Pickett
Porter
Riley
Roybal-Allard
Rush
Shaw
Shays
Shuster
Snyder
Spratt
Stark
Stearns
Talent
Thompson (MS)
Visclosky
Watkins
Watts (OK)
Waxman
Weygand
Wise

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶120.9 HOUR OF MEETING

Mr. LINDER, moved that when the House adjourns today, it adjourn to meet at 6 o'clock p.m. on Tuesday, October 31, 2000.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. PEASE announced that the nays had it.

Mr. LINDER demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 199 / Nays 159

¶120.10 [Roll No. 579]

AYES—199

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

NOES—159

Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boyd
Brown (OH)
Capps
Capuano
Carson
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Cramer
Cummings
Davis (FL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Hall (OH)
Hall (TX)
Hill (IN)
Hinchey
Hinojosa
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Kennedy
Kildee
Kind (WI)
Kleczka
Kucinich
Lampson
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Markey
Matsui
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Smith (WA)
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Waters
Watt (NC)
Waxman
Weiner
Wexler
Wilson
Woolsey
Wu
Wynn

NOT VOTING—75

Abercrombie
Ackerman
Allen
Barr
Boucher
Brady (PA)
Brown (FL)
Burton
Campbell
Cardin
Clay
Conyers
Cooksey
Crane
Crowley
Danner
Davis (IL)
Delahunt
Diaz-Balart
Dickey
Everett
Fattah
Forbes
Fowler
Frank (MA)
Franks (NJ)
Gutierrez
Hastings (FL)
Hefley
Hilliard
Hulshof
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kilpatrick
King (NY)
Klink
Kolbe
LaFalce
Lantos
Lazio
Lipinski
Maloney (NY)
Martinez
McCollum
McInnis
McIntosh
McIntyre
Meehan
Meek (FL)
Metcalf
Morella
Neal
Oxley
Pascrell
Pickering
Pickett
Riley
Shaw
Shays
Shuster
Slaughter
Snyder
Spratt
Stark
Stearns
Talent
Thompson (MS)
Visclosky
Watkins
Watts (OK)
Weygand
Wise

So the motion was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶120.11 PROVIDING FOR THE CONSIDERATION OF CERTAIN JOINT RESOLUTIONS

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 662):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 121) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 122) making further continuing appropriations for fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 3. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 123) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 4. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 124) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

When said resolution was considered.

After debate,

Mr. LINDER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 286 / Nays ..... 73 }

¶120.12 [Roll No. 580]

YEAS—286

Aderholt
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Brady (PA)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Cook
Cox
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Ewing
Fattah
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Kennedy
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kucinich
Kuykendall
LaHood
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McKeon
McNulty
Meehan
Meek (FL)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Packard
Pallone
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Rahall
Ramstad
Regula
Reynolds
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Sessions
Shadegg
Sherman
Sherwood
Shimkus
Shows
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stabenow
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tierney
Toomey
Traficant
Udall (CO)
Udall (NM)
Upton
Vitter
Walsh
Wamp
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—73

Andrews
Baird
Becerra
Berman
Berry
Bonior
Boswell
Clay
Clayton
Clyburn
Condit
Costello
DeGette
Dicks
Dingell
Doggett
Edwards
Etheridge
Farr
Filner
Ford
Frost
Gephardt
Gonzalez
Green (TX)
Gutierrez
Holt
Inslee
Jackson (IL)
Jackson-Lee (TX)
Kildee
Lampson
Lee
Lewis (GA)
McDermott
McKinney
Meeks (NY)
Menendez
Miller, George
Moran (VA)
Oberstar
Obey
Olver
Ortiz
Owens
Pastor
Payne
Pelosi
Phelps
Price (NC)
Rangel
Reyes
Rodriguez
Roybal-Allard
Rush
Sandlin
Scott
Serrano
Sisisky
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Towns
Velazquez
Waters
Watt (NC)
Waxman
Woolsey

NOT VOTING—73

Abercrombie
Ackerman
Allen
Barr
Blumenauer
Boucher
Boyd
Brady (TX)
Brown (FL)
Campbell
Cardin
Conyers
Cooksey
Crane
Crowley
Danner
Davis (IL)
DeFazio
Delahunt
Dickey
Everett
Forbes
Fowler
Frank (MA)
Franks (NJ)
Goodlatte
Hastings (FL)
Hefley
Hilliard
Hooley
Hoyer
Hulshof
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
King (NY)
Klink
Kolbe
LaFalce
Lantos
Lazio
Lipinski
Maloney (NY)
Martinez
Mascara
McCollum
McInnis
McIntosh
McIntyre
Metcalf
Neal
Oxley
Pascrell
Pickett
Radanovich
Riley
Shaw
Shays
Shuster
Snyder
Spratt
Stark
Stearns
Talent
Thompson (MS)
Turner
Visclosky
Walden
Watkins
Weygand
Wise

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. MOAKLEY demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 296 / Nays ..... 64 }

¶120.13 [Roll No. 581]

AYES—296

Aderholt
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Brady (PA)
Brown (OH)
Bryant
Burr
Burton
Buyer

Callahan
Calvert
Camp
Canady
Cannon
Capps
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Cook
Cox
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Kennedy
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kuykendall
LaHood
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Packard
Paul
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Regula
Reyes
Reynolds
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Sherman
Sherwood
Shimkus
Shows
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stabenow
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Towns
Traficant
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOES—64

Baird
Becerra
Bentsen
Berry
Bonior
Capuano
Carson
Clay
Clayton
Clyburn
Condit
Costello
Davis (FL)
DeGette
DeLauro
Dicks
Dingell
Doggett
Filner
Ford
Frost
Gephardt
Gonzalez
Green (TX)
Holt
Inslee
Jackson (IL)
Jackson-Lee (TX)
Kildee
Kucinich
Lampson
Lee
Lewis (GA)
Lofgren
Markey
McDermott
Meek (FL)
Miller, George
Mink
Moakley
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Pelosi
Phelps
Rangel
Rodriguez
Sisisky
Stenholm
Strickland
Stupak
Taylor (MS)
Thompson (CA)
Tierney
Udall (CO)
Velazquez
Visclosky
Waters
Watt (NC)
Woolsey
Wu

NOT VOTING—72

Abercrombie
Ackerman
Allen
Barr
Boucher
Boyd
Brady (TX)
Brown (FL)
Campbell
Cardin
Conyers
Cooksey
Crane
Crowley
Danner
Davis (IL)
DeFazio
Delahunt
Dickey
Everett
Forbes
Fowler
Frank (MA)
Franks (NJ)
Goodlatte
Hastings (FL)
Hefley
Hilliard
Hooley
Horn
Hoyer
Hulshof
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
King (NY)
Klink
Kolbe
LaFalce
Lantos
Lazio
Lipinski
Maloney (NY)
Martinez
Mascara
McCollum
McInnis
McIntosh
McIntyre
Metcalf
Neal
Oxley
Pascrell
Pickett
Radanovich
Riley
Shaw
Shays
Shuster
Snyder
Spratt
Stark
Stearns
Talent
Taylor (NC)
Thompson (MS)
Turner
Watkins
Weygand
Wise

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶120.14 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. HOEKSTRA, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to choose a level of funding for the Inspector General of the Department of Education that reflects a requirement on the Inspector General of the Department of Education, as authorized by section 211 of the Department of Education Organization Act, to use all funds appropriated to the Office of Inspector General of such Department to comply with the Inspector General Act of 1978, with priority given to section 4 of such Act.

¶120.15 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. SCHAFFER, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on those provisions that (1) maintain the utmost flexibility possible for the grant program under title VI of the Elementary and Secondary Education Act of 1965; and (2) provide local educational agencies the maximum discretion within the scope of conference to spend Federal education funds to improve the education of their students.

¶120.16 PROVIDING FOR THE CONSIDERATION OF S. 2485 AND H.R. 2614

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 663):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (S. 2485) to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Resources; and (2) one motion to recommit.

SEC. 2. A concurrent resolution consisting of the text printed in section 3 is hereby adopted.

SEC. 3. The text specified in section 2 is as follows:

''*Resolved by the House of Representatives (the Senate concurring),* That, in the enrollment of the bill (H.R. 2614) to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

''(1) In section 1, insert before 'are hereby enacted into law' the following: ', as modified in accordance with section 3,'.

''(2) In section 2, insert before the period at the end the following: ', modified in accordance with section 3'.

''(3) Add at the end the following new section:

''SEC. 3. MODIFICATION TO TEXT OF BILL ENACTED BY REFERENCE.

'' 'The modification referred to in sections 1 and 2 is to the text of the bill H.R. 5538, as referred to in section 1(1), and is as follows: the quoted matter in the amendment proposed to be made by section 2 of such bill is modified by striking ''June 30, 2000'' and inserting ''December 31, 2000''.' ''.

When said resolution was considered.

After debate,

Mr. DIAZ-BALART moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 189 / Nays ..... 169 }

¶120.17 [Roll No. 582]

YEAS—189

Aderholt
Armey
Bachus
Baker
Baldacci
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert

Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cox
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ewing
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Kingston
Knollenberg
Kuykendall
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McKeon
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Ramstad
Regula
Reynolds
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stump
Sununu
Sweeney
Tancredo
Tauzin
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watts (OK)
Weldon (PA)
Weller
Wicker
Wilson
Young (AK)
Young (FL)

NAYS—169

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

NOT VOTING—74

Abercrombie
Ackerman
Allen
Archer
Barr
Boucher
Brady (TX)
Brown (FL)
Brown (OH)
Campbell
Conyers
Cooksey
Crane
Crowley
Danner
Davis (IL)
Delahunt
Dickey
Everett
Fattah
Forbes
Fowler
Frank (MA)
Franks (NJ)
Hastings (FL)
Hefley
Hilliard
Hulshof
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
King (NY)
Klink
Kolbe
LaFalce
Lantos
Lazio
Lipinski
Maloney (NY)
Martinez
Mascara
McCarthy (MO)
McCollum
McInnis
McIntosh
Metcalf
Mica
Neal
Ose
Oxley
Pascrell
Payne
Pickett
Radanovich
Riley
Sawyer
Scarborough
Shaw
Shays
Shuster
Snyder
Spratt
Stark
Stearns
Talent
Taylor (NC)
Watkins
Weldon (FL)
Weygand
Whitfield
Wise
Wolf

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. MOAKLEY demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 348; Nays ..... 0; Answered present 1 }

¶120.18 [Roll No. 583]

AYES—348

Aderholt
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Costello
Cox
Coyne
Cramer
Cubin
Cummings
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Filner
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kucinich
Kuykendall
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Matsui
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Rahall
Ramstad
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stabenow
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Paul

NOT VOTING—83

Abercrombie
Ackerman
Allen
Archer
Barcia
Barr
Barton
Bishop
Boucher
Brady (TX)
Brown (FL)
Brown (OH)
Campbell
Conyers
Cooksey

Crane	Kasich	Price (NC)
Crowley	King (NY)	Radanovich
Cunningham	Klink	Rangel
Danner	Kolbe	Riley
Davis (IL)	LaFalce	Sawyer
Delahunt	Lantos	Scarborough
Dickey	Lazio	Shaw
Everett	Lipinski	Shays
Fattah	Maloney (NY)	Shuster
Forbes	Martinez	Snyder
Fowler	Mascara	Spratt
Frank (MA)	McCarthy (MO)	Stark
Franks (NJ)	McCollum	Stearns
Gilman	McInnis	Stenholm
Green (TX)	McIntosh	Talent
Hastings (FL)	Metcalf	Taylor (NC)
Hefley	Mica	Waters
Hilliard	Neal	Watkins
Hulshof	Ose	Weldon (FL)
Johnson, E. B.	Oxley	Weygand
Jones (OH)	Pascrell	Whitfield
Kanjorski	Payne	Wise
Kaptur	Pickett	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Pursuant to the provisions of section 2 of House Resolution 663, the following concurrent resolution (H. Con. Res. 439) consisting of the text printed in section 3 of House Resolution 663, was considered as agreed to:

''*Resolved by the House of Representatives (the Senate concurring),* That, in the enrollment of the bill (H.R. 2614) to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

''(1) In section 1, insert before 'are hereby enacted into law' the following: ', as modified in accordance with section 3,'.

''(2) In section 2, insert before the period at the end the following: ', modified in accordance with section 3'.

''(3) Add at the end the following new section:

"'SEC. 3. MODIFICATION TO TEXT OF BILL ENACTED BY REFERENCE.

'' 'The modification referred to in sections 1 and 2 is to the text of the bill H.R. 5538, as referred to in section 1(1), and is as follows: the quoted matter in the amendment proposed to be made by section 2 of such bill is modified by striking ''June 30, 2000'' and inserting ''December 31, 2000''.' ''.

¶120.19 SAINT CROIX ISLAND HERITAGE

Mr. YOUNG of Alaska, pursuant to House Resolution 663, called up the bill of the Senate (S. 2485) to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine.

When said bill was considered and read twice.

After debate,

The previous question having been ordered by ordered by said resolution.

The bill was ordered to be read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The Speaker pro tempore, Mr. BARRETT of Nebraska, announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶120.20 U.S. AND RUSSIAN FEDERATION FISHERY AGREEMENT

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill (H.R. 1653) to approve a governing international fishery agreement between the United States and the Russian Federation; as amended.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

Mr. George MILLER of California objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Tuesday, October 31, 2000.

The point of no quorum was considered as withdrawn.

¶120.21 HEROIC EFFORTS WITH RESPECT TO WILDFIRES 2000

Mr. HANSEN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 434):

Whereas the 2000 wildfire season in the United States was the largest and most severe in the last 50 years and consisted of more than 85,000 wildfires;

Whereas almost 7,000,000 acres of public lands and adjacent State and private lands were subjected to these wildfires;

Whereas over 30,000 professional and volunteer firefighters participated in fighting and controlling these wildfires;

Whereas the Hotshot firefighting crews were instrumental in providing the expertise and training necessary to restrict the severity of these wildfires;

Whereas volunteer firefighters from across America and members of the Armed Forces played a crucial role in combating these wildfires and preventing them from destroying thousands of homes;

Whereas, in addition to the American firefighters, 1,800 men and women from Canada, New Zealand, Australia, and Mexico joined in the fight against these wildfires;

Whereas the information and coordination of the National Interagency Fire Center in Boise, Idaho, greatly assisted in minimizing the effects of these wildfires;

Whereas the support from local residents, communities, and counties helped maintain the high morale of the firefighters;

Whereas, in spite of the rugged terrain and the intense speed and size of the year 2000 wildfires, the firefighter crews managed to limit property losses to 852 structures; and

Whereas, if not for the hard work and dedication of these firefighters, the lives of thousands of Americans could have been lost, the loss of property could have been extensive, and the scenic beauty of the public lands and adjacent State and private lands could have been severely altered: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) commends the men and women, including professional firefighters, volunteers, and military personnel, who fought wildfires on public domain lands during the 2000 wildfire season for their bravery, their extraordinary efforts to contain the wildfires, and their commitment to protect lives, property, and the surrounding communities; and

(2) mourns the loss of life of the 16 persons who died while defending the fire lines.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶120.22 DILLONWOOD GIANT SEQUOIA GROVE PARK EXPANSION

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 4020) to authorize an expansion of the boundaries of Sequoia National Park to include Dillonwood Giant Sequoia Grove; as amended.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

Mr. George MILLER of California objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Tuesday, October 31, 2000.

The point of no quorum was considered as withdrawn.

¶120.23 SHARK FINNING PROHIBITION

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 5461) to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶120.24 NATCHEZ TRACE PARKWAY, MISSISSIPPI

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 2020) to adjust the boundary of the Natchez Trace Parkway, Mississippi, and for other purposes.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

Mr. George MILLER of California objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Tuesday, October 31, 2000.

The point of no quorum was considered as withdrawn.

¶120.25 GUAM OMNIBUS OPPORTUNITIES

Mr. HANSEN moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2462) to amend the Organic Act of Guam, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. OPPORTUNITY FOR THE GOVERNMENT OF GUAM TO ACQUIRE EXCESS REAL PROPERTY IN GUAM.

(a) TRANSFER OF EXCESS REAL PROPERTY.—(1) Except as provided in subsection (d), before screening excess real property located on Guam for further Federal utilization under section 202 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471, et seq.) (hereinafter the ''Property Act''), the Administrator shall notify the Government of Guam that the property is available for transfer pursuant to this section.

(2) If the Government of Guam, within 180 days after receiving notification under paragraph (1), notifies the Administrator that the Government of Guam intends to acquire the property under this section, the Administrator shall transfer such property in accordance with subsection (b). Otherwise, the property shall be screened for further Federal use and then, if there is no other Federal use, shall be disposed of in accordance with the Property Act.

(b) CONDITIONS OF TRANSFER.—(1) Any transfer of excess real property to the Government of Guam may be only for a public purpose and shall be without further consideration.

(2) All transfers of excess real property to the Government of Guam shall be subject to such restrictive covenants as the Administrator, in consultation with the Secretary of Defense, in the case of property reported excess by a military department, determines to be necessary to ensure that (A) the use of the property is compatible with continued military activities on Guam; (B) the use of the property is consistent with the environmental condition of the property; (C) access is available to the United States to conduct any additional environmental remediation or monitoring that may be required; (D) the property is used only for a public purpose and can not be converted to any other use; and (E) to the extent that facilities on the property have been occupied and used by another Federal agency for a minimum of 2 years, that the transfer to the Government of Guam is subject to the terms and conditions for such use and occupancy.

(3) All transfers of excess real property to the Government of Guam are subject to all otherwise applicable Federal laws, except section 2696 of title 10, United States Code, or section 501 of Public Law 100–77 (42 U.S.C. 11411).

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''Administrator'' means—

(A) the Administrator of General Services; or

(B) the head of any Federal agency with the authority to dispose of excess real property on Guam.

(2) The term ''base closure law'' means the Defense Authorization Amendments and Base Closure and Realignment Act of 1988 (Public Law 100–526), the Defense Base Closure and Realignment Act of 1990 (Public Law 101–510), or similar base closure authority.

(3) The term ''excess real property'' means excess property (as that term is defined in section 3 of the Property Act) that is real property and was acquired by the United States prior to enactment of this section.

(4) The term ''Guam National Wildlife Refuge'' includes those lands within the refuge overlay under the jurisdiction of the Department of Defense, identified as DoD lands in figure 3, on page 74, and as submerged lands in figure 7, on page 78 of the ''Final Environmental Assessment for the Proposed Guam National Wildlife Refuge, Territory of Guam, July 1993'' to the extent that the Federal Government holds title to such lands.

(5) The term ''public purpose'' means those public benefit purposes for which the United States may dispose of property pursuant to section 203 of the Property Act, as implemented by the Federal Property Management Regulations (41 CFR 101–47) or the specific public benefit uses set forth in section 3(c) of the Guam Excess Lands Act (Public Law 103–339; 108 Stat. 3116), except that such definition shall not include the transfer of land to an individual or entity for private use other than on a nondiscriminatory basis.

(d) EXEMPTIONS.—Notwithstanding that such property may be excess real property, the provisions of this section shall not apply—

(1) to real property on Guam that is declared excess by the Department of Defense for the purpose of transferring that property to the Coast Guard;

(2) to real property on Guam that is located within the Guam National Wildlife Refuge, which shall be transferred according to the following procedure:

(A) The Administrator shall notify the Government of Guam and the Fish and Wildlife Service that such property has been declared excess. The Government of Guam and the Fish and Wildlife Service shall have 180 days to engage in discussions toward an agreement providing for the future ownership and management of such real property.

(B) If the parties reach an agreement under subparagraph (A) within 180 days after notification of the declaration of excess, the real property shall be transferred and managed in accordance with such agreement: Provided, That such agreement shall be transmitted to the Committee on Energy and Natural Resources of the United States Senate and the appropriate committees of the United States House of Representatives not less than 60 days prior to such transfer and any such transfer shall be subject to the other provisions of this section.

(C) If the parties do not reach an agreement under subparagraph (A) within 180 days after notification of the declaration of excess, the Administrator shall provide a report to Congress on the status of the discussions, together with his recommendations on the likelihood of resolution of differences and the comments of the Fish and Wildlife Service and the Government of Guam. If the subject property is under the jurisdiction of a military department, the military department may transfer administrative control over the property to the General Services Administration subject to any terms and conditions applicable to such property. In the event of such a transfer by a military department to the General Services Administration, the Department of the Interior shall be responsible for all reasonable costs associated with the custody, accountability and control of such property until final disposition.

(D) If the parties come to agreement prior to congressional action, the real property shall be transferred and managed in accordance with such agreement: Provided, That such agreement shall be transmitted to the Committee on Energy and Natural Resources of the United States Senate and the appropriate committees of the United States House of Representatives not less than 60 days prior to such transfer and any such transfer shall be subject to the other provisions of this section.

(E) Absent an agreement on the future ownership and use of the property, such property may not be transferred to another Federal agency or out of Federal ownership except pursuant to an Act of Congress specifically identifying such property;

(3) to real property described in the Guam Excess Lands Act (Public Law 103–339; 108 Stat. 3116) which shall be disposed of in accordance with such Act;

(4) to real property on Guam that is declared excess as a result of a base closure law; or

(5) to facilities on Guam declared excess by the managing Federal agency for the purpose of transferring the facility to a Federal agency that has occupied the facility for a minimum of two years when the facility is declared excess together with the minimum land or interest therein necessary to support the facility.

(e) DUAL CLASSIFICATION PROPERTY.—If a parcel of real property on Guam that is declared excess as a result of a base closure law also falls within the boundary of the Guam National Wildlife Refuge, such parcel of property shall be disposed of in accordance with the base closure law.

(f) AUTHORITY TO ISSUE REGULATIONS.—The Administrator of General Services, after consultation with the Secretary of Defense and the Secretary of the Interior, may issue such regulations as he deems necessary to carry out this section.

SEC. 2. COMPACT IMPACT REPORTS.

Section 104(e)(2) of Public Law 99–239 (99 Stat. 1770, 1788) is amended by deleting ''President shall report to the Congress with respect to the impact of the Compact on the United States territories and commonwealths and on the State of Hawaii.'' and inserting in lieu thereof, ''Governor of any of the United States territories or commonwealths or the State of Hawaii may report to the Secretary of the Interior by February 1 of each year with respect to the impacts of the compacts of free association on the Governor's respective jurisdiction. The Secretary of the Interior shall review and forward any such reports to the Congress with the comments of the Ad-

ministration. The Secretary of the Interior shall, either directly or, subject to available technical assistance funds, through a grant to the affected jurisdiction, provide for a census of Micronesians at intervals no greater than five years from each decennial United States census using generally acceptable statistical methodologies for each of the impact jurisdictions where the Governor requests such assistance, except that the total expenditures to carry out this sentence may not exceed $300,000 in any year.''.

SEC. 3. APPLICATION OF FEDERAL PROGRAMS UNDER THE COMPACTS OF FREE ASSOCIATION.

(a) The freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, respectively, and citizens thereof, shall remain eligible for all Federal programs, grant assistance, and services of the United States, to the extent that such programs, grant assistance, and services are provided to States and local governments of the United States and residents of such States, for which a freely associated State or its citizens were eligible on October 1, 1999. This eligibility shall continue through the period of negotiations referred to in section 231 of the Compact of Free Association with the Republic of the Marshall Islands and the Federated States of Micronesia, approved in Public Law 99–239, and during consideration by the Congress of legislation submitted by an Executive branch agency as a result of such negotiations.

(b) Section 214(a) of the Housing Community Development Act of 1980 (42 U.S.C. 1436a(a)) is amended—

(1) by striking ''or'' at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting ''; or''; and

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

''(7) an alien who is lawfully resident in the United States and its territories and possessions under section 141 of the Compacts of Free Association between the Government of the United States and the Governments of the Marshall Islands, the Federated States of Micronesia (48 U.S.C. 1901 note) and Palau (48 U.S.C. 1931 note) while the applicable section is in effect: Provided, That, within Guam any such alien shall not be entitled to a preference in receiving assistance under this Act over any United States citizen or national resident therein who is otherwise eligible for such assistance.''.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. HANSEN and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HANSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Tuesday, October 31, 2000.

The point of no quorum was considered as withdrawn.

¶120.26 ENROLLMENT CORRECTION-S. CON. RES. 156

On motion of Mr. HANSEN, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 156):

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 1474) entitled ''An Act providing for conveyance of the Palmetto Bend project to the State of Texas.'', the Secretary of the Senate shall make the following correction:

In section 7(a) insert ''not'' after ''shall''.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶120.27 EXPORT ADMINISTRATION PENALTIES

Mr. BEREUTER moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 5239) to provide for increased penalties for violations of the Export Administration Act of 1979, and for other purposes:

Strike out all after the enacting clause and insert:

Section 20 of the Export Administration Act of 1979 (50 U.S.C. App. 2419) is amended by striking ''August 20, 1994'' and inserting in lieu thereof ''August 20, 2001''.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. BEREUTER and Ms. LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶120.28 HUMAN RIGHTS IN CENTRAL ASIA

Mr. BEREUTER moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 397); as amended:

Whereas the states of Central Asia—Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan—have been participating states of the Organization for Security and Cooperation in Europe (OSCE) since 1992 and have freely accepted all OSCE commitments, including those concerning human rights, democracy, and the rule of law;

Whereas the Central Asian states, as OSCE participating states, have affirmed that every individual has the right to freedom of thought, conscience, religion or belief, expression, association, peaceful assembly and movement, freedom from arbitrary arrest, detention, torture, or other cruel, inhuman, or degrading treatment or punishment, and if charged with an offense the right to a fair and public trial;

Whereas the Central Asian states, as OSCE participating states, have committed themselves to build, consolidate, and strengthen democracy as the only system of government, and are obligated to hold free elections at reasonable intervals, to respect the right of citizens to seek political or public office without discrimination, to respect the right of individuals and groups to establish in full freedom their own political parties, and to allow parties and individuals wishing to participate in the electoral process access to the media on a nondiscriminatory basis;

Whereas the general trend of political development in Central Asia has been the emergence of presidents far more powerful than other branches of government, all of whom have refused to allow genuine electoral challenges, postponed or canceled elections, excluded serious rivals from participating in elections, or otherwise contrived to control the outcome of elections;

Whereas several leaders and governments in Central Asia have crushed nascent political parties, or refused to register opposition parties, and have imprisoned and used violence against, or exiled, opposition figures;

Whereas in recent weeks fighting has erupted between government troops of Kyrgyzstan and Uzbekistan and members of the Islamic Movement of Uzbekistan;

Whereas Central Asian governments have the right to defend themselves from internal and external threats posed by insurgents, radical religious groups, and other antidemocratic elements which employ violence as a means of political struggle;

Whereas the actions of the Central Asian governments have tended to exacerbate these internal and external threats by domestic repression, which has left few outlets for individuals and groups to vent grievances or otherwise participate legally in the political process;

Whereas in Kazakhstan, President Nursultan Nazarbaev dissolved parliament in 1993 and again in 1995, when he also annulled scheduled Presidential elections, and extended his tenure in office until 2000 by a deeply flawed referendum;

Whereas on January 10, 1999, President Nazarbaev was reelected in snap Presidential elections from which a leading challenger was excluded for having addressed an unregistered organization, ''For Free Elections,'' and the OSCE assessed the election as falling far short of international standards;

Whereas Kazakhstan's October 1999 parliamentary election, which featured widespread interference in the process by the authorities, fell short of OSCE standards, according to the OSCE's Office of Democratic Institutions and Human Rights (ODIHR);

Whereas Kazakhstan's parliament on June 22, 2000, approved draft legislation designed to give President Nazarbaev various powers and privileges for the rest of his life;

Whereas independent media in Kazakhstan, which used to be fairly free, have been pressured, co-opted, or crushed, leaving few outlets for the expression of independent or opposition views, thus limiting the press's ability to criticize or comment on the President's campaign to remain in office indefinitely or on high-level corruption;

Whereas the Government of Kazakhstan has initiated, under OSCE auspices, roundtable discussions with representatives of some opposition parties and public organizations designed to remedy the defects of electoral legislation and now should increase the input in those discussions from opposition parties and public organizations that favor a more comprehensive national dialogue;

Whereas opposition parties can function in Kyrgyzstan and parliament has in the past demonstrated some independence from President Askar Akaev and his government;

Whereas 3 opposition parties in Kyrgyzstan were excluded from fielding party lists and serious opposition candidates were not allowed to contest the second round of the

February–March 2000 parliamentary election, or were prevented from winning their races by official interference, as cited by the OSCE's Office of Democratic Institutions and Human Rights (ODIHR);

Whereas a series of flagrantly politicized criminal cases after the election against opposition leaders and the recent exclusion on questionable linguistic grounds of other would-be candidates have raised grave concerns about the fairness of the election process and the prospects for holding a fair Presidential election on October 29, 2000;

Whereas independent and opposition-oriented media in Kyrgyzstan have faced serious constraints, including criminal lawsuits by government officials for alleged defamation;

Whereas in Tajikistan, a civil war in the early 1900s caused an estimated 50,000 people to perish, and a military stalemate forced President Imomaly Rakhmonov in 1997 to come to terms with Islamic and democratic opposition groups and agree to a coalition government;

Whereas free and fair elections and other democratic steps in Tajikistan offer the best hope of reconciling government and opposition forces, overcoming the legacy of the civil war, and establishing the basis for civil society;

Whereas President Rakhmonov was reelected in November 1999 with 96 percent of the vote in an election the OSCE did not observe because of the absence of conditions that would permit a fair contest;

Whereas the first multiparty election in the history of Tajikistan was held in February–March 2000, with the participation of former warring parties, but the election fell short of OSCE commitments and 11 people, including a prominent candidate, were killed;

Whereas in Turkmenistan under the rule of President Saparmurat Niyazov, no internationally recognized human rights are observed, including freedom of speech, assembly, association, religion, and movement, and attempts to exercise these rights are brutally suppressed;

Whereas Turkmenistan has committed political dissidents to psychiatric institutions;

Whereas in Turkmenistan President Niyazov is the object of a cult of personality, all political opposition is banned, all media are tightly censored, and only one political party, the Democratic Party, headed by President Niyazov, has been registered;

Whereas the OSCE's Office of Democratic Institutions and Human Rights (ODIHR), citing the absence of conditions for a free and fair election, refused to send any representatives to the December 1999 parliamentary elections;

Whereas President Niyazov subsequently orchestrated a vote of the People's Council in December 1999 that essentially makes him President for life;

Whereas in Uzbekistan under President Islam Karimov, no opposition parties are registered, and only pro-government parties are represented in parliament;

Whereas in Uzbekistan all opposition political parties and leaders have been forced underground or into exile, all media are censored, and attempts to disseminate opposition newspapers can lead to jail terms;

Whereas Uzbekistan's authorities have laid the primary blame for explosions that took place in Tashkent in February 1999 on an opposition leader and have tried and convicted some of his relatives and others deemed his supporters in court proceedings that did not correspond to OSCE standards and in other trials closed to the public and the international community;

Whereas in Uzbekistan police and security forces routinely plant narcotics and other evidence on political opposition figures as well as religious activists, according to Uzbek and international human rights organizations; and

Whereas the OSCE's Office of Democratic Institutions and Human Rights (ODIHR), citing the absence of conditions for a free and fair election, sent no observers except a small group of experts to the December 1999 parliamentary election and refused any involvement in the January 2000 Presidential election: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) expresses deep concern about the tendency of Central Asian leaders to seek to remain in power indefinitely and their willingness to manipulate constitutions, elections, and legislative and judicial systems, to do so;

(2) urges the President, the Secretary of State, the Secretary of Defense, and other United States officials to raise with Central Asian leaders, at every opportunity, the concern about serious violations of human rights, including noncompliance with Organization for Security and Cooperation in Europe (OSCE) commitments on democracy and rule of law;

(3) urges Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan to come into compliance with OSCE commitments on human rights, democracy, and the rule of law, specifically the holding of free and fair elections that do not exclude genuine challengers, to permit independent and opposition parties and candidates to participate on an equal basis with representation in election commissions at all levels, and to allow domestic nongovernmental and political party observers, as well as international observers;

(4) calls on Central Asian leaders to establish conditions for independent and opposition media to function without constraint, limitation, or fear of harassment, to repeal criminal laws which impose prison sentences for alleged defamation of the state or public officials, and to provide access to state media on an equal basis during election campaigns to independent and opposition parties and candidates;

(5) reminds the leaders of Central Asian states that elections cannot be free and fair unless all citizens can take part in the political process on an equal basis, without intimidation or fear of reprisal, and with confidence that their human rights and fundamental freedoms will be fully respected;

(6) calls on Central Asian governments that have begun roundtable discussions with opposition and independent forces to engage in a serious and comprehensive national dialogue, on an equal footing, on institutionalizing measures to hold free and fair elections, and urges those governments which have not launched such roundtables to do so;

(7) calls on the leaders of Turkmenistan and Uzbekistan to condemn and take effective steps to cease the systematic use of torture and other inhuman treatment by authorities against political opponents and others, to permit the registration of independent and opposition parties and candidates, and to register independent human rights monitoring organizations;

(8) urges the governments of Central Asia which are engaged in military campaigns against violent insurgents to observe international law regulating such actions, to keep civilians and other noncombatants from harm, and not to use such campaigns to justify further crackdowns on political opposition or violations of human rights commitments under OSCE;

(9) encourages the Administration to raise with the governments of other OSCE participating states the possible implications for OSCE participation of any participating state in the region that engages in clear, gross, and uncorrected violations of its OSCE commitments on human rights, democracy, and the rule of law; and

(10) urges the Voice of America and Radio Liberty to expand broadcasting to Central Asia, as needed, with a focus on assuring that the peoples of the region have access to unbiased news and programs that support respect for human rights and the establishment of democracy and the rule of law.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. BEREUTER and Ms. LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed until Tuesday, October 31, 2000.

¶120.29 COIN COLLECTORS CONTRIBUTIONS

Mr. BACHUS moved to suspend the rules and agree to the following concurrent resolution of the Senate (S. Con. Res. 154):

Whereas in 1982, after a period of 28 years, the Congress of the United States resumed the United States commemorative coin programs;

Whereas since 1982, 37 of the Nation's worthy institutions, organizations, foundations, and programs have been commemorated under the coin programs;

Whereas since 1982, the Nation's coin collectors have purchased nearly 49,000,000 commemorative coins that have yielded nearly $1,800,000,000 in revenue and more than $407,000,000 in surcharges benefitting a variety of deserving causes;

Whereas the United States Capitol has benefitted from the commemorative coin surcharges that have supported such commendable projects as the restoration of the Statue of Freedom atop the Capitol dome, the furtherance of the development of the United States Capitol Visitor Center, and the planned National Garden at the United States Botanic Gardens on the Capitol grounds;

Whereas surcharges from the year 2000 coin program commemorating the Library of Congress bicentennial benefit the Library of Congress bicentennial programs, educational outreach activities (including schools and libraries), and other activities of the Library of Congress; and

Whereas the United States Capitol Visitor Center commemorative coin program will commence in January 2001, with the surcharges designated to further benefit the Capitol Visitor Center: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States acknowledges and salutes the ongoing generosity, loyalty, and significant role that coin collectors have played in supporting our Nation's meritorious charitable

organizations, foundations, institutions, and programs, including the United States Capitol, the Library of Congress, and the United States Botanic Gardens.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. BACHUS and Mr. BENTSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶120.30 RACIAL HARMONY AND RECONCILIATION AROUND THE WORLD

Mr. BACHUS moved to suspend the rules and agree to the following amendments of the Senate to the joint resolution (H.J. Res. 102) recognizing that the Birmingham Pledge has made a significant contribution in fostering racial harmony and reconciliation in the United States and around the world, and for other purposes:

Strike out all after the resolving clause and insert:

That—

(1) Congress recognizes that the Birmingham Pledge is a significant contribution toward fostering racial harmony and reconciliation in the United States and around the world;

(2) Congress commends the creators, promoters, and signatories of the Birmingham Pledge for the steps they are taking to make the United States and the world a better place for all people; and

(3) it is the sense of Congress that a particular week should be designated as ''National Birmingham Pledge Week''.

Strike out the preamble and insert:

Whereas Birmingham, Alabama, was the scene of racial strife in the United States in the 1950s and 1960s;

Whereas since the 1960s, the people of Birmingham have made substantial progress toward racial equality, which has improved the quality of life for all its citizens and led to economic prosperity;

Whereas out of the crucible of Birmingham's role in the civil rights movement of the 1950s and 1960s, a present-day grassroots movement has arisen to continue the effort to eliminate racial and ethnic divisions in the United States and around the world;

Whereas that grassroots movement has found expression in the Birmingham Pledge, which was authored by Birmingham attorney James E. Rotch, is sponsored by the Community Affairs Committee of Operation New Birmingham, and is promoted by a broad cross section of the community of Birmingham;

Whereas the Birmingham Pledge reads as follows:

''I believe that every person has worth as an individual.

''I believe that every person is entitled to dignity and respect, regardless of race or color.

''I believe that every thought and every act of racial prejudice is harmful; if it is in my thought or act, then it is harmful to me as well as to others.

''Therefore, from this day forward I will strive daily to eliminate racial prejudice from my thoughts and actions.

''I will discourage racial prejudice by others at every opportunity.

''I will treat all people with dignity and respect; and I will strive to honor this pledge, knowing that the world will be a better place because of my effort.'';

Whereas commitment and adherence to the Birmingham Pledge increases racial harmony by helping individuals communicate in a positive way concerning the diversity of the people of the United States and by encouraging people to make a commitment to racial harmony;

Whereas individuals who sign the Birmingham Pledge give evidence of their commitment to its message;

Whereas more than 70,000 people have signed the Birmingham Pledge, including the President, Members of Congress, Governors, State legislators, mayors, county commissioners, city council members, and other persons around the world;

Whereas the Birmingham Pledge has achieved national and international recognition;

Whereas efforts to obtain signatories to the Birmingham Pledge are being organized and conducted in communities around the world;

Whereas every Birmingham Pledge signed and returned to Birmingham is recorded at the Birmingham Civil Rights Institute, Birmingham, Alabama, as a permanent testament to racial reconciliation, peace, and harmony; and

Whereas the Birmingham Pledge, the motto for which is ''Sign It, Live It'', is a powerful tool for facilitating dialogue on the Nation's diversity and the need for people to take personal steps to achieve racial harmony and tolerance in communities: Now, therefore, be it

The SPEAKER pro tempore, Mr. BARRETT, recognized Mr. BACHUS and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶120.31 PROTECTING SENIORS FROM FRAUD

Mr. BACHUS moved to suspend the rules and pass the bill of the Senate (S. 3164) to protect seniors from fraud.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. BACHUS and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶120.32 CHILD IN NEED OF PROTECTION REVIEW

Mr. DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 5537) to waive the period of Congressional review of the Child in Need of Protection Amendment Act of 2000.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. DAVIS of Virginia and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶120.33 JAMESTOWN 400TH COMMEMORATION COMMISSION

Mr. DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 4907) to establish the Jamestown 400th Commemoration Commission, and for other purposes.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. DAVIS of Virginia and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶120.34 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. GIBBONS, laid before the House the following communication from Ms. Ginny Burrus, Staff Assistant, office of the Honorable James A. Leach:

OCTOBER 26, 2000.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the District Court for Iowa, Johnson County.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

GINNY BURRUS,
Staff Assistant.

¶120.35 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. GIBBONS, laid before the House the following communication from Ms. Jill Rohret, District Scheduler, office of the Honorable James A. Leach:

OCTOBER 26, 2000.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the District Court for Iowa, Johnson County.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

JILL ROHRET,
District Scheduler.

¶120.36 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2498. An Act to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices.

H.R. 4788. An Act to amend the United States Grain Standards Act to extend the authority of the Secretary of Agriculture to collect fees to cover the cost of services performed under that Act, extend the authorization of appropriations for that Act, and improve the administration of that Act, to reenact the United States Warehouse Act to require the licensing and inspection of warehouses used to store agricultural products and provide for the issuance of receipts, including electronic receipts, for agricultural products stored or handled in licensed warehouses, and for other purposes.

H.R. 4868. An Act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

¶120.37 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 501. An Act to address resource management issues in Glacier Bay National Park, Alaska.

S. 503. An Act designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness.''

S. 610. An Act to direct the Secretary of the Interior to convey certain land under the jurisdiction of the Bureau of Land Management in Washakie County and Big Horn County, Wyoming, to the Westside Irrigation District, Wyoming, and for other purposes.

S. 710. An Act to authorize a feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail.

S. 748. An Act to improve Native hiring and contracting by the Federal Government within the State of Alaska, and for other purposes.

S. 1030. An Act to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws.

S. 1088. An Act to authorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey certain land to the City of Sedona, Arizona for a wastewater treatment facility, and for other purposes.

S. 1211. An Act to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner.

S. 1218. An Act to direct the Secretary of the Interior to issue to the Landusky School District, without consideration, a patent for the surface and mineral estates of certain lots, and for other purposes.

S. 1275. An Act to authorize the Secretary of the Interior to produce and sell products and to sell publications relating to the Hoover Dam, and to deposit revenues generated from the sales into the Colorado River Dam fund.

S. 1367. An Act to amend the Act which established the Saint-Gaudens National Historic Site, in the State of New Hampshire by modifying the boundary and for other purposes.

S. 1778. An Act to provide for equal exchanges of land around the Cascade Reservoir.

S. 1894. An Act to provide for the conveyance of certain land to Park County, Wyoming.

S. 2069. An Act to permit the conveyance of certain land in Powell, Wyoming.

S. 2300. An Act to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State.

S. 2425. An Act to authorize the Bureau of Reclamation to participate in the planning, design, and construction of the Bend Feed Canal Pipeline Project, Oregon, and for other purposes.

S. 2872. An Act to improve the cause of action for misrepresentation of Indian arts and crafts.

S. 2882. An Act to authorize the Bureau of Reclamation to conduct certain feasibility studies to augment water supplies for the Klamath Project, Oregon and California, and for other purposes.

S. 2951. An Act to authorize the Secretary of the Interior to conduct a study to investigate opportunities to better manage the water resources in the Salmon Creek watershed of the upper Columbia River.

S. 2977. An Act to assist in the establishment of an interpretive center and museum in the vicinity of the diamond Valley Lake in southern California to ensure the protection and interpretation of the paleontology discoveries made at the lake and to develop a trail system for the lake for use by pedestrians and nonmotorized vehicles.

S. 3022. An Act to direct the Secretary of the Interior to convey certain irrigation facilities to the Nampa and the Meridian Irrigation District.

¶120.38 BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

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

On October 27, 2000:

H.R. 1651. To amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of the United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country, and for other purposes.

H.R. 3218. To amend title 31, United States Code, to prohibit the appearance of Social Security account numbers on or through unopened mailings of checks or other drafts issued on public money in the Treasury.

H.R. 5178. To require changes in the bloodborne pathogens standard in effect under the Occupational Safety and Health Act of 1970.

H.J. Res. 117. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

On October 28, 2000:

H.R. 2780. To authorize the Attorney General to provide grants for organizations to find missing adults.

H.R. 2884. To extend energy conservation programs under the Energy Policy and Conservation Act through fiscal year 2003.

H.R. 4404. To permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Services, to allow for waiver and indemnification in mutual law enforcement agreements between the National Park Service and a State or political subdivision when required by State law, and for other purposes.

H.R. 4957. To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work.

H.R. 5083. To extend the authority of the Los Angeles Unified School District to use certain lands in the city of South Gate, California, which were acquired with amounts provided from the land and water conservation fund, for elementary school purposes.

H.R. 5157. To amend title 44, United States Code, to ensure preservation of the records of the Freedman's Bureau.

H.R. 5314. To amend title 10, United States Code, to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs.

H.R. 5331. To authorize the Frederick Douglass Gardens, Inc., to establish a memorial and gardens on Department of the Interior lands in the District of Columbia or its environs in honor and commemoration of Frederick Douglass.

H.J. Res. 118. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

On October 29, 2000:

H.J. Res. 119. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶120.39 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GREEN of Texas, for today after 1:50 p.m.;

To Ms. Eddie Bernice JOHNSON of Texas, for today;

To Mr. MASCARA, for today after 11 a.m.; and

To Mr. OSE, for today after 1 p.m. and balance of the week.

And then,

¶120.40 ADJOURNMENT

On motion of Mr. OWENS, pursuant to the special order heretofore agreed to, at 7 o'clock and 35 minutes p.m., the House adjourned until 6 o'clock p.m. on Tuesday, October 31, 2000.

¶120.41 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1500. A bill to accelerate the Wilderness designation process by establishing a timetable for the completion of wilderness studies on Federal Lands (Rept. No. 106–1017). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 5130. A bill to authorize the Secretary of the Interior to provide cost sharing for the CALFED water enhancement programs in California; with an amendment (Rept. No. 106–1018 Pt. 1). Ordered to be printed.

Mr. BLILEY: Committee on Commerce. H.R. 5291. A bill to amend titles XVIII, XIX, and XXI of the Social Security Act to make additional corrections and refinements in the Medicare, Medicaid, and State children's health insurance programs, as revised by the Balanced Budget Act of 1997; with an amendment (Rept. No. 106–1019 Pt. 1). Ordered to be printed.

¶120.42 TIME LIMITATION OF REFERRED BILL

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

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 31, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 31, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 31, 2000.

H.R. 4144. Referral to the Committee on the Budget extended for a period ending not later than October 31, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 31, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 31, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than October 31, 2000.

H.R. 4857. Referral to the Committee on the Judiciary, Banking and Financial Services, and Commerce extended for a period ending not later than October 31, 2000.

H.R. 5130. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 31, 2000.

H.R. 5291. Referral to the Committee on Ways and Means extended for a period ending not later than October 31, 2000.

¶120.43 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RANGEL (for himself and Mr. DINGELL):

H.R. 5601. A bill to amend titles XVIII, XIX, and XXI of the Social Security Act to provide benefits improvements and beneficiary protections in the Medicare and Medicaid Programs and the State child health insurance program (SCHIP), as revised by the Balanced Budget Act of 1997 and the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself and Mr. MALONEY of Connecticut):

H.R. 5602. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to grandparents who provide primary child care services without compensation for their grandchildren who are not their dependents; to the Committee on Ways and Means.

By Mr. LANTOS (for himself, Mr. PORTER, Mr. SMITH of New Jersey, Mr. ROHRABACHER, and Mr. KUCINICH):

H.R. 5603. A bill to prohibit the importation of any textile or apparel article that is produced, manufactured, or grown in Burma; to the Committee on Ways and Means.

By Ms. LOFGREN:

H.R. 5604. A bill to authorize funding for certain housing assistance to increase the availability of affordable housing; to the Committee on Banking and Financial Services.

By Mr. MORAN of Virginia (for himself, Mr. CUMMINGS, Mr. DAVIS of Virginia, Mr. HOYER, Mrs. MORELLA, Ms. NORTON, Mr. WOLF, and Mr. WYNN):

H.R. 5605. A bill to require that the same transit pass transportation fringe benefits that are currently being offered to certain executive branch employees in the National Capital Region be extended to other similarly situated Federal employees; to the Committee on Government Reform.

By Mr. PALLONE:

H.R. 5606. A bill to amend the Federal Water Pollution Control Act to improve the enforcement and compliance programs; to the Committee on Transportation and Infrastructure.

By Mr. GILMAN:

H. Res. 664. A resolution expressing the sense of the House of Representatives regarding the Clinton Administration's lack of cooperation and efforts to impede the investigation by the General Accounting Office into the implementation of United States policy toward United Nations peacekeeping operations; to the Committee on International Relations.

¶120.44 ADDITIONAL SPONSORS

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

H.R. 914: Mr. MEEHAN.
H.R. 1046: Mr. BOSWELL.
H.R. 1053: Mr. MCGOVERN.
H.R. 1657: Mrs. JONES of Ohio.
H.R. 2344: Ms. KILPATRICK.
H.R. 3195: Mr. CONYERS.
H.R. 3872: Mr. TOOMEY.
H.R. 4215: Mr. BERRY.
H.R. 4219: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 4481: Mr. BOEHLERT.
H.R. 4495: Mr. JENKINS.
H.R. 4921: Mr. UNDERWOOD.
H.R. 5261: Mrs. MEEK of Florida.
H.R. 5397: Mr. COSTELLO, Mr. HALL of Ohio, Ms. JACKSON-LEE of Texas, and Mr. CLAY.
H. Con. Res. 306: Mr. CARDIN, Mr. WHITFIELD, Mr. THOMPSON of California, and Mr. GOODLATTE.
H. Con. Res. 337: Mr. HILLEARY.
H. Con. Res. 373: Mr. UDALL of Colorado and Ms. LEE.

TUESDAY, OCTOBER 31, 2000 (121)

¶121.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BARR, who laid before the House the following communication:

WASHINGTON, DC,
October 31, 2000.

I hereby appoint the Honorable BOB BARR to act as Speaker pro tempore on this day.

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

¶121.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BARR, announced he had examined and approved the Journal of the proceedings of Monday, October 30, 2000.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BARR, announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared ....
Yeas 291
Nays 70
Answered present 1

¶121.3 [Roll No. 584]

YEAS—291

Abercrombie	Blumenauer	Condit
Ackerman	Boehlert	Cook
Aderholt	Boehner	Cooksey
Allen	Bonilla	Cox
Andrews	Bono	Coyne
Armey	Boswell	Cramer
Baca	Boyd	Crowley
Bachus	Brady (TX)	Cubin
Baker	Bryant	Cunningham
Baldacci	Burr	Davis (IL)
Baldwin	Burton	Davis (VA)
Ballenger	Buyer	Deal
Barcia	Callahan	Delahunt
Barr	Calvert	DeLauro
Barrett (NE)	Cannon	DeLay
Barrett (WI)	Capps	Deutsch
Bartlett	Cardin	Diaz-Balart
Barton	Carson	Dicks
Bass	Castle	Dingell
Bereuter	Chabot	Dixon
Berkley	Chambliss	Doggett
Berman	Clayton	Doolittle
Biggert	Clement	Doyle
Bilirakis	Coble	Dreier
Bishop	Coburn	Duncan
Bliley	Combest	Edwards

Ehlers
Ehrlich
Emerson
Engel
Eshoo
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kildee
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Larson
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Owens
Packard
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pitts
Pombo
Pomeroy
Porter
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stark
Stearns
Stump
Sununu
Tanner
Tauscher
Tauzin
Terry
Thomas
Thornberry
Thune
Thurman
Tierney
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watt (NC)
Watts (OK)
Weiner
Weldon (PA)
Wexler
Weygand
Whitfield
Wilson
Wolf
Woolsey
Young (AK)
Young (FL)

NAYS—70

Baird
Becerra
Berry
Bilbray
Bonior
Brady (PA)
Capuano
Chenoweth-Hage
Clyburn
Costello
Crane
Davis (FL)
DeFazio
English
Filner
Ford
Gejdenson
Gutierrez
Gutknecht
Hall (OH)
Hefley
Hilleary
Hilliard
Holt
Hooley
Hulshof
Johnson, E. B.
Kaptur
Kucinich
LaFalce
Latham
LoBiondo
Lowey
Maloney (NY)
Markey
McDermott
McGovern
McNulty
Menendez
Miller, George
Moore
Moran (KS)
Neal
Oberstar
Obey
Olver
Pallone
Peterson (MN)
Pickett
Price (NC)
Ramstad
Rangel
Rothman
Sabo
Sanchez
Slaughter
Strickland
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watkins
Weller
Wicker
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—70

Archer
Bentsen
Blagojevich
Blunt
Borski
Boucher
Brown (FL)
Brown (OH)
Camp
Campbell
Canady
Clay
Collins
Conyers
Cummings
Danner
DeGette
DeMint
Dickey
Dooley
Dunn
Etheridge
Fattah
Fossella
Fowler
Franks (NJ)
Gephardt
Goode
Greenwood
Hastings (FL)
Hill (MT)
Hostettler
Isakson
Kennedy
Kilpatrick
Kingston
Klink
Lantos
Lazio
McCollum
McCrery
McIntosh
Meeks (NY)
Metcalf
Mica
Mollohan
Moran (VA)
Ose
Oxley
Payne
Pickering
Portman
Ros-Lehtinen
Salmon
Sanford
Scarborough
Sensenbrenner
Shaw
Spratt
Stabenow
Stenholm
Talent
Taylor (NC)
Tiahrt
Towns
Waters
Waxman
Weldon (FL)
Wise
Wynn

So the Journal was approved.

¶121.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10814. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Kiwifruit Grown in California; Decreased Assessment Rate [Docket No. FV00–920–3 FIR] received October 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10815. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Farm Reconstitutions and Market Assistance for Cottonseed, Tobacco, and Wool and Mohair (RIN: 0560–AG19) received October 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10816. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—2000 Crop Agricultural Disaster and Market Assistance (RIN: 0560–AG18) received October 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10817. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Commuted Traveltime Periods: Overtime Services Relating to Imports and Exports [Docket No. 00–049–1] received October 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10818. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Change in Disease Status of KwaZulu-Natal Province in the Republic of South Africa Because of Rinderpest and Foot-and-Mouth Disease [Docket No. 00–104–1] received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10819. A letter from the Secretary of the Air Force, Department of Defense, transmitting notification that certain major defense acquisition programs have breached the unit cost by more than 25 percent, revised, pursuant to 10 U.S.C. 2431(b)(3)(A); to the Committee on Armed Services.

10820. A letter from the Secretary, Department of Education, transmitting the Department's final rule—Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program, (RIN: 1845–AA12) received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10821. A letter from the Secretary, Department of Education, transmitting the Department's final rule—Federal Family Education Loan (FFEL) Program and William D. Ford Federal Direct Loan Program (RIN: 1845–AA16) received October 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10822. A letter from the Secretary, Department of Education, transmitting the Department's final rule—Federal Family Education Loan Program and William D. Ford Federal Direct Loan Program (RIN: 1845–AA11) received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10823. A letter from the Secretary, Department of Energy, transmitting a report on the Comprehensive Status of Exxon and Stripper Well Oil Overcharge Funds, Forty-Fourth Quarterly Report; to the Committee on Commerce.

10824. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Polydextrose [Docket No. 92F–0305] received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10825. A letter from the Secretary, Division of Corporation Finance, Securities & Exchange Commission, transmitting the Commission's final rule—Delivery of Proxy Statements and Information Statements to Households [Release Nos. 33–7912, 34–43487, IC–24715; File No. S7–26–99] (RIN: 3235–AH66) received October 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10826. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that a reward has been paid pursuant to 22 U.S.C. 2708(b), pursuant to 22 U.S.C. 2708(h); to the Committee on International Relations.

10827. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–443, ''Bail Reform Temporary Act of 2000'' received October 31, 2000, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

10828. A letter from the Executive Director, Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received October 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10829. A letter from the Executive Director, Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received October 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10830. A letter from the Benefits Manager, CoBank, transmitting the annual report to the Congress and the Comptroller General of the United States for the CoBank, ACB Retirement Plan for the year ending December 31, 1999, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

10831. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Placement Assistance and Reduction in Force Notices (RIN: 3206–AJ18) received October 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10832. A letter from the Director, Congressional Affairs, Overseas Private Investment Corporation, transmitting the Corporation's

final rule—revisions to the Freedom of Information Act regulations (RIN: 3420–ZA00) received October 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10833. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Virginia Regulatory Program—received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10834. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—New Mexico Regulatory Program—received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10835. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northwestern United States; Northeast Multispecies Fishery; Commercial Haddock Harvest [Docket No. 000407096–0096–01; I.D. 101700A] received October 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10836. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Subdivision of Restricted Areas R–6412A and R–6412B, and Establishment of R–6412C and R–6412D, Camp Williams, Utah [Airspace Docket No. 00–ANM–10] (RIN: 2120–AA66) received October 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10837. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of the East Coast Low Airspace Area [Airspace Docket No. 99–ANE–91] (RIN: 2120–AA66) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10838. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Albany, KY [Airspace Docket No. 00–ASO–20] received October Transportation and Infrastructure.

10839. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revocation of the Sacramento McClellan Air Force Base (AFB) Class C Airspace Area, Establishment of Sacramento McClellan AFB Class E Surface Area; and Modification of the Sacramento International Airport Class C Airspace Area; CA [Airspace Docket No. 99–AWA–3] (RIN: 2120–AA66) received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10840. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Columbia, KY [Airspace Docket No. 00–ASO–21] received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10841. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of the San Francisco Class B Airspace Area; CA [Airspace Docket No. 97–AWA–1] (RIN: 2120–AA66) received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10842. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Advanced Qualification Program [Docket No. FAA–2000–7497; Amendment No. 61–107, 63–30, 65–41, 108–18, 121–280 and 135–78] (RIN: 2120–AH01) received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10843. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes Equipped with Pratt & Whitney (PW) JT9D–7Q, and JT9D–7Q3 Turbofan Engines [Docket No. 2000–NM–98–AD; Amendment 39–11938; AD 2000–21–06] (RIN: 2120–AA64) received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10844. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries, Ltd., Model Astra SPX and 1125 Westwind Astra Series Airplanes [Docket No. 2000–NM–10–AD; Amendment 39–11935; AD 2000–21–03) (RIN: 2120–AA64) received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10845. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace BAe Model ATP Airplanes [Docket No. 2000–NM–123–AD; Amendment 39–11937; AD 2000–21–05] (RIN: 2120–AA64) received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10846. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes [Docket No. 99–NM–379–AD; Amendment 39–11934; AD 2000–21–02] (RIN: 2120–AA64) received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10847. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class D Airspace, Melbourne, FL [Airspace Docket No. 00–ASO–26] received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10848. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Bemidji, MN Correction [Airspace Docket No. 99–AGL–53] received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10849. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace, Pella, IA [Airspace Docket No. 00–ACE–26] received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶121.5 SUBMISSION OF CONFERENCE REPORT—S. 2796

Mr. SHUSTER submitted a conference report (Rept. No. 106–1020) on the bill of the Senate (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶121.6 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. HOLT, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources for local school construction and, instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

¶121.7 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. WU, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class size in the early grades and instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

¶121.8 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. HOEKSTRA, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to choose a level of funding for the Inspector General of the Department of Education that reflects a requirement on the Inspector General of the Department of Education, as authorized by section 211 of the Department of Education Organization Act, to use all funds appropriated to the Office of Inspector General of such Department to comply with the Inspector General Act of 1978, with priority given to section 4 of such Act.

¶121.9 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. SCHAFFER, pursuant to clause 7(c)(1)(B) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill

(H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on those provisions that (1) maintain the utmost flexibility possible for the grant program under title VI of the Elementary and Secondary Education Act of 1965; and (2) provide local educational agencies the maximum discretion within the scope of conference to spend Federal education funds to improve the education of their students.

¶121.10 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 31, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 30, 2000, at 7:40 p.m.

That the Senate passed without amendment H.J. Res. 120.

With best wishes, I am
Sincerely,

JEFF TRANDAHL.

¶121.11 ENROLLED JOINT RESOLUTIONS SIGNED

The SPEAKER pro tempore, Mr. PEASE, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled joint resolution on Monday, October 30, 2000:

H.J. Res. 120. An Act making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶121.12 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 662, called up the joint resolution (H.J. Res. 121) making further continuing appropriations for fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. PEASE announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 361
Nays 13

¶121.13 [Roll No. 585]

YEAS—361

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—13

Baird
Barton
Capuano
Costello
DeFazio
Dingell
Ford
Hilliard
LaFalce
Miller, George
Phelps
Stupak
Visclosky

NOT VOTING—58

Archer
Bilbray
Blagojevich
Blunt
Borski
Boucher
Brown (FL)
Brown (OH)
Camp
Campbell
Canady
Collins
Conyers
Danner
DeGette
DeMint
Dickey
Dooley
Dunn
Etheridge
Forbes
Fowler
Franks (NJ)
Gephardt
Greenwood
Hastings (FL)
Hill (MT)
Hostettler
Isakson
Kennedy
Kingston
Klink
Lantos
Lazio
McCollum
McCrery
McIntosh
Meeks (NY)
Metcalf
Mollohan
Ose
Pickering
Portman
Ros-Lehtinen
Salmon
Sanford
Scarborough
Shaw
Spratt
Stark
Talent
Taylor (NC)
Tiahrt
Towns
Waters
Waxman
Wise
Wynn

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶121.14 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. SUNUNU, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, October 31, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Monday, October 30, 2000 at 11:20 p.m., and said to contain a message from the President whereby he returns without his approval, H.R. 4516, The Legislative Branch and The Treasury and General Government Appropriations Act, 2001.

Sincerely yours,

JEFF TRANDAHL,
Clerk of the House.

¶121.15 VETO OF H.R. 4516

The Clerk then read the veto message from the President, as follows:

To the House of Representatives:

I am returning herewith without my approval, H.R. 4516, the Legislative Branch and the Treasury and General Government Appropriations Act, 2001. This bill provides funds for the legislative branch and the White House at a time when the business of the American people remains unfinished.

The Congress' continued refusal to focus on the priorities of the American people leaves me no alternative but to veto this bill. I cannot in good conscience sign a bill that funds the operations of the Congress and the White House before funding our classrooms, fixing our schools, and protecting our workers.

With the largest student enrollment in history, we need a budget that will allow us to repair and modernize crumbling schools, reduce class size, hire more and better trained teachers, expand after-school programs, and strengthen accountability to turn around failing schools.

I would sign this legislation in the context of a budget that puts the interests of the American people before self interest or special interests. I urge the Congress to get its priorities in order and send me, without further delay, balanced legislation I can sign.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 30, 2000*.

The SPEAKER pro tempore, Mr. SUNUNU, by unanimous consent, ordered that the veto message, together with the accompanying bill, be printed (H. Doc. 106–306) and spread upon the pages of the Journal of the House.

Mr. YOUNG of Florida, moved that the veto message and accompanying bill be referred to the Committee on Appropriations.

When said motion was considered.

After debate,

¶121.16 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 5410. An Act to establish revolving funds for the operation of certain programs and activities of the Library of Congress, and for other purposes.

H.J. Res. 121. Joint Resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

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

H.R. 2346. An Act to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment.

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate to the bill (H.R. 1550) ''An Act to authorize appropriations for the United States Fire Administration for fiscal years 2000 and 2001, and for other purposes.''.

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

S. 2924. An Act to strengthen the enforcement of Federal statutes relating to false identification, and for other purposes.

S. Con. Res. 158. Concurrent resolution expressing the sense of Congress regarding appropriate actions of the United States Government to facilitate the settlement of claims of former members of the Armed Forces against Japanese companies that profited from the slave labor that those personnel were forced to perform for those companies as prisoners of war of Japan during World War II.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2796) ''An Act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.''.

After further debate,

By unanimous consent, the previous question was ordered on the motion.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. SUNUNU, announced that the ayes had it.

So the motion was agreed to.

Therefore, the veto message and accompanying bill were referred to the Committee on Appropriations.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶121.17 MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. BENTSEN submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, in resolving differences between the two Houses on the funding level for program management in carrying out titles XI, XVIII, XIX, and XXI of the Social Security Act, to choose a level that reflects a requirement that State plans for medical assistance under such title XIX provide for adequate reimbursement of physicians, providers of services, and suppliers furnishing items and services under the plan in the State.

After debate,

On motion of Mr. BENTSEN, pursuant to clause 2 of rule XVI, the motion was withdrawn.

¶121.18 EXCELLENCE IN ARTS EDUCATION BOARD

Mr. MCKEON moved to suspend the rules and pass the bill of the Senate (S. 2789) to amend the Congressional Award Act to establish a Congressional Recognition for Excellence in Arts Education Board.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. MCKEON and Mr. KILDEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶121.19 HEALTH CARE FAIRNESS

Mr. NORWOOD moved to suspend the rules and pass the bill of the Senate (S. 1880) to amend the Public Health Service Act to improve the health of minority individuals.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. NORWOOD and Mr. STRICKLAND, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶121.20 PHYSICIANS COMPARABILITY ALLOWANCES

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 207) to amend title 5, United States Code, to provide that physicians comparability allowances be treated as part of basic pay for retirement purposes; as amended.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mrs. MORELLA and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SUNUNU, announced that two-thirds of

the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend title 5, United States Code, to make permanent the authority under which comparability allowances may be paid to Government physicians, and to provide that such allowances be treated as part of basic pay for retirement purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶121.21 IMMIGRANT STATUS FOR INTERNATIONAL BROADCASTING EMPLOYEES

Mr. GEKAS moved to suspend the rules and pass the bill of the Senate (S. 3239) to amend the Immigration and Nationality Act to provide special immigrant status for certain United States international broadcasting employees.

The SPEAKER pro tempore, Mr. SUNUNU, recognized Mr. GEKAS and Ms. JACKSON-LEE of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶121.22 EXTENSION OF TIME FOR CHAPTER 12 OF TITLE 11 OF UNITED STATES CODE

Mr. GEKAS moved to suspend the rules and pass the bill (H.R. 5540) to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. GEKAS and Ms. BALDWIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to provide for additional temporary bankruptcy judges; and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶121.23 CORAL REEF CONSERVATION AND RESTORATION

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill (H.R. 2903) to assist in the conservation of coral reefs; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to reauthorize the Striped Bass Conservation Act, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶121.24 FORT MATANZAS NATIONAL MONUMENT

Mr. YOUNG of Alaska moved to suspend the rules and pass the bill of the Senate (S. 1670) to revise the boundary of Fort Matanzas National Monument, and for other purposes.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. YOUNG of Alaska and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the votes whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶121.25 H.R. 1653—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1653) to approve a governing international fishery agreement between the United States and the Russian Federation; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to complete the orderly withdrawal of the NOAA from the civil administration of the Pribilof Islands, Alaska, and to assist in the conservation of coral reefs, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶121.26 H.R. 4020—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4020) to authorize an expansion of the boundaries of Sequoia National Park to include Dillonwood Giant Sequoia Grove; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to authorize the addition of land to Sequoia National Park, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶121.27 S. 2020—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2020) to adjust the boundary of the Natchez Trace Parkway, Mississippi, and for other purposes.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶121.28 H.R. 2462—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2462) to amend the Organic Act of Guam, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. OPPORTUNITY FOR THE GOVERNMENT OF GUAM TO ACQUIRE EXCESS REAL PROPERTY IN GUAM.

(a) TRANSFER OF EXCESS REAL PROPERTY.—(1) Except as provided in subsection (d), before screening excess real property located on Guam for further Federal utilization under section 202 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471, et seq.) (hereinafter the ''Property Act''), the Administrator shall notify the Government of Guam that the property is available for transfer pursuant to this section.

(2) If the Government of Guam, within 180 days after receiving notification under paragraph (1), notifies the Administrator that the Government of Guam intends to acquire the property under this section, the Administrator shall transfer such property in accordance with subsection (b). Otherwise, the property shall be screened for further Federal use and then, if there is no other Federal use, shall be disposed of in accordance with the Property Act.

(b) CONDITIONS OF TRANSFER.—(1) Any transfer of excess real property to the Government of Guam may be only for a public purpose and shall be without further consideration.

(2) All transfers of excess real property to the Government of Guam shall be subject to such restrictive covenants as the Administrator, in consultation with the Secretary of Defense, in the case of property reported excess by a military department, determines to be necessary to ensure that (A) the use of the property is compatible with continued military activities on Guam; (B) the use of the property is consistent with the environmental condition of the property; (C) access is available to the United States to conduct any additional environmental remediation or monitoring that may be required; (D) the property is used only for a public purpose and can not be converted to any other use; and (E) to the extent that facilities on the property have been occupied and used by another Federal agency for a minimum of 2 years, that the transfer to the Government of Guam is subject to the terms and conditions for such use and occupancy.

(3) All transfers of excess real property to the Government of Guam are subject to all otherwise applicable Federal laws, except section 2696 of title 10, United States Code, or section 501 of Public Law 100–77 (42 U.S.C. 11411).

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''Administrator'' means—

(A) the Administrator of General Services; or

(B) the head of any Federal agency with the authority to dispose of excess real property on Guam.

(2) The term ''base closure law'' means the Defense Authorization Amendments and Base Closure and Realignment Act of 1988 (Public Law 100–526), the Defense Base Closure and Realignment Act of 1990 (Public Law 101–510), or similar base closure authority.

(3) The term ''excess real property'' means excess property (as that term is defined in section 3 of the Property Act) that is real property and was acquired by the United States prior to enactment of this section.

(4) The term ''Guam National Wildlife Refuge'' includes those lands within the refuge overlay under the jurisdiction of the Department of Defense, identified as DoD lands in figure 3, on page 74, and as submerged lands in figure 7, on page 78 of the ''Final Environmental Assessment for the Proposed Guam National Wildlife Refuge, Territory of Guam, July 1993'' to the extent that the Federal Government holds title to such lands.

(5) The term ''public purpose'' means those public benefit purposes for which the United States may dispose of property pursuant to section 203 of the Property Act, as implemented by the Federal Property Management Regulations (41 CFR 101–47) or the specific public benefit uses set forth in section 3(c) of the Guam Excess Lands Act (Public Law 103–339; 108 Stat. 3116), except that such definition shall not include the transfer of land to an individual or entity for private use other than on a nondiscriminatory basis.

(d) EXEMPTIONS.—Notwithstanding that such property may be excess real property, the provisions of this section shall not apply—

(1) to real property on Guam that is declared excess by the Department of Defense for the purpose of transferring that property to the Coast Guard;

(2) to real property on Guam that is located within the Guam National Wildlife Refuge, which shall be transferred according to the following procedure:

(A) The Administrator shall notify the Government of Guam and the Fish and Wildlife Service that such property has been declared excess. The Government of Guam and the Fish and Wildlife Service shall have 180 days to engage in discussions toward an agreement providing for the future ownership and management of such real property.

(B) If the parties reach an agreement under subparagraph (A) within 180 days after notification of the declaration of excess, the real property shall be transferred and managed in accordance with such agreement: Provided, That such agreement shall be transmitted to the Committee on Energy and Natural Resources of the United States Senate and the appropriate committees of the United States House of Representatives not less than 60 days prior to such transfer and any such transfer shall be subject to the other provisions of this section.

(C) If the parties do not reach an agreement under subparagraph (A) within 180 days after notification of the declaration of excess, the Administrator shall provide a report to Congress on the status of the discussions, together with his recommendations on the likelihood of resolution of differences and the comments of the Fish and Wildlife Service and the Government of Guam. If the subject property is under the jurisdiction of a military department, the military department may transfer administrative control over the property to the General Services Administration subject to any terms and conditions applicable to such property. In the event of such a transfer by a military department to the General Services Administration, the Department of the Interior shall be responsible for all reasonable costs associated with the custody, accountability and control of such property until final disposition.

(D) If the parties come to agreement prior to congressional action, the real property shall be transferred and managed in accordance with such agreement: Provided, That such agreement shall be transmitted to the Committee on Energy and Natural Resources of the United States Senate and the appropriate committees of the United States House of Representatives not less than 60 days prior to such transfer and any such transfer shall be subject to the other provisions of this section.

(E) Absent an agreement on the future ownership and use of the property, such property may not be transferred to another Federal agency or out of Federal ownership except pursuant to an Act of Congress specifically identifying such property;

(3) to real property described in the Guam Excess Lands Act (Public Law 103–339; 108 Stat. 3116) which shall be disposed of in accordance with such Act;

(4) to real property on Guam that is declared excess as a result of a base closure law; or

(5) to facilities on Guam declared excess by the managing Federal agency for the purpose of transferring the facility to a Federal agency that has occupied the facility for a minimum of two years when the facility is declared excess together with the minimum land or interest therein necessary to support the facility.

(e) DUAL CLASSIFICATION PROPERTY.—If a parcel of real property on Guam that is declared excess as a result of a base closure law also falls within the boundary of the Guam National Wildlife Refuge, such parcel of property shall be disposed of in accordance with the base closure law.

(f) AUTHORITY TO ISSUE REGULATIONS.—The Administrator of General Services, after consultation with the Secretary of Defense and the Secretary of the Interior, may issue such regulations as he deems necessary to carry out this section.

SEC. 2. COMPACT IMPACT REPORTS.

Section 104(e)(2) of Public Law 99–239 (99 Stat. 1770, 1788) is amended by deleting ''President shall report to the Congress with respect to the impact of the Compact on the United States territories and commonwealths and on the State of Hawaii.'' and inserting in lieu thereof, ''Governor of any of the United States territories or commonwealths or the State of Hawaii may report to the Secretary of the Interior by February 1 of each year with respect to the impacts of the compacts of free association on the Governor's respective jurisdiction. The Secretary of the Interior shall review and forward any such reports to the Congress with the comments of the Administration. The Secretary of the Interior shall, either directly or, subject to available technical assistance funds, through a grant to the affected jurisdiction, provide for a census of Micronesians at intervals no greater than five years from each decennial United States census using generally acceptable statistical methodologies for each of the impact jurisdictions where the Governor requests such assistance, except that the total expenditures to carry out this sentence may not exceed $300,000 in any year.''.

SEC. 3. APPLICATION OF FEDERAL PROGRAMS UNDER THE COMPACTS OF FREE ASSOCIATION.

(a) The freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, respectively, and citizens thereof, shall remain eligible for all Federal programs, grant assistance, and services of the United States, to the extent that such programs, grant assistance, and services are provided to States and local governments of the United States and residents of such States, for which a freely associated State or its citizens were eligible on October 1, 1999. This eligibility shall continue through the period of negotiations referred to in section 231 of the Compact of Free Association with the Republic of the Marshall Islands and the Federated States of Micronesia, approved in Public Law 99–239, and during consideration by the Congress of legislation submitted by an Executive branch agency as a result of such negotiations.

(b) Section 214(a) of the Housing Community Development Act of 1980 (42 U.S.C. 1436a(a)) is amended—

(1) by striking ''or'' at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting ''; or''; and

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

''(7) an alien who is lawfully resident in the United States and its territories and possessions under section 141 of the Compacts of Free Association between the Government of the United States and the Governments of the Marshall Islands, the Federated States of Micronesia (48 U.S.C. 1901 note) and Palau (48 U.S.C. 1931 note) while the applicable section is in effect: Provided, That, within Guam any such alien shall not be entitled to a preference in receiving assistance under this Act over any United States citizen or national resident therein who is otherwise eligible for such assistance.''.

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶121.29 SENATE BILL AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2924. An Act to strengthen the enforcement of Federal statutes relating to false identification, and for other purposes; to the Committee on the Judiciary.

S. Con. Res. 158. Concurrent resolution expressing the sense of Congress regarding appropriate actions of the United States Government to facilitate the settlement of claims of former members of the Armed Forces against Japanese companies that profited from the slave labor that those personnel were forced to perform for those companies as prisoners of war of Japan during World War II; to the Committee on International Relations.

¶121.30 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 782. An Act to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

H.R. 4864. An Act to amend title 38, United States Code, to reaffirm and clarify the duty of the Secretary of Veterans Affairs to assist claimants for benefits under laws administered by the Secretary, and for other purposes.

H.J. Res. 120. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶121.31 JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following day present to the President, for his approval, a joint resolution of the House of the following title:

On October 30, 2000:

H.J. Res. 120. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

And then,

¶121.32 ADJOURNMENT

On motion of Mr. SMITH of Michigan, at 11 o'clock and 42 minutes p.m., the House adjourned.

¶121.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. SHUSTER: Committee of Conference. Conference report on S. 2796. An act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes (Rept. No. 106–1020). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1524. A bill to authorize the continued use on public lands of the expedited processes successfully used for windstorm-damaged national forests and grasslands in Texas (Rept. No. 106–1021). Referred to the Committee of the Whole House on the State of the Union.

¶121.34 TIME LIMITATION OF REFERRED BILL PURSUANT TO RULE X

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

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 1, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than November 1, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 1, 2000.

H.R. 4144. Referral to the Committee on the Budget extended for a period ending not later than November 1, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 1, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than November 1, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 1, 2000.

H.R. 4857. Referral to the Committees on the Judiciary, Banking and Financial Services, and Commerce extended for a period ending not later than November 1, 2000.

H.R. 5130. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 1, 2000.

H.R. 5291. Referral to the Committee on Ways and Means extended for a period ending not later than November 1, 2000.

¶121.35 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ANDREWS:

H.R. 5607. A bill to prohibit an insurer from treating a veteran differently in the terms or conditions of motor vehicle insurance because a motor vehicle operated by the veteran, during a period of military service by the veteran, was insured or owned by the United States; to the Committee on Commerce.

By Mr. CONYERS:

H.R. 5608. A bill to establish alternative sentencing procedures for certain nonviolent drug offenses; to the Committee on the Judiciary.

By Mr. TRAFICANT:

H.R. 5609. A bill to ensure the availability of funds for ergonomic protection standards; to the Committee on Education and the Workforce.

By Mr. BONILLA (for himself and Mr. ORTIZ):

H. Con. Res. 440. Concurrent resolution expressing the sense of the Congress that the Government of Mexico should adhere to the terms of the 1944 Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande Treaty Between the United States and Mexico; to the Committee on International Relations.

¶121.36 MEMORIALS

Under clause 3 of rule XII,

486. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to Resolution No. 104 memorializing the United States Forest Service Chief and the Pennsylvania Congressional delegation support proper timber harvesting as a management tool to ensure better forest health in Pennsylvania; to the Committee on Agriculture.

¶121.37 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII:

Mr. THOMPSON of California submitted a bill (H.R. 5610) to the relief of Patricia and Michael Duane, Gregory Hansen, Mary Pimental, Randy Ruiz, Elaine Schlinger, and Gerald Whitaker; which was referred to the Committee on the Judiciary.

¶121.38 ADDITIONAL SPONSORS

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

H.R. 287: Mr. JENKINS.
H.R. 303: Mr. PITTS.
H.R. 2385: Mr. LATOURETTE.
H.R. 2741: Mr. KENNEDY of Rhode Island and Mrs. NAPOLITANO.
H.R. 3825: Mr. SANDERS.
H.R. 3911: Ms. KAPTUR.
H.R. 4025: Mr. HALL of Texas.
H.R. 4277: Ms. CARSON.
H.R. 4707: Mr. KENNEDY of Rhode Island and Mr. CAMPBELL.
H.R. 4728: Mr. EHRLICH, and Mr. LAMPSON.
H.R. 4770: Mr. BOSWELL.
H.R. 5128: Ms. DELAURO.
H.R. 5200: Mrs. FOWLER.
H.R. 5204: Mr. KENNEDY of Rhode Island and Mr. MCGOVERN.
H.R. 5274: Mr. MOLLOHAN, Mr. EVANS, and Ms. STABENOW.
H.R. 5342: Mr. MINGE, Mr. KIND, and Mrs. CHRISTENSEN.
H.R. 5472: Mr. HOEFFEL.
H.R. 5540: Mr. NADLER and Mr. KINGSTON.
H. Con Res. 431: Mr. LANTOS and Mrs. CAPPS.

¶121.39 PETITIONS, ETC.

Under clause 3 of rule XII,

116. The SPEAKER presented a petition of the Embassy of the Republic of the Marshall Islands, relative to Resolution No. 32 petitioning the United States Congress to Express the Support of the Nitijela for the Petition on Changed Circumstances Pursuant to the Compact of Free Association between the Republic of the Marshall Islands and the United States; which was referred to the Committee on Resources.

WEDNESDAY, NOVEMBER 1, 2000 (122)

The House was called to order by the SPEAKER.

¶122.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, November 1, 2000.

Mr. McNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. McNULTY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared ....
- Yeas 313
- Nays 58
- Answered present 1

¶122.2 [Roll No. 586]

YEAS—313

Abercrombie, Ackerman, Aderholt, Allen, Andrews, Armey, Baca, Bachus, Baker, Baldacci, Baldwin, Ballenger, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Bentsen, Bereuter, Berkley, Berman, Berry, Biggert, Bilirakis, Bishop, Blagojevich, Bliley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Bono, Boswell, Boyd, Brady (TX), Bryant, Burr, Buyer, Callahan, Calvert, Camp, Cannon, Capps, Cardin, Carson, Castle, Chabot, Chambliss, Chenoweth-Hage, Clayton, Clement, Clyburn, Coble, Combest, Cooksey, Coyne, Cramer, Crowley, Cubin, Cummings, Cunningham, Davis (FL), Davis (IL), Davis (VA), Deal, DeGette, Delahunt, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dixon, Doggett, Doolittle, Doyle, Dreier, Duncan, Edwards, Ehlers, Ehrlich, Emerson, Engel, Eshoo, Etheridge, Evans, Everett, Ewing, Farr, Fattah, Fletcher, Foley, Forbes, Ford, Fossella, Frank (MA), Frelinghuysen, Frost, Gallegly, Ganske, Gekas, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Gonzalez, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green (WI), Hall (TX), Hastings (WA), Hayworth, Herger, Hill (IN), Hilleary, Hinchey, Hinojosa, Hobson, Hoeffel, Hoekstra, Holden, Horn, Hostettler, Houghton, Hoyer, Hutchinson, Hyde, Inslee, Isakson, Istook, Jackson (IL), Jefferson, Jenkins, John, Johnson (CT), Johnson, E. B., Johnson, Sam, Jones (NC), Jones (OH), Kanjorski, Kaptur, Kelly, Kildee, Kilpatrick, Kind (WI), King (NY), Kingston, Kleczka, Knollenberg, Kolbe, Kuykendall, LaHood, Lampson, Largent, Larson, LaTourette, Leach, Lee, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lipinski, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McHugh, McInnis, McIntyre, McKeon, McKinney, Meehan, Meek (FL), Meeks (NY), Millender-McDonald, Miller (FL), Miller, Gary, Minge, Mink, Moakley, Moore, Moran (VA), Morella, Murtha, Myrick, Nadler, Napolitano, Nethercutt, Ney, Northup, Norwood, Nussle, Ortiz, Owens, Oxley, Packard, Pascrell, Pastor, Paul, Payne, Pease, Pelosi, Peterson (PA), Petri, Phelps, Pickering, Pitts, Pombo, Porter, Portman, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Rangel, Regula, Reynolds, Riley, Rivers, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Roukema, Roybal-Allard, Royce, Rush, Ryan (WI), Ryun (KS), Sanders, Sandlin, Sanford, Sawyer, Saxton, Schakowsky, Sensenbrenner, Serrano, Sessions, Shadegg, Sherman, Sherwood, Shimkus, Shows, Shuster, Simpson, Sisisky, Skeen, Skelton, Smith (MI), Smith (TX), Smith (WA), Snyder, Souder, Spence, Spratt, Stearns, Stump, Sununu, Tanner, Tauscher, Tauzin, Taylor (NC), Terry, Thomas, Thornberry, Thune, Thurman, Tiahrt, Tierney, Toomey, Towns, Traficant, Udall (CO), Upton, Velazquez, Vitter, Walden, Walsh, Wamp, Watkins, Watt (NC), Weiner, Weldon (FL), Weldon (PA), Weygand, Whitfield, Wilson, Wolf, Woolsey, Young (FL)

NAYS—58

Baird, Becerra, Borski, Brady (PA), Capuano, Clay, Condit, Costello, Crane, DeFazio, English, Filner, Gejdenson, Green (TX), Gutierrez, Gutknecht, Hayes, Hefley, Hilliard, Holt, Hooley, Hulshof, Kucinich, LaFalce, Latham, LoBiondo, McDermott, McGovern, McNulty, Menendez, Miller, George, Moran (KS), Neal, Oberstar, Obey, Olver, Pallone, Pickett, Ramstad, Rothman, Sabo, Sanchez, Schaffer, Slaughter, Stark, Stenholm, Strickland, Stupak, Sweeney, Taylor (MS), Thompson (CA), Thompson (MS), Udall (NM), Visclosky, Weller, Wicker, Wu, Wynn

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—60

Archer, Barcia, Bilbray, Boucher, Brown (FL), Brown (OH), Burton, Campbell, Canady, Coburn, Collins, Conyers, Cook, Cox, Danner, Dickey, Dicks, Dingell, Dooley, Dunn, Fowler, Franks (NJ), Greenwood, Hall (OH), Hansen, Hastings (FL), Hill (MT), Hunter, Jackson-Lee (TX), Kasich, Kennedy, Klink, Lantos, Lazio, Martinez, McCollum, McCrery, McIntosh, Metcalf, Mica, Mollohan, Ose, Peterson (MN), Pomeroy, Reyes, Salmon, Scarborough, Scott, Shaw, Shays, Smith (NJ), Stabenow, Talent, Turner, Waters, Watts (OK), Waxman, Wexler, Wise, Young (AK)

So the Journal was approved.

¶122.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10850. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sodium o-nitophenolate, sodium p-nitrophenolate, sodium 5-nitroguaiacolate, and the End-Use Product Atonik Exemption From the Requirement of a Tolerance and Temporary Exemption From the Requirement of a Tolerance [OPP–301043; FRL–6740–9] (RIN: 2070–AB78) received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10851. A letter from the Counsel for Legislation and Regulations, Office of the Assistant Secretary for Housing, Department of Housing and Urban Development, transmitting the Department's ''Major'' final rule—HUD's Regulation of the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) [Docket No. FR–4494–F–02] (RIN: 2501–AC60) received November 1, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10852. A letter from the Acting Assistant General Counsel, Regulations, Department of Education, Office of Postsecondary Education, transmitting the Department's ''Major'' final rule—Federal Perkins Loan Program (RIN: 1845–AA15) received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10853. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Irradiation in the Production, Processing and Handling of Food [Docket No. 99F–2673] received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10854. A letter from the Lieutenant General, USAF, Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Poland for defense articles and services (Transmittal No. 01–00), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10855. A letter from the Lieutenant General, Director, Defense Security Cooperation Agency, transmitting the Department of the Navy's proposed lease of defense articles to Poland (Transmittal No. 01–01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

10856. A letter from the Acting Deputy Solicitor, Department of the Interior, transmitting the Department's final rule—Legal Process: Testimony of Employees and Production of Records (RIN: 1090–AA76) received August 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10857. A letter from the Executive Director, Marine Mammal Commission, transmitting the annual report pursuant to the Federal Managers' Financial Integrity Act and the Inspector General Act for FY 2000, pursuant

to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

10858. A letter from the President and CEO, Overseas Private Investment Corporation, transmitting the Corporation's annual report under the Inspector General Act for FY 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

10859. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Lamoni, IA [Airspace Docket No. 00–ACE–10] received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10860. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Bonham, TX [Airspace Docket No. 99–ASW–34] received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10861. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Oelwein, IA; Correction [Airspace Docket No. 00–ACE–12] received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10862. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Coffeyville, KS [Airspace Docket No. 00–ACE–15] received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10863. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class D and Class E Airspace, Great Falls International Airport, MT; Removal of Class D and Class E Airspace, Great Falls Malmstrom AFB, MT [Airspace Docket No. 00–ANM–03] received October 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10864. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Identification of Approved and Disapproved Elements of the Great Lakes Guidance Submission From the State of Wisconsin, and Final Rule [FRL–6896–9] (RIN: 2040–AD66) received Novemebr 1, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10865. A letter from the Chief Counsel, Bureau of the Public Debt, Department of Treasury, Fiscal Service, transmitting the Department's final rule—Regulations Governing Fiscal Agency Checks, Regulations Governing Book-Entry Conversion of Detached Bearer Coupons and Bearer Corpora—received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶122.4 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 662, called up the joint resolution (H.J. Res. 122) making further continuing appropriations for fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. LAHOOD announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 371 / Nays ..... 13 }

¶122.5 [Roll No. 587]

YEAS—371

Abercrombie	Deal	Hunter
Ackerman	DeGette	Hutchinson
Aderholt	DeLauro	Hyde
Allen	DeLay	Inslee
Andrews	DeMint	Isakson
Armey	Deutsch	Istook
Baca	Diaz-Balart	Jackson (IL)
Bachus	Dixon	Jefferson
Baker	Doggett	Jenkins
Baldacci	Doolittle	John
Baldwin	Doyle	Johnson (CT)
Ballenger	Dreier	Johnson, E.B.
Barcia	Duncan	Johnson, Sam
Barr	Edwards	Jones (NC)
Barrett (NE)	Ehlers	Jones (OH)
Barrett (WI)	Ehrlich	Kanjorski
Bartlett	Emerson	Kaptur
Bass	Engel	Kelly
Becerra	English	Kildee
Bentsen	Eshoo	Kilpatrick
Bereuter	Etheridge	Kind (WI)
Berkley	Everett	King (NY)
Berman	Ewing	Kingston
Berry	Farr	Kleczka
Biggert	Fattah	Knollenberg
Bilirakis	Filner	Kolbe
Bishop	Fletcher	Kucinich
Blagojevich	Foley	Kuykendall
Bliley	Forbes	LaHood
Blumenauer	Fossella	Lampson
Blunt	Frank (MA)	Largent
Boehlert	Frelinghuysen	Larson
Boehner	Frost	Latham
Bonilla	Gallegly	LaTourette
Bonior	Ganske	Leach
Bono	Gejdenson	Lee
Borski	Gekas	Levin
Boswell	Gephardt	Lewis (CA)
Boyd	Gibbons	Lewis (GA)
Brady (PA)	Gilchrest	Lewis (KY)
Brady (TX)	Gillmor	Linder
Bryant	Gilman	Lipinski
Burr	Gonzalez	LoBiondo
Burton	Goode	Lofgren
Buyer	Goodlatte	Lowey
Callahan	Goodling	Lucas (KY)
Calvert	Gordon	Lucas (OK)
Camp	Goss	Luther
Cannon	Graham	Maloney (CT)
Capps	Granger	Maloney (NY)
Cardin	Green (TX)	Manzullo
Carson	Green (WI)	Markey
Castle	Gutierrez	Martinez
Chabot	Gutknecht	Mascara
Chambliss	Hall (OH)	Matsui
Chenoweth-Hage	Hall (TX)	McCarthy (MO)
Clay	Hastert	McCarthy (NY)
Clayton	Hastings (WA)	McDermott
Clement	Hayes	McGovern
Clyburn	Hayworth	McHugh
Coble	Hefley	McInnis
Coburn	Herger	McIntyre
Combest	Hill (IN)	McKeon
Condit	Hilleary	McKinney
Cook	Hinchey	McNulty
Cooksey	Hinojosa	Meehan
Cox	Hobson	Meek (FL)
Coyne	Hoeffel	Meeks (NY)
Cramer	Hoekstra	Menendez
Crane	Holden	Metcalf
Crowley	Holt	Millender-McDonald
Cubin	Hooley	Miller (FL)
Cummings	Horn	Miller, Gary
Cunningham	Hostettler	Minge
Davis (FL)	Houghton	Mink
Davis (IL)	Hoyer	Moakley
Davis (VA)	Hulshof	Moran (KS)
Moran (VA)	Rivers	Stearns
Morella	Rodriguez	Stenholm
Murtha	Roemer	Strickland
Myrick	Rogan	Stump
Nadler	Rogers	Sununu
Napolitano	Rohrabacher	Sweeney
Nethercutt	Ros-Lehtinen	Tancredo
Ney	Rothman	Tanner
Northup	Roukema	Tauscher
Norwood	Roybal-Allard	Tauzin
Nussle	Royce	Taylor (MS)
Oberstar	Rush	Taylor (NC)
Obey	Ryan (WI)	Terry
Olver	Ryun (KS)	Thomas
Ortiz	Sabo	Thompson (CA)
Owens	Sanchez	Thornberry
Oxley	Sanders	Thune
Packard	Sandlin	Thurman
Pallone	Sanford	Tiahrt
Pascrell	Sawyer	Tierney
Pastor	Saxton	Toomey
Paul	Schaffer	Towns
Payne	Schakowsky	Traficant
Pease	Sensenbrenner	Udall (CO)
Pelosi	Serrano	Udall (NM)
Peterson (MN)	Sessions	Upton
Peterson (PA)	Shadegg	Velazquez
Petri	Sherman	Vitter
Pickering	Sherwood	Walden
Pickett	Shimkus	Walsh
Pitts	Shows	Wamp
Pombo	Shuster	Watkins
Pomeroy	Simpson	Watt (NC)
Porter	Sisisky	Weiner
Portman	Skeen	Weldon (FL)
Price (NC)	Skelton	Weldon (PA)
Pryce (OH)	Slaughter	Weller
Quinn	Smith (MI)	Weygand
Radanovich	Smith (NJ)	Whitfield
Rahall	Smith (TX)	Wicker
Ramstad	Smith (WA)	Wilson
Rangel	Snyder	Wolf
Regula	Souder	Woolsey
Reyes	Spence	Wu
Reynolds	Spratt	Wynn
Riley	Stabenow	Young (AK)
	Stark	Young (FL)

NAYS—13

Baird	Ford	Stupak
Barton	Hilliard	Thompson (MS)
Capuano	LaFalce	Visclosky
Costello	Miller, George	
DeFazio	Phelps	

NOT VOTING—49

Archer	Fowler	Mollohan
Bilbray	Franks (NJ)	Moore
Boucher	Greenwood	Neal
Brown (FL)	Hansen	Ose
Brown (OH)	Hastings (FL)	Salmon
Campbell	Hill (MT)	Scarborough
Canady	Jackson-Lee (TX)	Scott
Collins	Kasich	Shaw
Conyers	Kennedy	Shays
Danner	Klink	Talent
Delahunt	Lantos	Turner
Dickey	Lazio	Waters
Dicks	McCollum	Watts (OK)
Dingell	McCrery	Waxman
Dooley	McIntosh	Wexler
Dunn	Mica	Wise
Evans		

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶122.6 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶122.7 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill

and a joint resolution of the House of the following titles:

H.R. 4986. An Act to amend the Internal Revenue Code of 1986 to repeal the provisions relating to foreign sales corporations (FSCs) and to exclude extraterritorial income from gross income.

H.J. Res. 84. Joint resolution making further continuing appropriations for the fiscal year 2000, and for other purposes.

¶122.8 HOUR OF MEETING

Mr. YOUNG of Alaska, moved that when the House adjourns today, it adjourn to meet at 6 o'clock p.m. on Thursday, November 2, 2000.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. LAHOOD announced that the ayes had it.

Mr. George MILLER of California objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 239 / Nays ..... 130 }

¶122.9 [Roll No. 588]

YEAS—239

Abercrombie	Dixon	Kanjorski
Aderholt	Doolittle	Kelly
Armey	Dreier	King (NY)
Bachus	Duncan	Kingston
Baker	Ehlers	Kleczka
Ballenger	Ehrlich	Knollenberg
Barr	Engel	Kolbe
Barrett (NE)	English	Kuykendall
Bartlett	Eshoo	LaHood
Barton	Etheridge	Largent
Bass	Everett	Latham
Bereuter	Ewing	LaTourette
Berman	Fletcher	Leach
Biggert	Foley	Levin
Bilirakis	Fossella	Lewis (CA)
Bishop	Frank (MA)	Lewis (KY)
Blagojevich	Frelinghuysen	Linder
Bliley	Gallegly	Lipinski
Blunt	Ganske	LoBiondo
Boehlert	Gekas	Lucas (KY)
Boehner	Gibbons	Lucas (OK)
Bonilla	Gilchrest	Manzullo
Bono	Gillmor	Martinez
Borski	Gilman	McHugh
Boswell	Goode	McInnis
Boyd	Goodlatte	McKinney
Brady (PA)	Goodling	Meehan
Brady (TX)	Gordon	Meeks (NY)
Bryant	Goss	Miller (FL)
Burr	Graham	Miller, Gary
Buyer	Granger	Moore
Callahan	Green (WI)	Moran (KS)
Calvert	Gutknecht	Morella
Camp	Hall (TX)	Murtha
Cannon	Hastings (WA)	Myrick
Capps	Hayes	Nethercutt
Cardin	Hayworth	Ney
Castle	Hefley	Northup
Chabot	Herger	Norwood
Chambliss	Hilleary	Oxley
Chenoweth-Hage	Hobson	Packard
Clement	Hoeffel	Paul
Coble	Hoekstra	Pease
Coburn	Holt	Petri
Combest	Horn	Pickering
Condit	Hostettler	Pitts
Cook	Houghton	Pombo
Cooksey	Hunter	Pomeroy
Cramer	Hutchinson	Porter
Crane	Hyde	Portman
Cubin	Isakson	Pryce (OH)
Davis (IL)	Istook	Quinn
Davis (VA)	Jackson (IL)	Radanovich
Deal	John	Ramstad
DeLay	Johnson (CT)	Rangel
DeMint	Johnson, Sam	Regula
Diaz-Balart	Jones (NC)	Reynolds
Riley	Simpson	Thornberry
Roemer	Sisisky	Thune
Rogan	Skeen	Tiahrt
Rogers	Skelton	Toomey
Rohrabacher	Smith (MI)	Traficant
Ros-Lehtinen	Smith (NJ)	Udall (NM)
Roukema	Smith (TX)	Upton
Royce	Snyder	Vitter
Rush	Souder	Walden
Ryan (WI)	Spence	Walsh
Ryun (KS)	Stabenow	Wamp
Sanford	Stark	Watkins
Sawyer	Stearns	Weldon (FL)
Saxton	Stump	Weldon (PA)
Schaffer	Stupak	Weller
Sensenbrenner	Sununu	Whitfield
Serrano	Sweeney	Wicker
Sessions	Tancredo	Wilson
Shadegg	Tauzin	Wolf
Sherwood	Taylor (NC)	Wu
Shimkus	Terry	Young (AK)
Shows	Thomas	Young (FL)
Shuster	Thompson (CA)	

NAYS—130

Ackerman	Hilliard	Olver
Allen	Hinchey	Ortiz
Andrews	Holden	Owens
Baca	Hooley	Pallone
Baldacci	Hoyer	Pascrell
Baldwin	Inslee	Pastor
Barcia	Jefferson	Payne
Barrett (WI)	Johnson, E. B.	Pelosi
Becerra	Kaptur	Peterson (MN)
Bentsen	Kildee	Phelps
Berkley	Kilpatrick	Pickett
Berry	Kind (WI)	Price (NC)
Blumenauer	Kucinich	Rahall
Bonior	LaFalce	Reyes
Capuano	Lampson	Rivers
Carson	Larson	Rodriguez
Clay	Lee	Rothman
Clayton	Lewis (GA)	Roybal-Allard
Clyburn	Lofgren	Sabo
Costello	Lowey	Sanchez
Coyne	Luther	Sanders
Crowley	Maloney (CT)	Sandlin
Cummings	Maloney (NY)	Schakowsky
Cunningham	Mascara	Sherman
DeFazio	Matsui	Slaughter
DeGette	McCarthy (MO)	Spratt
DeLauro	McCarthy (NY)	Stenholm
Deutsch	McDermott	Strickland
Doggett	McGovern	Tanner
Doyle	McIntyre	Tauscher
Edwards	McNulty	Taylor (MS)
Evans	Menendez	Thompson (MS)
Farr	Metcalf	Thurman
Fattah	Millender-McDonald	Tierney
Filner	Miller, George	Towns
Ford	Minge	Udall (CO)
Frost	Mink	Velazquez
Gejdenson	Moakley	Visclosky
Gephardt	Moran (VA)	Watt (NC)
Gonzalez	Nadler	Weiner
Green (TX)	Napolitano	Weygand
Gutierrez	Oberstar	Woolsey
Hall (OH)	Obey	Wynn
Hill (IN)		

NOT VOTING—63

Archer	Fowler	Meek (FL)
Baird	Franks (NJ)	Mica
Bilbray	Greenwood	Mollohan
Boucher	Hansen	Neal
Brown (FL)	Hastings (FL)	Nussle
Brown (OH)	Hill (MT)	Ose
Burton	Hinojosa	Peterson (PA)
Campbell	Hulshof	Salmon
Canady	Jackson-Lee (TX)	Scarborough
Collins	Jenkins	Scott
Conyers	Jones (OH)	Shaw
Cox	Kasich	Shays
Danner	Kennedy	Smith (WA)
Davis (FL)	Klink	Talent
Delahunt	Lantos	Turner
Dickey	Lazio	Waters
Dicks	Markey	Watts (OK)
Dingell	McCollum	Waxman
Dooley	McCrery	Wexler
Dunn	McIntosh	Wise
Emerson	McKeon	
Forbes		

So the motion was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶122.10 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY S. 2796

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 106–1022) the resolution (H. Res. 665) waiving points of order against the conference report to accompany the bill (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶122.11 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GOSS, by unanimous consent,

Ordered, That business in order for consideration on today, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶122.12 H. CON. RES. 397—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 397) voicing concern about serious violations of human rights and fundamental freedoms in most states of Central Asia, including substantial non-compliance with their Organization of Security and Cooperation in Europe (OSCE) commitments on democratization and the holding of free and fair elections, as amended.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 362 / Nays ..... 3 / Answered present 1 }

¶122.13 [Roll No. 589]

YEAS—362

Abercrombie	Bilirakis	Clay
Ackerman	Bishop	Clayton
Aderholt	Blagojevich	Clement
Allen	Blumenauer	Clyburn
Andrews	Blunt	Coble
Armey	Boehner	Coburn
Baca	Bonilla	Combest
Bachus	Bonior	Condit
Baird	Bono	Cook
Baker	Borski	Cooksey
Baldacci	Boswell	Costello
Baldwin	Brady (PA)	Cox
Ballenger	Brady (TX)	Coyne
Barcia	Bryant	Cramer
Barr	Burr	Crane
Barrett (NE)	Burton	Crowley
Barrett (WI)	Buyer	Cubin
Bartlett	Callahan	Cummings
Barton	Calvert	Davis (FL)
Bass	Camp	Davis (IL)
Becerra	Cannon	Davis (VA)
Bentsen	Capps	Deal
Bereuter	Capuano	DeFazio
Berkley	Cardin	DeGette
Berman	Carson	DeLauro
Berry	Castle	DeLay
Biggert	Chabot	DeMint

Deutsch
Diaz-Balart
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (WA)
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kelly
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Weiner
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Chenoweth-Hage
Metcalf
Paul

ANSWERED ''PRESENT''—1

Kucinich

NOT VOTING—66

Archer
Bilbray
Bliley
Boehlert
Boucher
Boyd
Brown (FL)
Brown (OH)
Campbell
Canady
Chambliss
Collins
Conyers
Cunningham
Danner
Delahunt
Dickey
Dicks
Dingell
Dooley
Dunn
Emerson
Fowler
Franks (NJ)
Greenwood
Hansen
Hastings (FL)
Hayes
Hill (MT)
Hinojosa
Hutchinson
Istook
Jackson-Lee (TX)
Jones (OH)
Kasich
Kennedy
Kilpatrick
Klink
Lantos
Larson
Lazio
McCollum
McIntosh
McKeon
Meek (FL)
Mica
Mollohan
Neal
Nussle
Ose
Pitts
Salmon
Sanchez
Scarborough
Scott
Shaw
Shays
Talent
Turner
Velazquez
Waters
Watts (OK)
Waxman
Weldon (FL)
Wexler
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶122.14 MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. HOLT submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources for local school construction and, instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

After debate,

¶122.15 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 159. Concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

After further debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. HOLT objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 176 / Nays ..... 183 }

¶122.16 [Roll No. 590]

YEAS—176

Abercrombie
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brady (PA)
Capps
Capuano
Cardin
Carson
Clayton
Clement
Clyburn
Costello
Coyne
Cramer
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dixon
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hill (IN)
Hilliard
Hinchey
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Stabenow
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watt (NC)
Weiner
Weygand
Woolsey
Wu
Wynn

NAYS—183

Aderholt
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chenoweth-Hage
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Ehlers
Ehrlich
English
Everett
Ewing
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler

Houghton	Nussle	Simpson
Hulshof	Oxley	Skeen
Hunter	Packard	Smith (MI)
Hutchinson	Paul	Smith (TX)
Hyde	Pease	Spence
Isakson	Peterson (MN)	Stearns
Istook	Petri	Stenholm
Johnson, Sam	Pickering	Stump
Jones (NC)	Pitts	Sununu
Kelly	Pombo	Sweeney
King (NY)	Porter	Tancredo
Kingston	Portman	Tauzin
Knollenberg	Pryce (OH)	Taylor (MS)
Kolbe	Radanovich	Taylor (NC)
Kuykendall	Ramstad	Terry
LaHood	Regula	Thomas
Largent	Reynolds	Thornberry
Latham	Riley	Thune
LaTourette	Rogan	Tiahrt
Leach	Rogers	Toomey
Lewis (CA)	Rohrabacher	Traficant
Lewis (KY)	Ros-Lehtinen	Upton
Linder	Roukema	Vitter
Manzullo	Royce	Walden
Martinez	Ryan (WI)	Walsh
McCrery	Ryun (KS)	Watkins
McInnis	Sanford	Weldon (PA)
Metcalf	Schaffer	Weller
Miller (FL)	Sensenbrenner	Whitfield
Miller, Gary	Sessions	Wicker
Moran (KS)	Shadegg	Wilson
Myrick	Sherwood	Wolf
Nethercutt	Shimkus	Young (AK)
Norwood	Shuster	Young (FL)

NOT VOTING—73

Ackerman	Fowler	Mica
Archer	Frank (MA)	Mollohan
Bilbray	Franks (NJ)	Neal
Bishop	Gejdenson	Northup
Boehlert	Gibbons	Ose
Boucher	Greenwood	Peterson (PA)
Boyd	Hansen	Pickett
Brady (TX)	Hastings (FL)	Sabo
Brown (FL)	Hayes	Salmon
Brown (OH)	Hill (MT)	Saxton
Campbell	Hinojosa	Scarborough
Chambliss	Jackson-Lee (TX)	Scott
Clay	Jenkins	Shaw
Collins	Johnson (CT)	Shays
Conyers	Kasich	Spratt
Danner	Kennedy	Talent
Davis (FL)	Kilpatrick	Turner
Dickey	Klink	Wamp
Dicks	Lantos	Waters
Dingell	Lazio	Watts (OK)
Dooley	Lucas (OK)	Waxman
Dunn	McCollum	Weldon (FL)
Emerson	McIntosh	Wexler
Forbes	McKeon	Wise
Ford		

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶122.17 NATIONAL RECORDING REGISTRY

On motion of Mr. THOMAS, by unanimous consent, the bill (H.R. 4846) to establish the National Recording Registry in the Library of Congress to maintain and preserve recordings that are culturally, historically, or aesthetically significant, and for other purposes; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Page 2, line 13, after ''recordings'' insert ''and collections of sound recordings''.

Page 2, line 20, after ''recordings'' insert ''and collections of sound recordings''.

Page 2, line 23, strike out ''10'' and insert ''25''.

Page 3, line 4, after ''recordings'' insert ''and collections of sound recordings''.

Page 3, line 10, after ''recording'' insert ''or collection of sound recordings''.

Page 3, line 14, after ''recording'' insert ''or collection of sound recordings''.

Page 3, line 22, after ''recording'' insert ''or collection of sound recordings''.

Page 4, line 11, after ''recording'' insert ''or collection of sound recordings''.

Page 4, line 20, after ''recording'' insert ''or collection of sound recordings''.

Page 4, line 22, strike out ''recording,'' and insert ''recording or collection,''.

Page 6, line 21, after ''access'' insert ''(including electronic access)''.

Page 11, line 21, after ''TION'' insert ''OR ORGANIZATION''.

Page 13, line 5, after ''recordings'' insert ''and collections of sound recordings''.

Page 14, after line 21, insert:

(c) ENCOURAGING ACCESSIBILITY TO REGISTRY AND OUT OF PRINT RECORDINGS.—The Board shall encourage the owners of recordings and collections of recordings included in the National Recording Registry and the owners of out of print recordings to permit digital access to such recordings through the National Audio-Visual Conservation Center at Culpeper, Virginia, in order to reduce the portion of the Nation's recorded cultural legacy which is inaccessible to students, educators, and others, and may suggest such other measures as it considers reasonable and appropriate to increase public accessibility to such recordings.

Page 15, after line 7, insert:

SEC. 126. ESTABLISHMENT OF BYLAWS BY LIBRARIAN.

The Librarian may establish such bylaws (consistent with this subtitle) as the Librarian considers appropriate to govern the organization and operation of the Board, including bylaws relating to appointments and removals of members or organizations described in section 122(a)(2) which may be required as a result of changes in the title, membership, or nature of such organizations occurring after the date of the enactment of this Act.

Page 16, after line 18, insert:

SEC. 133. ENCOURAGING ACTIVITIES TO FOCUS ON RARE AND ENDANGERED RECORDINGS.

Congress encourages the Librarian and the Board, in carrying out their duties under this Act, to undertake activities designed to preserve and bring attention to sound recordings which are rare and sound recordings and collections of recordings which are in danger of becoming lost due to deterioration.

Page 16, line 19, strike out ''133'' and insert ''134''.

Amend the title so as to read: ''An Act to establish the National Recording Registry in the Library of Congress to maintain and preserve sound recordings and collections of sound recordings that are culturally, historically, or aesthetically significant, and for other purposes.''.

When on motion of Mr. THOMAS, it was,

Resolved, That the House disagree to the amendments of the Senate.

Ordered, That the Clerk notify the Senate thereof.

¶122.18 MOTION TO INSTRUCT CONFEREES—H.R. 4577

Mr. WU submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class size in the early grades and instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

After debate,

¶122.19 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 122. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

After further debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the nays had it.

Mr. WU objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 168 / Nays ..... 170 }

¶122.20 [Roll No. 591]

YEAS—168

Abercrombie	Frost	Meek (FL)
Allen	Gephardt	Menendez
Andrews	Gonzalez	Millender-McDonald
Baca	Gordon	Miller, George
Baird	Hall (OH)	Minge
Baldacci	Hall (TX)	Mink
Baldwin	Hill (IN)	Moakley
Barcia	Hilliard	Moore
Barrett (WI)	Hinchey	Moran (VA)
Becerra	Hoeffel	Morella
Bentsen	Holden	Nadler
Berkley	Holt	Napolitano
Berman	Hooley	Oberstar
Berry	Horn	Obey
Blagojevich	Hoyer	Olver
Blumenauer	Inslee	Ortiz
Bonior	Jackson (IL)	Owens
Borski	Jefferson	Pallone
Boswell	John	Pascrell
Brady (PA)	Johnson, E. B.	Pastor
Capps	Jones (OH)	Payne
Capuano	Kanjorski	Pelosi
Cardin	Kaptur	Peterson (MN)
Carson	Kennedy	Price (NC)
Clay	Kildee	Quinn
Clayton	Kind (WI)	Rahall
Clement	Kleczka	Rangel
Clyburn	Kucinich	Reyes
Costello	Lampson	Rivers
Coyne	Lee	Rodriguez
Cramer	Levin	Roemer
Crowley	Lewis (GA)	Roybal-Allard
Cummings	Lipinski	Rush
Davis (IL)	LoBiondo	Sabo
DeFazio	Lofgren	Sanchez
DeGette	Lowey	Sanders
Delahunt	Lucas (KY)	Sandlin
DeLauro	Luther	Sawyer
Deutsch	Maloney (CT)	Schakowsky
Dixon	Maloney (NY)	Serrano
Doggett	Markey	Sherman
Doyle	Mascara	Shows
Edwards	Matsui	Skelton
Engel	McCarthy (MO)	Slaughter
Eshoo	McCarthy (NY)	Smith (NJ)
Etheridge	McDermott	Snyder
Evans	McGovern	Stabenow
Farr	McHugh	Stenholm
Fattah	McIntyre	Strickland
Filner	McKinney	Sweeney
Ford	McNulty	

Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watt (NC)
Weiner
Woolsey
Wu
Wynn

NAYS—170

Aderholt
Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehner
Bonilla
Bono
Bryant
Burr
Burton
Buyer
Callahan
Camp
Canady
Castle
Chabot
Chenoweth-Hage
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Ehlers
Ehrlich
Everett
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Granger
Green (WI)
Gutknecht
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Isakson
Istook
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Kingston
Kolbe
Kuykendall
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
Martinez
McCrery
McInnis
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Northup
Norwood
Nussle
Oxley
Packard
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanford
Saxton
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Watkins
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—94

Ackerman
Archer
Barr
Bilbray
Bishop
Bliley
Boehlert
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Calvert
Campbell
Cannon
Chambliss
Collins
Conyers
Danner
Davis (FL)
Deal
Dickey
Dicks
Dingell
Dooley
Dunn
Emerson
English
Ewing
Forbes
Fowler
Frank (MA)
Franks (NJ)
Gejdenson
Graham
Green (TX)
Greenwood
Gutierrez
Hansen
Hastings (FL)
Hayes
Hill (MT)
Hinojosa
Hyde
Jackson-Lee (TX)
Jenkins
Kasich
Kilpatrick
King (NY)
Klink
Knollenberg
LaFalce
Lantos
Largent
Larson
Lazio
McCollum
McIntosh
McKeon
Meehan
Meeks (NY)
Mollohan
Murtha
Neal
Ney
Ose
Peterson (PA)
Phelps
Pickett
Pomeroy
Rohrabacher
Ros-Lehtinen
Rothman
Salmon
Scarborough
Schaffer
Scott
Shaw
Shays
Sisisky
Spratt
Stark
Stupak
Talent
Tancredo
Turner
Wamp
Waters
Watts (OK)
Waxman
Weldon (FL)
Wexler
Weygand
Wise

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶122.21 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO SUDAN

The SPEAKER pro tempore, Mr. HASTINGS of Washington, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Sudan emergency is to continue in effect beyond November 3, 2000, to the *Federal Register* for publication.

The crisis between the United States and Sudan that led to the declaration on November 3, 1997, of a national emergency has not been resolved. The Government of Sudan has continued its activities hostile to United States interests. Such Sudanese actions and policies pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure on the Government of Sudan.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 31, 2000*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 106–307).

¶122.22 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 5110. An Act to designate the United States courthouse located at 3470 12th Street in Riverside, California, as the ''George E. Brown, Jr. United States Courthouse''.

H.R. 5302. An Act to designate the United States courthouse located at 1010 Fifth Avenue in Seattle, Washington, as the ''William Kenzo Nakamura United States Courthouse''.

H.R. 5388. An Act to designate a building proposed to be located within the boundaries of the Chincoteague National Wildlife Refuge, as the ''Herbert H. Bateman Education and Administrative Center''.

The message also announced that the Senate recedes from its amendments to the bill (H.R. 4846) ''An Act to establish the National Recording Registry in the Library of Congress to maintain and preserve sound recordings that are culturally, historically, or aesthetically significant, and for other purposes.''

¶122.23 ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 660. An Act for the private relief of Ruth Hairston by waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity.

H.R. 848. An Act for the relief of Sepandan Farnia and Farbod Farnia.

H.R. 1235. An Act to authorize the Secretary of the Interior to enter into contracts with the Solano County Water Agency, California, to use Solano Project facilities for impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

H.R. 1444. An Act to authorize the Secretary of the Interior to establish a program to plan, design, and construct fish screens, fish passage devices, and related features to mitigate impacts on fisheries associated with irrigation system water diversions by local governmental entities in the Pacific Ocean drainage of the States of Oregon, Washington, Montana, and Idaho.

H.R. 2941. An Act to establish the Las Cienegas National Conservation Area in the State of Arizona.

H.R. 3184. An Act for the relief of Zohreh Farhang Ghahfarokhi.

H.R. 3388. An Act to promote environmental restoration around the Lake Tahoe basin.

H.R. 3414. An Act for the relief of Luis A. Leon-Molina, Ligia Parron, Juan Leon Padron, Rendy Leon Padron, Manuel Leon Padron, and Luis Leon Padron.

H.R. 3621. An Act to provide for the posthumous promotion of William Clark of the Commonwealth of Virginia and the Commonwealth of Kentucky, co-leader of the Lewis and Clark Expedition, to the grade of captain in the Regular Army.

H.R. 4312. An Act to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing an Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes.

H.R. 4646. An Act to designate certain National Forest System Lands within the boundaries of the State of Virginia as wilderness areas.

H.R. 4794. An Act to require the Secretary of the Interior to complete a resource study of the 600 mile route through Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia, used by George Washington and General Rochambeau during the American Revolutionary War.

H.R. 5239. An Act to provide for increased penalties for violations of the Export Administration Act of 1979, and for other purposes.

H.R. 5266. An Act for the relief of Saeed Rezai.

H.R. 5410. An Act to establish revolving funds for the operation of certain programs and activities of the Library of Congress, and for other purposes.

H.R. 5478. An Act to authority the Secretary of the Interior to acquire by donation suitable land to serve as the new location for the home of Alexander Hamilton, commonly known as the Hamilton Grange, and to au-

thorize the relocation of the Hamilton Grange to the acquired land.

H.J. Res. 102. Joint resolution recognizing that the Birmingham Pledge has made a significant contribution in fostering racial harmony and reconciliation in the United States and around the world, and for other purposes.

H.J. Res. 122. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶122.24 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 484. An Act to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

S. 698. An Act to review the suitability and feasibility of recovering costs of high altitude rescues at Denali National Park and Preserve in the State of Alaska, and for other purposes.

S. 700. An Act to amend the National Trails System Act to designate the Ala Kahakai Trail as a National Historic Trail.

S. 893. An Act to amend title 46, United States Code, to provide equitable treatment with respect to State and local income taxes for certain individuals who perform duties on vessels.

S. 938. An Act to eliminate restrictions on the acquisition of certain land contiguous to Hawaii Volcanoes National Park, and for other purposes.

S. 964. An Act to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes.

S. 1438. An Act to establish the National Law Enforcement Museum on Federal land in the District of Columbia.

S. 1474. An Act providing for conveyance of the Palmetto Bend project to the State of Texas.

S. 1482. An Act to amend the National Sanctuaries Act, and for other purposes.

S. 1752. An Act to reauthorize and amend the Coastal Barrier Resources Act.

S. 1865. An Act to provide grants to establish demonstration mental health courts.

S. 2345. An Act to direct the Secretary of the Interior to conduct a special resource study concerning the preservation and public use of sites associated with Harriet Tubman located in Auburn, New York, and for other purposes.

¶122.25 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GREEN of Texas, for today after 3 p.m.;

To Mr. HANSEN, for today and balance of the week;

To Ms. JACKSON-LEE, for today;

To Mr. SCOTT, for today; and

To Ms. KILPATRICK, for today after 12:30 p.m. and Nov. 2.

And then,

¶122.26 ADJOURNMENT

On motion of Mr. MICA, pursuant to the special order heretofore agreed to, at 8 o'clock and 38 minutes p.m., the House adjourned until 6 o'clock p.m. on Thursday, November 2, 2000.

¶122.27 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. GOSS: Committee on Rules. House Resolution 665. Resolution waiving points of order against the conference report to accompany the bill (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes (Rept. No. 106–1022). Referred to the House Calendar.

¶122.28 TIME LIMITATION OF REFERRED BILL

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

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 2, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than November 2, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 2, 2000.

H.R. 4144. Referral to the Committee on the Budget extended for a period ending not later than November 2, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 2, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than November 2, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 2, 2000.

H.R. 4857. Referral to the Committees on the Judiciary, Banking and Financial Services, and Commerce for a period ending not later than November 2, 2000.

H.R. 5130. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 2, 2000.

H.R. 5291. Referral to the Committee on Ways and Means extended for a period ending not later than November 2, 2000.

¶122.29 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TRAFICANT:

H.R. 5611. A bill to ensure the availability of funds for ergonomic protection standards; to the Committee on Education and the Workforce.

By Mr. RANGEL (for himself, Mr. DINGELL, Mr. SPRATT, Mr. STENHOLM, Mr. BROWN of Ohio, Mr. BERRY, Mr. ALLEN, Mr. ANDREWS, Mr. BACA, Ms. BALDWIN, Mr. BOUCHER, Mr. CARDIN, Mr. COSTELLO, Mr. COYNE, Mr. DEFAZIO, Mr. DIXON, Ms. ESHOO, Mr. GREEN of Texas, Mr. HALL of Ohio, Mr. HILLIARD, Mr. JACKSON of Illinois, Mr. KLECZKA, Mr. LEVIN, Mrs. LOWEY, Mr. MATSUI, Mr. MCGOVERN, Mr. MCNULTY, Ms. MILLENDER-MCDONALD, Mr. OBERSTAR, Mr. RAHALL, Mr. SAWYER, Mr. SKELTON, and Mr. STUPAK):

H.R. 5612. A bill to amend titles XVIII, XIX, and XXI of the Social Security Act to provide benefits improvements and beneficiary protections in the Medicare and Medicaid programs and the State child health insurance program (SCHIP), as revised by the Balanced Budget Act of 1997 and the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNOLLENBERG (for himself, Mr. LAHOOD, Mr. SHIMKUS, Mr. BRADY of Texas, Mr. DUNCAN, Mr. MANZULLO, Mrs. MYRICK, Mr. CHAMBLISS, Mr. SAM JOHNSON of Texas, Ms. GRANGER, Mr. JENKINS, Mr. FOSSELLA, Mr. MCINTOSH, Mr. HEFLEY, Mr. TRAFICANT, and Mr. BARTON of Texas):

H.R. 5613. A bill to require an extension of the comment periods relating to certain proposed rules; to the Committee on Commerce.

By Mr. ACKERMAN:

H.R. 5614. A bill to amend part C of title XVIII of the Social Security Act to improve the MedicareChoice Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COBURN (for himself and Mr. NORWOOD):

H.R. 5615. A bill to prohibit the use of Federal funds for the conduct or support of programs of HIV testing that fail to make every reasonable effort to inform the individuals of the results of the testing; to the Committee on Commerce.

By Mr. CROWLEY:

H.R. 5616. A bill to amend the Internal Revenue Code of 1986 to allow a deduction to taxpayers who purchase and install qualified security devices; to the Committee on Ways and Means.

By Mr. DEFAZIO:

H.R. 5617. A bill to amend the Oil Pollution Act of 1990 to improve provisions concerning the recovery of damages for injuries resulting from oil spills; to the Committee on Transportation and Infrastructure.

By Mr. HAYWORTH:

H.R. 5618. A bill to authorize the Secretary of Agriculture to convey National Forest System Lands for use for educational purposes; to the Committee on Resources.

By Mrs. LOWEY (for herself, Mr. BROWN of Ohio, Ms. MCKINNEY, Mr. KILDEE, and Mr. RANGEL):

H.R. 5619. A bill to require the Federal Communications Commission and the Federal Trade Commission to prevent fraudulent and misleading advertising by carriers providing ''dial-around'' long distance services; to the Committee on Commerce.

By Mrs. MALONEY of New York:

H.R. 5620. A bill to require operators of electronic marketplaces to disclose the ownership and management of such marketplaces to market participants, and for other purposes; to the Committee on Commerce.

By Mr. RUSH:

H.R. 5621. A bill to amend the Balanced Budget Act of 1997 to apply the Medicaid disproportionate share hospital payment transition rule to public hospitals in all States; to the Committee on Commerce.

¶122.30 MEMORIALS

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

487. The SPEAKER presented a memorial of the General Assembly of the State of Rhode Island, relative to Resolution 2000–H8125 petitioning the Congress of the United States to Fulfill Its Commitment of Forty Percent Federal Funding in its Reauthorization of the Individuals with Disabilities Edu-

cation Act; to the Committee on Education and the Workforce.

488. Also, a memorial of the General Assembly of the State of Rhode Island, relative to Resolution 2000–H8119 petitioning the State Department, The German Government and German Industrial Complex Resolve the Remaining Issue Left in the Aftermath of World War II, Namely a Just Equitable and Inclusive Settlement of the Slave Labor/Forced Labor Discussions in Bonn and Washington; to the Committee on International Relations.

¶122.31 ADDITIONAL SPONSORS

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

H.R. 908: Mrs. CHRISTENSEN.
H.R. 1214: Ms. SLAUGHTER.
H.R. 1228: Ms. DELAURO.
H.R. 1625: Mr. UDALL of New Mexico.
H.R. 1657: Ms. CARSON.
H.R. 4536: Mr. HILLIARD.
H.R. 4966: Mr. COYNE.
H.R. 5152: Ms. LOFGREN.
H.R. 5185: Mr. KILDEE.
H.R. 5219: Mr. FOLEY, Mr. RANGEL, and Mr. PRICE of North Carolina.
H.R. 5259: Mr. ROGERS.
H.R. 5274: Mr. LEACH.
H.R. 5330: Mr. PRICE of North Carolina.
H.R. 5438: Mr. BOUCHER.
H.R. 5469: Mr. KINGSTON.
H.R. 5499: Mr. KLECZKA.
H.R. 5516: Mr. SMITH of Texas, Mr. GUTKNECHT, Mr. WELDON of Florida, Mr. CALVERT, Mr. EHLERS, and Mr. BARTON of Texas.
H.R. 5530: Mr. BERMAN, Mr. WAXMAN, Mr. BOEHLERT, Mr. GOODLATTE, and Mr. ETHERIDGE.
H.R. 5585: Mr. FARR of California, Mr. MEEKS of New York, Mr. ABERCROMBIE, Mrs. TAUSCHER, Mr. HOEFFEL, Mr. NADLER, Mr. BAIRD, Mr. WEINER, Mr. BRADY of Pennsylvania, Ms. LOFGREN, Mr. BLUMENAUER, and Mr. THOMPSON of Mississippi.
H.R. 5603: Ms. MCKINNEY.
H. Con. Res. 337: Ms. SANCHEZ.
H. Res. 420: Mrs. TAUSCHER.

THURSDAY, NOVEMBER 2, 2000 (123)

The House was called to order by the SPEAKER.

¶123.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, November 2, 2000.

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

¶123.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10866. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Fresh Bartlett Pears Grown in Oregon and Washington; Decreased Assessment Rate [Docket No. FV00–931–1 FIR] received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10867. A letter from the Associate Administrator, Livestock and Seed Program, Department of Agriculture, transmitting the Department's final rule—Pork Promotion, Research, and Consumer Information Program: Amendment to Procedures for the Conduct of Referendum [No. LS–00–10] received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10868. A letter from the Congressional Review Coodinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Imported Fire Ant; Addition to Quarantined Areas [Docket No. 00–076–1] received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10869. A letter from the Associate Administrator, Agricultural Marketing Service, Science and Technology Program, Department of Agriculture, transmitting the Department's final rule—Changes in Fees for Science and Technology (S&T) Laboratory Service [Docket No. S&T–99–008] (RIN: 0581–AB91) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10870. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Postmarketing Studies for Approved Human Drug and Licensed Biological Products; Status Reports [Docket No. 99N–1852] received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10871. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Gastroenterology and Urology Devices; Effective Date of the Requirement for Premarket Approval of the Implanted Mechanical/Hydraulic Urinary Continence Device; Correction [Docket No. 94N–0380] received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10872. A letter from the Chief, Legal Branch, Competitive Pricing Division, Federal Communications Commission, Common Carrier Bureau, transmitting the Commission's final rule—National Exchange Carrier Association, Inc. Petition to Amend Section 69.3 of the Commission's Rules [CC Docket No. 99–316; RM–9486] received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10873. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting 1999 Report Pursuant to sec. 655 of the Foreign Assistance Act of 1961, pursuant to Public Law 104—164, section 655(a) (110 Stat. 1435); to the Committee on International Relations.

10874. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled ''Review of the Financial Transactions and Activities of Advisory Neighborhood Commission 8D for the Period October 1, 1997 through August 31, 2000,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform.

10875. A letter from the Associate Special Counsel for Planning and Advice, Office of Special Counsel, transmitting the Office's final rule—Filing complaints of prohibited personnel practices or other prohibited activities; Filing disclosures of information; Advisory Opinions—received October 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10876. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No. 000211040–0040–01; I.D. 102400C] received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10877. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Jet Routes J–78 and J–112; Evansville, IN; Correction [Airspace Docket No. 99–AGL–48] (RIN: 2120–AA66) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10878. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Cameron, MO [Airspace Docket No. 99–ACE–49] received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10879. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Monticello, IA [Airspace Docket No. 00–ACE–5] received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10880. A letter from the Director, Office of Regulations Management, Veterans Health Administration, Department of Veterans' Affairs, transmitting the Department's final rule—VA Payment for Non-VA Public or Private Hospital Care and Non-VA Physician Services that are Associated with Either Outpatient or Inpatient Care (RIN: 2900–AK57) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

10881. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, Fiscal Service, transmitting the Department's final rule—Marketable Book-Entry Treasury Bills, Notes, and Bonds; Minimum Par Amounts Required for STRIPS—received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10882. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Allocation of Partnership Debt (RIN: 1545–AX09) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10883. A letter from the Acting Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Revisionsto Payment Policies Under the Physician Fee Schedule for Calendar Year 2001 [HCFA–1120–FC] (RIN: 0938–AK11) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

¶123.3 FURTHER CONTINUING APPROPRIATIONS FY 2001

Mr. YOUNG of Florida, pursuant to House Resolution 662, called up the joint resolution (H.J. Res. 123) making further continuing appropriations for fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

Mr. YOUNG of Florida, by unanimous consent, submitted the following amendment which was agreed to:

Insert before the period at the end the following:

, and by adding, at the end, the following new section:

''Sec. 120. Notwithstanding any other provision of this joint resolution, except section 107, $7,100,000 shall be available for obligation by the Administrator of General Services for expenses necessary to carry out the Presidential Transition Act of 1963 (3 U.S.C. 102 note).''

After debate,

The previous question having been ordered by said resolution.

The joint resolution, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. THORNBERRY announced that the yeas had it.

Mr. PETRI objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 310 / Nays ..... 7 }

¶123.4 [Roll No. 592]

YEAS—310

Abercrombie
Aderholt
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Berkley
Biggert
Bilirakis
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clyburn
Coble
Combest
Condit
Cook
Cooksey
Cox
Coyne
Cramer
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Engel
English
Eshoo
Evans
Everett
Farr
Filner
Fletcher
Foley
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hilleary
Hilliard
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kelly
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pombo
Porter
Portman
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Udall (CO)
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—7

Berry
Capuano
DeFazio
Ford
LaFalce
Phelps
Stenholm

NOT VOTING—116

Ackerman
Allen
Baird
Barrett (WI)
Barton
Becerra
Bentsen
Bereuter
Berman
Bilbray
Bishop
Blumenauer
Boucher
Brown (FL)
Calvert
Campbell
Capps
Clay
Clayton
Clement
Coburn
Collins
Conyers
Costello
Crowley
Cummings
Danner
Davis (IL)
Delahunt
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Dunn
Ehlers
Ehrlich
Emerson
Etheridge
Ewing
Fattah
Forbes
Fowler
Frank (MA)
Franks (NJ)
Ganske
Gejdenson
Gephardt
Goodling
Granger
Greenwood
Hall (OH)
Hansen
Hastings (FL)
Hefley
Hill (MT)
Hinchey
Hinojosa
Hunter
Jones (OH)
Kasich
Kennedy
Kilpatrick
Klink
Lantos
Lazio
Maloney (NY)
McCollum
McIntosh
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller, George
Mollohan
Morella
Neal
Nethercutt
Oberstar
Ose
Owens
Payne
Pickett
Pitts
Pomeroy
Price (NC)
Pryce (OH)
Reyes
Riley
Rivers
Rodriguez
Rush
Salmon
Scarborough
Schaffer
Shays
Smith (MI)
Smith (WA)
Spratt
Stabenow
Stark
Stupak
Talent
Tancredo
Towns
Turner
Velazquez
Visclosky
Waters
Watts (OK)
Waxman
Weiner
Weldon (FL)
Wexler
Weygand
Wise

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶123.5 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 123. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

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

S. Con. Res. 160. Concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

¶123.6 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on the House Administration, reported that the committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1550. An Act to authorize appropriations for the United States Fire Administration, and for carrying out the Earthquake Hazards Reduction Act of 1977, for fiscal years 2001, 2002, and 2003, and for other purposes.

H.R. 2462. An Act to amend the Organic Act of Guam, and for other purposes.

H.R. 4846. An Act to establish the National Recording Registry in the Library of Congress to maintain and preserve sound recordings that are culturally, historically, or aesthetically significant, and for other purposes.

H.R. 5110. An Act to designate the United States courthouse located at 3470 12th Street in Riverside, California, as the ''George E. Brown, Jr. United States Courthouse''.

H.R. 5302. An Act to designate the United States courthouse located at 1010 Fifth Avenue in Seattle, Washington, as the ''William Kenzo Nakamura United States Courthouse''.

H.R. 5388. An Act to designate a building proposed to be located within the boundaries of the Chincoteague National Wildlife Refuge, as the ''Herbert H. Bateman Education and Administrative Center''.

H.J. Res. 123. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶123.7 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2413. An Act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify the procedure and conditions for the award of matching grants for the purchase of armor vests.

¶123.8 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BECERRA, for today and November 3;

To Mr. DAVIS of Illinois, for today and November 3;

To Mr. REYES, for today and before 2 p.m. on November 3;

To Mr. STUPAK, for today; and

To Ms. WATERS, for today.

And then,

¶123.9 ADJOURNMENT

On motion of Mr. STENHOLM, at 9 o'clock and 45 minutes p.m., the House adjourned.

¶123.10 TIME LIMITATION OF REFERRED BILL

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

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 3, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than November 3, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 3, 2000.

H.R. 4144. Referral to the Committee on the Budget extended for a period ending not later than November 3, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 3, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than November 3, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 3, 2000.

H.R. 4857. Referral to the Committee on the Judiciary, Banking and Financial Services, and Commerce for a period ending not later than November 3, 2000.

H.R. 5130. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 3, 2000.

H.R. 5291. Referral to the Committee on Ways and Means extended for a period ending not later than November 3, 2000.

¶123.11 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HORN (for himself and Mr. CALVERT):

H.R. 5622. A bill to establish a commission to create a comprehensive strategy for an integrated, advanced informational infrastructure for the Medicare Program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 5623. A bill to amend the Clean Air Act to ensure that adequate actions are taken to detect, prevent, and minimize the consequences of accidental releases that result from criminal activity that may cause substantial harm to public health, safety, and the environment and to ensure that the public has access to information regarding hazardous chemicals in the community and the potential for accidental releases of those chemicals, and for other purposes; to the Committee on Commerce.

By Mr. MOORE (for himself, Mr. HOYER, Mr. SAWYER, Mr. SERRANO, Mr. MORAN of Virginia, Mr. HINCHEY, Mr. MENENDEZ, Mr. FILNER, Mr. GREEN of Texas, Mr. NADLER, Mr. BLUMENAUER, Mr. MALONEY of Connecticut, Mr. ROTHMAN, Mr. SANDLIN, Mr. SHERMAN, Mr. INSLEE, Ms. BERKLEY, Mr. CROWLEY, Mr. HILL of Indiana, Mr. HOLT, Mr. LARSON, and Mr. WU):

H.R. 5624. A bill to amend the Federal Election Campaign Act of 1971 to require persons making certain campaign-related telephone calls to disclose the identifcation of the person financing the call, and for other purposes; to the Committee on House Administration.

¶123.12 ADDITIONAL SPONSORS

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

H.R. 908: Mr. JEFFERSON.

H.R. 1228: Mr. LANTOS.

H.R. 2166: Mr. REGULA and Mr. MENENDEZ.

H.R. 2433: Mr. COBURN.

H.R. 2953: Mr. STENHOLM.

H.R. 4154: Mr. COX.

H.R. 4215: Mr. GOODLATTE.

H.R. 4274: Mr. KENNEDY of Rhode Island.

H.R. 4308: Mr. TRAFICANT.

H.R. 4654: Mr. CALVERT.

H.R. 4728: Mr. DEAL of Georgia and Mr. MORAN of Virginia.

H.R. 5147: Mr. OBERSTAR, Mr. BENTSEN, and Mr. MEEHAN.

H.R. 5185: Ms. SCHAKOWSKY.

H.R. 5194: Mr. GONZALEZ.

H.R. 5200: Mr. GONZALEZ.

H.R. 5516: Mr. CRAMER, Ms. MILLENDER-MCDONALD, and Mr. HILLIARD.

H.R. 5552: Mr. PETERSON of Minnesota and Mr. GUTIERREZ.

H.R. 5585: Mr. MOORE, Mr. CAPUANO, Mr. HINCHEY, and Mr. FORD.

H.R. 5612: Mr. GEPHARDT, Mr. BONIOR, Mr. BALDACCI, Mr. BENTSEN, Mr. BLAGOJEVICH, Ms. CARSON, Mr. CUMMINGS, Mr. EVANS, Mr. FILNER, Mr. FROST, Mr. HALL of Texas, Mr. HINCHEY, Mr. HOLDEN, Mr. INSLEE, Ms. KAPTUR, Mr. LARSON, Mrs. MALONEY of New York, Ms. MCCARTHY of Missouri, Mr. MCDERMOTT, Mrs. MEEK of Florida, Ms. PELOSI, Mr. PHELPS, Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. SCHAKOWSKY, Mr. TANNER, Mrs. THURMAN, Mr. TOWNS, and Mr. TURNER.

H.R. 5613: Mr. DEAL of Georgia, Mr. DEMINT, Mr. BACHUS, Mr. RYUN of Kansas, and Mr. MILLER of Florida.

H. Con. Res. 401: Mr. PRICE of North Carolina.

H. Con. Res. 654: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. UDALL of New Mexico.

FRIDAY, NOVEMBER 3, 2000 (124)

The House was called to order by the SPEAKER.

¶124.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, November 2, 2000.

Mr. PEASE, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. PEASE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 253 / Nays ..... 46 }

¶124.2 [Roll No. 593]

YEAS—253

Abercrombie
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bereuter
Berkley
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boyd
Brady (TX)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Camp
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Combest
Cooksey
Cox
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Doggett
Doyle
Dreier
Duncan
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Everett
Fletcher
Foley
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kildee
Kind (WI)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Largent
Larson
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Mascara
Matsui
McCarthy (NY)
McCrery
McHugh
McInnis
McKeon
McKinney
McNulty
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Paul
Payne
Pease
Petri
Phelps
Pickering
Pitts
Portman
Quinn
Radanovich
Rahall
Rangel
Regula
Reynolds
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stump
Sununu
Tanner
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Weiner
Weldon (PA)
Wilson
Woolsey
Wu
Wynn
Young (FL)

NAYS—46

Aderholt
Berry
Blagojevich
Borski
Brady (PA)
Capuano
Condit
Costello
Crane
Crowley
DeFazio
English
Hilliard
Holt
Hulshof
Jefferson
LaFalce
Latham
Lewis (GA)
Lipinski
LoBiondo
Markey
McDermott
McGovern
McIntyre
Meeks (NY)
Menendez
Moore
Moran (KS)
Obey
Olver
Pallone
Pascrell
Pastor
Peterson (MN)
Ramstad
Rothman
Sabo
Stenholm
Strickland
Tauscher
Taylor (MS)
Thompson (CA)
Udall (CO)
Weller
Wicker

NOT VOTING—134

Ackerman
Allen
Archer
Baird
Ballenger
Barton
Becerra
Bentsen
Berman

Bilbray	Gephardt	Pickett
Bishop	Granger	Pombo
Blumenauer	Greenwood	Pomeroy
Boswell	Gutierrez	Porter
Boucher	Hall (OH)	Price (NC)
Brown (FL)	Hansen	Pryce (OH)
Burton	Hastings (FL)	Reyes
Calvert	Hefley	Riley
Campbell	Hill (MT)	Rodriguez
Capps	Hinchey	Rush
Carson	Hostettler	Salmon
Clay	Hutchinson	Sanchez
Clayton	Jackson-Lee (TX)	Sanders
Clement	Johnson, Sam	Schaffer
Clyburn	Kasich	Serrano
Collins	Kennedy	Shays
Conyers	Kilpatrick	Slaughter
Cook	King (NY)	Smith (WA)
Danner	Klink	Spratt
Davis (IL)	Lantos	Stabenow
DeGette	Lazio	Stark
Delahunt	Leach	Stupak
Dickey	Lee	Sweeney
Dicks	Lofgren	Talent
Dingell	Maloney (NY)	Tancredo
Dixon	Martinez	Tauzin
Dooley	McCarthy (MO)	Taylor (NC)
Doolittle	McCollum	Thompson (MS)
Dunn	McIntosh	Tierney
Ehlers	Meehan	Towns
Emerson	Meek (FL)	Turner
Ewing	Miller, Gary	Visclosky
Farr	Miller, George	Waters
Fattah	Mollohan	Watts (OK)
Filner	Neal	Waxman
Forbes	Nethercutt	Weldon (FL)
Ford	Oberstar	Wexler
Fowler	Ose	Weygand
Frank (MA)	Owens	Whitfield
Franks (NJ)	Pelosi	Wise
Ganske	Peterson (PA)	Wolf
Gejdenson		Young (AK)

So the Journal was approved.

¶124.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10884. A letter from the Acting Assistant General Counsel for Regulations, Office for Civil Rights, Department of Education, transmitting the Department's final rule—Conforming Amendments to the Regulations Governing Nondiscrimination on the Basis of Race, Color, National Origin, Disability, Sex, and Age Under the Civil Rights Restoration Act of 1987 (RIN: 1870–AA10) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10885. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's consolidated report for the year ending September 30, 2000, on the Federal Managers' Financial Integrity Act and the results of internal audit and investigative activities, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

10886. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Habitual Residence in the Territories and Possessions of the United States (RIN: 1115–AE61) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10887. A letter from the Program Analyst, FAA, Department of Transporation, transmitting the Department's final rule—Airworthiness Directives; Cessna Model 560XL Airplanes [Docket No. 2000–NM–255–AD; Amendment 39–11850; AD 2000–15–51] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10888. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Alexander Schleicher GmbH & Co. Model ASW–27 Sailplanes [Docket No. 99–CE–70–AD; Amendment 39–11609; AD 2000–04–26] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10889. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; REVO, Incorporated Models Lake LA–4, Lake LA–4A, Lake LA–4P, Lake LA–4–200, and Lake Model 250 Airplanes [Docket No. 99–CE–27–AD; Amendment 39–11746; AD 2000–10–22] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10890. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737, 757, 767, and 777 Series Airplanes [Docket No. 98–NM–355–AD; Amendment 39–11848; AD 2000–15–16] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10891. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Model S–61 Helicopters [Docket No. 2000–SW–18–AD; Amendment 39–11805; AD 2000–13–06] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10892. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company GE90 Series Turbofan Engines [Docket No. 98–ANE–51–AD; Amendment 39–11559; AD 2000–03–02] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10893. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF34 Series Turbofan Engines [Docket No. 99–NE–49–AD; Amendment 39–11560; AD 2000–03–03] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10894. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 98–NM–260–AD; Amendment 39–11828; AD 2000–14–17] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10895. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 98–NM–316–AD; Amendment 39–11754; AD 2000–11–06] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10896. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–218–AD; Amendment 39–11845; AD 2000–15–13] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10897. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 2000–NM–219–AD; Amendment 39–11846; AD 2000–15–14] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10898. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), and DC–9–87 (MD–87); Model MD–88 Airplanes; and Model MD–90–30 Series Airplanes [Docket No. 99–NM–227–AD; Amendment 39–11849; AD 2000–15–17] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10899. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100 and -200 Series Airplanes [Docket No. 99–NM–320–AD; Amendment 39–11851; AD 2000–15–18] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10900. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft, Inc. PA–42 Series Airplanes [Docket No. 2000–CE–20–AD; Amendment 39–11817; AD 2000–14–08] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10901. A letter from the Co-Chairmen, National Commission For The Review Of The National Reconnaissance Office, transmitting a report titled ''The National Reconnaissance Office at the Crossroads''; to the Committee on Intelligence (Permanent Select).

¶124.4 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY S. 2796

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 665):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶124.5 EVERGLADES RESTORATION AND WATER RESOURCES DEVELOPMENT

Mr. SHUSTER, pursuant to House Resolution 665, called up the following conference report (Rept. No. 106–1020):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2796), to provide for the conservation and development of water and related resources, to au-

thorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 2000''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorizations.
Sec. 102. Small projects for flood damage reduction.
Sec. 103. Small projects for emergency streambank protection.
Sec. 104. Small projects for navigation.
Sec. 105. Small projects for improvement of the quality of the environment.
Sec. 106. Small projects for aquatic ecosystem restoration.
Sec. 107. Small projects for shoreline protection.
Sec. 108. Small projects for snagging and sediment removal.
Sec. 109. Small project for mitigation of shore damage.
Sec. 110. Beneficial uses of dredged material.
Sec. 111. Disposal of dredged material on beaches.
Sec. 112. Petaluma River, Petaluma, California.

TITLE II—GENERAL PROVISIONS

Sec. 201. Cooperation agreements with counties.
Sec. 202. Watershed and river basin assessments.
Sec. 203. Tribal partnership program.
Sec. 204. Ability to pay.
Sec. 205. Property protection program.
Sec. 206. National recreation reservation service.
Sec. 207. Interagency and international support authority.
Sec. 208. Reburial and conveyance authority.
Sec. 209. Floodplain management requirements.
Sec. 210. Nonprofit entities.
Sec. 211. Performance of specialized or technical services.
Sec. 212. Hydroelectric power project funding.
Sec. 213. Assistance programs.
Sec. 214. Funding to process permits.
Sec. 215. Dredged material marketing and recycling.
Sec. 216. National academy of sciences study.
Sec. 217. Rehabilitation of Federal flood control levees.
Sec. 218. Maximum program expenditures for small flood control projects.
Sec. 219. Engineering consulting services.
Sec. 220. Beach recreation.
Sec. 221. Design-build contracting.
Sec. 222. Enhanced public participation.
Sec. 223. Monitoring.
Sec. 224. Fish and wildlife mitigation.
Sec. 225. Feasibility studies and planning, engineering, and design.
Sec. 226. Administrative costs of land conveyances.
Sec. 227. Flood mitigation and riverine restoration.

TITLE III—PROJECT-RELATED PROVISIONS

Sec. 301. Tennessee-Tombigbee Waterway Wildlife Mitigation Project, Alabama and Mississippi.
Sec. 302. Nogales Wash and tributaries, Nogales, Arizona.
Sec. 303. Boydsville, Arkansas.
Sec. 304. White River Basin, Arkansas and Missouri.
Sec. 305. Sacramento Deep Water Ship Channel, California.
Sec. 306. Delaware River Mainstem and Channel Deepening, Delaware, New Jersey, and Pennsylvania.
Sec. 307. Rehoboth Beach and Dewey Beach, Delaware.
Sec. 308. Fernandina Harbor, Florida.
Sec. 309. Gasparilla and Estero Islands, Florida.
Sec. 310. East Saint Louis and vicinity, Illinois.
Sec. 311. Kaskaskia River, Kaskaskia, Illinois.
Sec. 312. Waukegan Harbor, Illinois.
Sec. 313. Upper Des Plaines River and tributaries, Illinois.
Sec. 314. Cumberland, Kentucky.
Sec. 315. Atchafalaya Basin, Louisiana.
Sec. 316. Red River Waterway, Louisiana.
Sec. 317. Thomaston Harbor, Georges River, Maine.
Sec. 318. Poplar Island, Maryland.
Sec. 319. William Jennings Randolph Lake, Maryland.
Sec. 320. Breckenridge, Minnesota.
Sec. 321. Duluth Harbor, Minnesota.
Sec. 322. Little Falls, Minnesota.
Sec. 323. New Madrid County, Missouri.
Sec. 324. Pemiscot County Harbor, Missouri.
Sec. 325. Fort Peck fish hatchery, Montana.
Sec. 326. Sagamore Creek, New Hampshire.
Sec. 327. Passaic River basin flood management, New Jersey.
Sec. 328. Times Beach Nature Preserve, Buffalo, New York.
Sec. 329. Rockaway Inlet to Norton Point, New York.
Sec. 330. Garrison Dam, North Dakota.
Sec. 331. Duck Creek, Ohio.
Sec. 332. John Day Pool, Oregon and Washington.
Sec. 333. Fox Point hurricane barrier, Providence, Rhode Island.
Sec. 334. Nonconnah Creek, Tennessee and Mississippi.
Sec. 335. San Antonio Channel, San Antonio, Texas.
Sec. 336. Buchanan and Dickenson Counties, Virginia.
Sec. 337. Buchanan, Dickenson, and Russell Counties, Virginia.
Sec. 338. Sandbridge Beach, Virginia Beach, Virginia.
Sec. 339. Mount St. Helens, Washington.
Sec. 340. Lower Mud River, Milton, West Virginia.
Sec. 341. Fox River System, Wisconsin.
Sec. 342. Chesapeake Bay oyster restoration.
Sec. 343. Great Lakes dredging levels adjustment.
Sec. 344. Great Lakes remedial action plans and sediment remediation.
Sec. 345. Treatment of dredged material from Long Island Sound.
Sec. 346. Declaration of nonnavigability for Lake Erie, New York.
Sec. 347. Project deauthorizations.
Sec. 348. Land conveyances.
Sec. 349. Project reauthorizations.
Sec. 350. Continuation of project authorizations.
Sec. 351. Water quality projects.

TITLE IV—STUDIES

Sec. 401. Studies of completed projects.
Sec. 402. Lower Mississippi River Resource Assessment.
Sec. 403. Upper Mississippi River Basin sediment and nutrient study.
Sec. 404. Upper Mississippi River comprehensive plan.
Sec. 405. Ohio River system.
Sec. 406. Baldwin County, Alabama.
Sec. 407. Bridgeport, Alabama.
Sec. 408–409. Arkansas River navigation system.
Sec. 410. Cache Creek basin, California.
Sec. 411. Estudillo Canal, San Leandro, California.
Sec. 412. Laguna Creek, Fremont, California.
Sec. 413. Lake Merritt, Oakland, California.
Sec. 414. Lancaster, California.
Sec. 415. Oceanside, California.
Sec. 416. San Jacinto watershed, California.
Sec. 417. Suisun Marsh, California.
Sec. 418. Delaware River watershed.
Sec. 419. Brevard County, Florida.
Sec. 420. Choctawhatchee River, Florida.
Sec. 421. Egmont Key, Florida.
Sec. 422. Upper Ocklawaha River and Apopka/Palatlakaha River basins, Florida.
Sec. 423. Lake Allatoona watershed, Georgia.
Sec. 424. Boise River, Idaho.
Sec. 425. Wood River, Idaho.
Sec. 426. Chicago, Illinois.
Sec. 427. Chicago sanitary and ship canal system, Chicago, Illinois.
Sec. 428. Long Lake, Indiana.
Sec. 429. Brush and Rock Creeks, Mission Hills and Fairway, Kansas.
Sec. 430. Atchafalaya River, Bayous Chene, Boeuf, and Black, Louisiana.
Sec. 431. Boeuf and Black, Louisiana.
Sec. 432. Iberia Port, Louisiana.
Sec. 433. Lake Pontchartrain Seawall, Louisiana.
Sec. 434. Lower Atchafalaya Basin, Louisiana.
Sec. 435. St. John the Baptist Parish, Louisiana.
Sec. 436. South Louisiana.
Sec. 437. Portsmouth Harbor and Piscataqua River, Maine and New Hampshire.
Sec. 438. Merrimack River basin, Massachusetts and New Hampshire.
Sec. 439. Wild Rice River, Minnesota.
Sec. 440. Port of Gulfport, Mississippi.
Sec. 441. Las Vegas Valley, Nevada.
Sec. 442. Upland disposal sites in New Hampshire.
Sec. 443. Southwest Valley, Albuquerque, New Mexico.
Sec. 444. Buffalo Harbor, Buffalo, New York.
Sec. 445. Jamesville Reservoir, Onondaga County, New York.
Sec. 446. Bogue Banks, Carteret County, North Carolina.
Sec. 447. Duck Creek watershed, Ohio.
Sec. 448. Fremont, Ohio.
Sec. 449. Steubenville, Ohio.
Sec. 450. Grand Lake, Oklahoma.
Sec. 451. Columbia Slough, Oregon.
Sec. 452. Cliff Walk in Newport, Rhode Island.
Sec. 453. Quonset Point channel, Rhode Island.
Sec. 454. Dredged material disposal site, Rhode Island.
Sec. 455. Reedy River, Greenville, South Carolina.
Sec. 456. Chickamauga Lock and Dam, Tennessee.
Sec. 457. Germantown, Tennessee.
Sec. 458. Milwaukee, Wisconsin.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Lakes program.
Sec. 502. Restoration projects.
Sec. 503. Support of Army civil works program.
Sec. 504. Export of water from Great Lakes.
Sec. 505. Great Lakes tributary model.
Sec. 506. Great Lakes fishery and ecosystem restoration.
Sec. 507. New England water resources and ecosystem restoration.
Sec. 508. Visitors centers.
Sec. 509. CALFED Bay-Delta program assistance, California.
Sec. 510. Seward, Alaska.
Sec. 511. Clear Lake basin, California.
Sec. 512. Contra Costa Canal, Oakley and Knightsen, California.
Sec. 513. Huntington Beach, California.
Sec. 514. Mallard Slough, Pittsburg, California.
Sec. 515. Port Everglades, Florida.
Sec. 516. Lake Sidney Lanier, Georgia, home preservation.
Sec. 517. Ballard's Island, LaSalle County, Illinois.
Sec. 518. Lake Michigan diversion, Illinois.
Sec. 519. Illinois River basin restoration.

Sec. 520. Koontz Lake, Indiana.
Sec. 521. West View Shores, Cecil County, Maryland.
Sec. 522. Muddy River, Brookline and Boston, Massachusetts.
Sec. 523. Soo Locks, Sault Ste. Marie, Michigan.
Sec. 524. Minnesota dam safety.
Sec. 525. Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness, Minnesota.
Sec. 526. Duluth, Minnesota, alternative technology project.
Sec. 527. Minneapolis, Minnesota.
Sec. 528. Coastal Mississippi wetlands restoration projects.
Sec. 529. Las Vegas, Nevada.
Sec. 530. Urbanized peak flood management research, New Jersey.
Sec. 531. Nepperhan River, Yonkers, New York.
Sec. 532. Upper Mohawk River basin, New York.
Sec. 533. Flood damage reduction.
Sec. 534. Cuyahoga River, Ohio.
Sec. 535. Crowder Point, Crowder, Oklahoma.
Sec. 536. Lower Columbia River and Tillamook Bay ecosystem restoration, Oregon and Washington.
Sec. 537. Access improvements, Raystown Lake, Pennsylvania.
Sec. 538. Upper Susquehanna River basin, Pennsylvania and New York.
Sec. 539. Charleston Harbor, South Carolina.
Sec. 540. Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and South Dakota terrestrial wildlife habitat restoration.
Sec. 541. Horn Lake Creek and tributaries, Tennessee and Mississippi.
Sec. 542. Lake Champlain watershed, Vermont and New York.
Sec. 543. Vermont dams remediation.
Sec. 544. Puget Sound and adjacent waters restoration, Washington.
Sec. 545. Willapa Bay, Washington.
Sec. 546. Wynoochee Lake, Wynoochee River, Washington.
Sec. 547. Bluestone, West Virginia.
Sec. 548. Lesage/Greenbottom Swamp, West Virginia.
Sec. 549. Tug Fork River, West Virginia.
Sec. 550. Southern West Virginia.
Sec. 551. Surfside/Sunset and Newport Beach, California.
Sec. 552. Watershed management, restoration, and development.
Sec. 553. Maintenance of navigation channels.
Sec. 554. Hydrographic survey.
Sec. 555. Columbia River treaty fishing access.
Sec. 556. Release of use restriction.

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION

Sec. 601. Comprehensive Everglades restoration plan.
Sec. 602. Sense of Congress concerning Homestead Air Force Base.

TITLE VII—MISSOURI RIVER RESTORATION, NORTH DAKOTA

Sec. 701. Short title.
Sec. 702. Findings and purposes.
Sec. 703. Definitions.
Sec. 704. Missouri River Trust.
Sec. 705. Missouri River Task Force.
Sec. 706. Administration.
Sec. 707. Authorization of appropriations.

TITLE VIII—WILDLIFE REFUGE ENHANCEMENT

Sec. 801. Short title.
Sec. 802. Purpose.
Sec. 803. Definitions.
Sec. 804. Conveyance of cabin sites.
Sec. 805. Rights of nonparticipating lessees.
Sec. 806. Conveyance to third parties.
Sec. 807. Use of proceeds.
Sec. 808. Administrative costs.
Sec. 809. Revocation of withdrawals.
Sec. 810. Authorization of appropriations.

TITLE IX—MISSOURI RIVER RESTORATION, SOUTH DAKOTA

Sec. 901. Short title.
Sec. 902. Findings and purposes.
Sec. 903. Definitions.
Sec. 904. Missouri River Trust.
Sec. 905. Missouri River Task Force.
Sec. 906. Administration.
Sec. 907. Authorization of appropriations.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Army.

TITLE I—WATER RESOURCES PROJECTS

SEC. 101. PROJECT AUTHORIZATIONS.

(a) PROJECTS WITH CHIEF'S REPORTS.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this subsection:

(1) BARNEGAT INLET TO LITTLE EGG INLET, NEW JERSEY.—The project for hurricane and storm damage reduction, Barnegat Inlet to Little Egg Inlet, New Jersey: Report of the Chief of Engineers dated July 26, 2000, at a total cost of $51,203,000, with an estimated Federal cost of $33,282,000 and an estimated non-Federal cost of $17,921,000, and at an estimated average annual cost of $1,751,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $1,138,000 and an estimated annual non-Federal cost of $613,000.

(2) PORT OF NEW YORK AND NEW JERSEY, NEW YORK AND NEW JERSEY.—

(A) IN GENERAL.—The project for navigation, Port of New York and New Jersey, New York and New Jersey: Report of the Chief of Engineers dated May 2, 2000, at a total cost of $1,781,234,000, with an estimated Federal cost of $743,954,000 and an estimated non-Federal cost of $1,037,280,000.

(B) NON-FEDERAL SHARE.—

(i) IN GENERAL.—The non-Federal share of the costs of the project may be provided in cash or in the form of in-kind services or materials.

(ii) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of design and construction work carried out by the non-Federal interest before the date of execution of a cooperation agreement for the project if the Secretary determines that the work is integral to the project.

(b) PROJECTS SUBJECT TO FINAL REPORT.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, recommended in a final report of the Chief of Engineers if a favorable report of the Chief is completed not later than December 31, 2000:

(1) FALSE PASS HARBOR, ALASKA.—The project for navigation, False Pass Harbor, Alaska, at a total cost of $15,552,000, with an estimated Federal cost of $9,374,000 and an estimated non-Federal cost of $6,178,000.

(2) UNALASKA HARBOR, ALASKA.—The project for navigation, Unalaska Harbor, Alaska, at a total cost of $20,000,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $8,000,000, except that the date for completion of the favorable report of the Chief of Engineers shall be December 31, 2001, instead of December 31, 2000.

(3) RIO DE FLAG, FLAGSTAFF, ARIZONA.—The project for flood damage reduction, Rio de Flag, Flagstaff, Arizona, at a total cost of $24,072,000, with an estimated Federal cost of $15,576,000 and an estimated non-Federal cost of $8,496,000.

(4) TRES RIOS, ARIZONA.—The project for ecosystem restoration, Tres Rios, Arizona, at a total cost of $99,320,000, with an estimated Federal cost of $62,755,000 and an estimated non-Federal cost of $36,565,000.

(5) LOS ANGELES HARBOR, CALIFORNIA.—The project for navigation, Los Angeles Harbor, California, at a total cost of $153,313,000, with an estimated Federal cost of $43,735,000 and an estimated non-Federal cost of $109,578,000.

(6) MURRIETA CREEK, CALIFORNIA.—The project for flood damage reduction and ecosystem restoration, Murrieta Creek, California, described as alternative 6, based on the District Engineer's Murrieta Creek feasibility report and environmental impact statement dated October 2000, at a total cost of $89,846,000, with an estimated Federal cost of $25,556,000 and an estimated non-Federal cost of $64,290,000.

(7) PINE FLAT DAM, CALIFORNIA.—The project for ecosystem restoration, Pine Flat Dam, California, at a total cost of $34,000,000, with an estimated Federal cost of $22,000,000 and an estimated non-Federal cost of $12,000,000.

(8) SANTA BARBARA STREAMS, LOWER MISSION CREEK, CALIFORNIA.—The project for flood damage reduction, Santa Barbara streams, Lower Mission Creek, California, at a total cost of $18,300,000, with an estimated Federal cost of $9,200,000 and an estimated non-Federal cost of $9,100,000.

(9) UPPER NEWPORT BAY, CALIFORNIA.—The project for ecosystem restoration, Upper Newport Bay, California, at a total cost of $32,475,000, with an estimated Federal cost of $21,109,000 and an estimated non-Federal cost of $11,366,000.

(10) WHITEWATER RIVER BASIN, CALIFORNIA.—The project for flood damage reduction, Whitewater River basin, California, at a total cost of $28,900,000, with an estimated Federal cost of $18,800,000 and an estimated non-Federal cost of $10,100,000.

(11) DELAWARE COAST FROM CAPE HENLOPEN TO FENWICK ISLAND.—The project for hurricane and storm damage reduction, Delaware Coast from Cape Henlopen to Fenwick Island, at a total cost of $5,633,000, with an estimated Federal cost of $3,661,000 and an estimated non-Federal cost of $1,972,000, and at an estimated average annual cost of $920,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $460,000 and an estimated annual non-Federal cost of $460,000.

(12) PORT SUTTON, FLORIDA.—The project for navigation, Port Sutton, Florida, at a total cost of $7,600,000, with an estimated Federal cost of $4,900,000 and an estimated non-Federal cost of $2,700,000.

(13) BARBERS POINT HARBOR, HAWAII.—The project for navigation, Barbers Point Harbor, Hawaii, at a total cost of $30,003,000, with an estimated Federal cost of $18,524,000 and an estimated non-Federal cost of $11,479,000.

(14) JOHN MYERS LOCK AND DAM, INDIANA AND KENTUCKY.—The project for navigation, John Myers Lock and Dam, Indiana and Kentucky, at a total cost of $181,700,000. The costs of construction of the project shall be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(15) GREENUP LOCK AND DAM, KENTUCKY AND OHIO.—The project for navigation, Greenup Lock and Dam, Kentucky and Ohio, at a total cost of $175,500,000. The costs of construction of the project shall be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(16) OHIO RIVER, KENTUCKY, ILLINOIS, INDIANA, OHIO, PENNSYLVANIA, AND WEST VIRGINIA.—

(A) IN GENERAL.—Projects for ecosystem restoration, Ohio River Mainstem, Kentucky, Illinois, Indiana, Ohio, Pennsylvania, and West Virginia, at a total cost of $307,700,000, with an estimated Federal cost of $200,000,000 and an estimated non-Federal cost of $107,700,000.

(B) NON-FEDERAL SHARE.—

(i) IN GENERAL.—The non-Federal share of the costs of any project under this paragraph may be provided in cash or in the form of in-kind services or materials.

(ii) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of a

project under this paragraph the cost of design and construction work carried out by the non-Federal interest before the date of execution of a cooperation agreement for the project if the Secretary determines that the work is integral to the project.

(17) MORGANZA, LOUISIANA, TO GULF OF MEXICO.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction, Morganza, Louisiana, to the Gulf of Mexico, at a total cost of $550,000,000, with an estimated Federal cost of $358,000,000 and an estimated non-Federal cost of $192,000,000.

(B) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of work carried out by the non-Federal interest for interim flood protection after March 31, 1989, if the Secretary determines that the work is integral to the project.

(18) MONARCH-CHESTERFIELD, MISSOURI.—The project for flood damage reduction, Monarch-Chesterfield, Missouri, at a total cost of $58,090,000, with an estimated Federal cost of $37,758,500 and an estimated non-Federal cost of $20,331,500.

(19) ANTELOPE CREEK, LINCOLN, NEBRASKA.—The project for flood damage reduction, Antelope Creek, Lincoln, Nebraska, at a total cost of $46,310,000, with an estimated Federal cost of $23,155,000 and an estimated non-Federal cost of $23,155,000.

(20) SAND CREEK WATERSHED, WAHOO, NEBRASKA.—The project for ecosystem restoration and flood damage reduction, Sand Creek watershed, Wahoo, Nebraska, at a total cost of $29,840,000, with an estimated Federal cost of $16,870,000 and an estimated non-Federal cost of $12,970,000.

(21) WESTERN SARPY AND CLEAR CREEK, NEBRASKA.—The project for flood damage reduction, Western Sarpy and Clear Creek, Nebraska, at a total cost of $15,643,000, with an estimated Federal cost of $9,518,000 and an estimated non-Federal cost of $6,125,000.

(22) RARITAN BAY AND SANDY HOOK BAY, CLIFFWOOD BEACH, NEW JERSEY.—The project for hurricane and storm damage reduction, Raritan Bay and Sandy Hook Bay, Cliffwood Beach, New Jersey, at a total cost of $5,219,000, with an estimated Federal cost of $3,392,000 and an estimated non-Federal cost of $1,827,000, and at an estimated average annual cost of $110,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $55,000 and an estimated annual non-Federal cost of $55,000.

(23) RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NEW JERSEY.—The project for hurricane and storm damage reduction, Raritan Bay and Sandy Hook Bay, Port Monmouth, New Jersey, at a total cost of $32,064,000, with an estimated Federal cost of $20,842,000 and an estimated non-Federal cost of $11,222,000, and at an estimated average annual cost of $173,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $86,500 and an estimated annual non-Federal cost of $86,500.

(24) DARE COUNTY BEACHES, NORTH CAROLINA.—The project for hurricane and storm damage reduction, Dare County beaches, North Carolina, at a total cost of $71,674,000, with an estimated Federal cost of $46,588,000 and an estimated non-Federal cost of $25,086,000, and at an estimated average annual cost of $34,990,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $17,495,000 and an estimated annual non-Federal cost of $17,495,000.

(25) WOLF RIVER, MEMPHIS, TENNESSEE.—The project for ecosystem restoration, Wolf River, Memphis, Tennessee, at a total cost of $9,118,000, with an estimated Federal cost of $5,849,000 and an estimated non-Federal cost of $3,269,000.

(26) DUWAMISH/GREEN, WASHINGTON.—The project for ecosystem restoration, Duwamish/Green, Washington, at a total cost of $112,860,000, with an estimated Federal cost of $73,360,000 and an estimated non-Federal cost of $39,500,000.

(27) STILLAGUMAISH RIVER BASIN, WASHINGTON.—The project for ecosystem restoration, Stillagumaish River basin, Washington, at a total cost of $23,590,000, with an estimated Federal cost of $15,680,000 and an estimated non-Federal cost of $7,910,000.

(28) JACKSON HOLE, WYOMING.—

(A) IN GENERAL.—The project for ecosystem restoration, Jackson Hole, Wyoming, at a total cost of $52,242,000, with an estimated Federal cost of $33,957,000 and an estimated non-Federal cost of $18,285,000.

(B) NON-FEDERAL SHARE.—

(i) IN GENERAL.—The non-Federal share of the costs of the project may be provided in cash or in the form of in-kind services or materials.

(ii) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of design and construction work carried out by the non-Federal interest before the date of execution of a cooperation agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 102. SMALL PROJECTS FOR FLOOD DAMAGE REDUCTION.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s):

(1) BUFFALO ISLAND, ARKANSAS.—Project for flood damage reduction, Buffalo Island, Arkansas.

(2) ANAVERDE CREEK, PALMDALE, CALIFORNIA.—Project for flood damage reduction, Anaverde Creek, Palmdale, California.

(3) CASTAIC CREEK, OLD ROAD BRIDGE, SANTA CLARITA, CALIFORNIA.—Project for flood damage reduction, Castaic Creek, Old Road bridge, Santa Clarita, California.

(4) SANTA CLARA RIVER, OLD ROAD BRIDGE, SANTA CLARITA, CALIFORNIA.—Project for flood damage reduction, Santa Clara River, Old Road bridge, Santa Clarita, California.

(5) WEISER RIVER, IDAHO.—Project for flood damage reduction, Weiser River, Idaho.

(6) COLUMBIA LEVEE, COLUMBIA, ILLINOIS.—Project for flood damage reduction, Columbia Levee, Columbia, Illinois.

(7) EAST-WEST CREEK, RIVERTON, ILLINOIS.—Project for flood damage reduction, East-West Creek, Riverton, Illinois.

(8) PRAIRIE DU PONT, ILLINOIS.—Project for flood damage reduction, Prairie Du Pont, Illinois.

(9) MONROE COUNTY, ILLINOIS.—Project for flood damage reduction, Monroe County, Illinois.

(10) WILLOW CREEK, MEREDOSIA, ILLINOIS.—Project for flood damage reduction, Willow Creek, Meredosia, Illinois.

(11) DYKES BRANCH CHANNEL, LEAWOOD, KANSAS.—Project for flood damage reduction, Dykes Branch channel improvements, Leawood, Kansas.

(12) DYKES BRANCH TRIBUTARIES, LEAWOOD, KANSAS.—Project for flood damage reduction, Dykes Branch tributary improvements, Leawood, Kansas.

(13) KENTUCKY RIVER, FRANKFORT, KENTUCKY.—Project for flood damage reduction, Kentucky River, Frankfort, Kentucky.

(14) BAYOU TETE L'OURS, LOUISIANA.—Project for flood damage reduction, Bayou Tete L'Ours, Louisiana.

(15) BOSSIER CITY, LOUISIANA.—Project for flood damage reduction, Red Chute Bayou levee, Bossier City, Louisiana.

(16) BOSSIER PARISH, LOUISIANA.—Project for flood damage reduction, Cane Bend Subdivision, Bossier Parish, Louisiana.

(17) BRAITHWAITE PARK, LOUISIANA.—Project for flood damage reduction, Braithwaite Park, Louisiana.

(18) CROWN POINT, LOUISIANA.—Project for flood damage reduction, Crown Point, Louisiana.

(19) DONALDSONVILLE CANALS, LOUISIANA.—Project for flood damage reduction, Donaldsonville Canals, Louisiana.

(20) GOOSE BAYOU, LOUISIANA.—Project for flood damage reduction, Goose Bayou, Louisiana.

(21) GUMBY DAM, LOUISIANA.—Project for flood damage reduction, Gumby Dam, Richland Parish, Louisiana.

(22) HOPE CANAL, LOUISIANA.—Project for flood damage reduction, Hope Canal, Louisiana.

(23) JEAN LAFITTE, LOUISIANA.—Project for flood damage reduction, Jean Lafitte, Louisiana.

(24) LAKES MAUREPAS AND PONTCHARTRAIN CANALS, ST. JOHN THE BAPTIST PARISH, LOUISIANA.—Project for flood damage reduction, Lakes Maurepas and Pontchartrain Canals, St. John the Baptist Parish, Louisiana.

(25) LOCKPORT TO LAROSE, LOUISIANA.—Project for flood damage reduction, Lockport to Larose, Louisiana.

(26) LOWER LAFITTE BASIN, LOUISIANA.—Project for flood damage reduction, Lower Lafitte basin, Louisiana.

(27) OAKVILLE TO LAREUSSITE, LOUISIANA.—Project for flood damage reduction, Oakville to LaReussite, Louisiana.

(28) PAILET BASIN, LOUISIANA.—Project for flood damage reduction, Pailet basin, Louisiana.

(29) POCHITOLAWA CREEK, LOUISIANA.—Project for flood damage reduction, Pochitolawa Creek, Louisiana.

(30) ROSETHORN BASIN, LOUISIANA.—Project for flood damage reduction, Rosethorn basin, Louisiana.

(31) SHREVEPORT, LOUISIANA.—Project for flood damage reduction, Twelve Mile Bayou, Shreveport, Louisiana.

(32) STEPHENSVILLE, LOUISIANA.—Project for flood damage reduction, Stephensville, Louisiana.

(33) ST. JOHN THE BAPTIST PARISH, LOUISIANA.—Project for flood damage reduction, St. John the Baptist Parish, Louisiana.

(34) MAGBY CREEK AND VERNON BRANCH, MISSISSIPPI.—Project for flood damage reduction, Magby Creek and Vernon Branch, Lowndes County, Mississippi.

(35) PENNSVILLE TOWNSHIP, SALEM COUNTY, NEW JERSEY.—Project for flood damage reduction, Pennsville Township, Salem County, New Jersey.

(36) HEMPSTEAD, NEW YORK.—Project for flood damage reduction, Hempstead, New York.

(37) HIGHLAND BROOK, HIGHLAND FALLS, NEW YORK.—Project for flood damage reduction, Highland Brook, Highland Falls, New York.

(38) LAFAYETTE TOWNSHIP, OHIO.—Project for flood damage reduction, Lafayette Township, Ohio.

(39) WEST LAFAYETTE, OHIO.—Project for flood damage reduction, West Lafayette, Ohio.

(40) BEAR CREEK AND TRIBUTARIES, MEDFORD, OREGON.—Project for flood damage reduction, Bear Creek and tributaries, Medford, Oregon.

(41) DELAWARE CANAL AND BROCK CREEK, YARDLEY BOROUGH, PENNSYLVANIA.—Project for flood damage reduction, Delaware Canal and Brock Creek, Yardley Borough, Pennsylvania.

(42) FRITZ LANDING, TENNESSEE.—Project for flood damage reduction, Fritz Landing, Tennessee.

(43) FIRST CREEK, FOUNTAIN CITY, KNOXVILLE, TENNESSEE.—Project for flood damage reduction, First Creek, Fountain City, Knoxville, Tennessee.

(44) MISSISSIPPI RIVER, RIDGELY, TENNESSEE.—Project for flood damage reduction, Mississippi River, Ridgely, Tennessee.

(b) MAGPIE CREEK, SACRAMENTO COUNTY, CALIFORNIA.—In formulating the project for Magpie Creek, California, authorized by section 102(a)(4) of the Water Resources Development Act of 1999 (113 Stat. 281) to be carried out

under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary may consider benefits from the full utilization of existing improvements at McClellan Air Force Base that would result from the project after conversion of the base to civilian use.

SEC. 103. SMALL PROJECTS FOR EMERGENCY STREAMBANK PROTECTION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r):

(1) MAUMEE RIVER, FORT WAYNE, INDIANA.—Project for emergency streambank protection, Maumee River, Fort Wayne, Indiana.

(2) BAYOU DES GLAISES, LOUISIANA.—Project for emergency streambank protection, Bayou des Glaises (Lee Chatelain Road), Avoyelles Parish, Louisiana.

(3) BAYOU PLAQUEMINE, LOUISIANA.—Project for emergency streambank protection, Highway 77, Bayou Plaquemine, Iberville Parish, Louisiana.

(4) BAYOU SORRELL, IBERVILLE PARISH, LOUISIANA.—Project for emergency streambank protection, Bayou Sorrell, Iberville Parish, Louisiana.

(5) HAMMOND, LOUISIANA.—Project for emergency streambank protection, Fagan Drive Bridge, Hammond, Louisiana.

(6) IBERVILLE PARISH, LOUISIANA.—Project for emergency streambank protection, Iberville Parish, Louisiana.

(7) LAKE ARTHUR, LOUISIANA.—Project for emergency streambank protection, Parish Road 120 at Lake Arthur, Louisiana.

(8) LAKE CHARLES, LOUISIANA.—Project for emergency streambank protection, Pithon Coulee, Lake Charles, Calcasieu Parish, Louisiana.

(9) LOGGY BAYOU, LOUISIANA.—Project for emergency streambank protection, Loggy Bayou, Bienville Parish, Louisiana.

(10) SCOTLANDVILLE BLUFF, LOUISIANA.—Project for emergency streambank protection, Scotlandville Bluff, East Baton Rouge Parish, Louisiana.

SEC. 104. SMALL PROJECTS FOR NAVIGATION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577):

(1) WHITTIER, ALASKA.—Project for navigation, Whittier, Alaska.

(2) CAPE CORAL SOUTH SPREADER WATERWAY, FLORIDA.—Project for navigation, Cape Coral South Spreader Waterway, Lee County, Florida.

(3) HOUMA NAVIGATION CANAL, LOUISIANA.—Project for navigation, Houma Navigation Canal, Terrebonne Parish, Louisiana.

(4) VIDALIA PORT, LOUISIANA.—Project for navigation, Vidalia Port, Louisiana.

(5) EAST TWO RIVERS, TOWER, MINNESOTA.—Project for navigation, East Two Rivers, Tower, Minnesota.

(6) ERIE BASIN MARINA, BUFFALO, NEW YORK.—Project for navigation, Erie Basin marina, Buffalo, New York.

(7) LAKE MICHIGAN, LAKESHORE STATE PARK, MILWAUKEE, WISCONSIN.—Project for navigation, Lake Michigan, Lakeshore State Park, Milwaukee, Wisconsin.

(8) SAXON HARBOR, FRANCIS, WISCONSIN.—Project for navigation, Saxon Harbor, Francis, Wisconsin.

SEC. 105. SMALL PROJECTS FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 1135(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(a)):

(1) NAHANT MARSH, DAVENPORT, IOWA.—Project for improvement of the quality of the environment, Nahant Marsh, Davenport, Iowa.

(2) BAYOU SAUVAGE NATIONAL WILDLIFE REFUGE, LOUISIANA.—Project for improvement of the quality of the environment, Bayou Sauvage National Wildlife Refuge, Orleans Parish, Louisiana.

(3) GULF INTRACOASTAL WATERWAY, BAYOU PLAQUEMINE, LOUISIANA.—Project for improvement of the quality of the environment, Gulf Intracoastal Waterway, Bayou Plaquemine, Iberville Parish, Louisiana.

(4) GULF INTRACOASTAL WATERWAY, MILES 220 TO 222.5, LOUISIANA.—Project for improvement of the quality of the environment, Gulf Intracoastal Waterway, miles 220 to 222.5, Vermilion Parish, Louisiana.

(5) GULF INTRACOASTAL WATERWAY, WEEKS BAY, LOUISIANA.—Project for improvement of the quality of the environment, Gulf Intracoastal Waterway, Weeks Bay, Iberia Parish, Louisiana.

(6) LAKE FAUSSE POINT, LOUISIANA.—Project for improvement of the quality of the environment, Lake Fausse Point, Louisiana.

(7) LAKE PROVIDENCE, LOUISIANA.—Project for improvement of the quality of the environment, Old River, Lake Providence, Louisiana.

(8) NEW RIVER, LOUISIANA.—Project for improvement of the quality of the environment, New River, Ascension Parish, Louisiana.

(9) ERIE COUNTY, OHIO.—Project for improvement of the quality of the environment, Sheldon's Marsh State Nature Preserve, Erie County, Ohio.

(10) MUSKINGUM COUNTY, OHIO.—Project for improvement of the quality of the environment, Dillon Reservoir watershed, Licking River, Muskingum County, Ohio.

SEC. 106. SMALL PROJECTS FOR AQUATIC ECOSYSTEM RESTORATION.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330):

(1) ARKANSAS RIVER, PUEBLO, COLORADO.—Project for aquatic ecosystem restoration, Arkansas River, Pueblo, Colorado.

(2) HAYDEN DIVERSION PROJECT, YAMPA RIVER, COLORADO.—Project for aquatic ecosystem restoration, Hayden Diversion Project, Yampa River, Colorado.

(3) LITTLE ECONLOCKHATCHEE RIVER BASIN, FLORIDA.—Project for aquatic ecosystem restoration, Little Econlockhatchee River basin, Florida.

(4) LOXAHATCHEE SLOUGH, PALM BEACH COUNTY, FLORIDA.—Project for aquatic ecosystem restoration, Loxahatchee Slough, Palm Beach County, Florida.

(5) STEVENSON CREEK ESTUARY, FLORIDA.—Project for aquatic ecosystem restoration, Stevenson Creek estuary, Florida.

(6) CHOUTEAU ISLAND, MADISON COUNTY, ILLINOIS.—Project for aquatic ecosystem restoration, Chouteau Island, Madison County, Illinois.

(7) BRAUD BAYOU, LOUISIANA.—Project for aquatic ecosystem restoration, Braud Bayou, Spanish Lake, Ascension Parish, Louisiana.

(8) BURAS MARINA, LOUISIANA.—Project for aquatic ecosystem restoration, Buras Marina, Buras, Plaquemines Parish, Louisiana.

(9) COMITE RIVER, LOUISIANA.—Project for aquatic ecosystem restoration, Comite River at Hooper Road, Louisiana.

(10) DEPARTMENT OF ENERGY 21-INCH PIPELINE CANAL, LOUISIANA.—Project for aquatic ecosystem restoration, Department of Energy 21-inch Pipeline Canal, St. Martin Parish, Louisiana.

(11) LAKE BORGNE, LOUISIANA.—Project for aquatic ecosystem restoration, southern shores of Lake Borgne, Louisiana.

(12) LAKE MARTIN, LOUISIANA.—Project for aquatic ecosystem restoration, Lake Martin, Louisiana.

(13) LULING, LOUISIANA.—Project for aquatic ecosystem restoration, Luling Oxidation Pond, St. Charles Parish, Louisiana.

(14) MANDEVILLE, LOUISIANA.—Project for aquatic ecosystem restoration, Mandeville, St. Tammany Parish, Louisiana.

(15) ST. JAMES, LOUISIANA.—Project for aquatic ecosystem restoration, St. James, Louisiana.

(16) SAGINAW BAY, BAY CITY, MICHIGAN.—Project for aquatic ecosystem restoration, Saginaw Bay, Bay City, Michigan.

(17) RAINWATER BASIN, NEBRASKA.—Project for aquatic ecosystem restoration, Rainwater Basin, Nebraska.

(18) MINES FALLS PARK, NEW HAMPSHIRE.—Project for aquatic ecosystem restoration, Mines Falls Park, New Hampshire.

(19) NORTH HAMPTON, NEW HAMPSHIRE.—Project for aquatic ecosystem restoration, Little River Salt Marsh, North Hampton, New Hampshire.

(20) CAZENOVIA LAKE, MADISON COUNTY, NEW YORK.—Project for aquatic ecosystem restoration, Cazenovia Lake, Madison County, New York, including efforts to address aquatic invasive plant species.

(21) CHENANGO LAKE, CHENANGO COUNTY, NEW YORK.—Project for aquatic ecosystem restoration, Chenango Lake, Chenango County, New York, including efforts to address aquatic invasive plant species.

(22) EAGLE LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Eagle Lake, Ticonderoga, New York.

(23) OSSINING, NEW YORK.—Project for aquatic ecosystem restoration, Ossining, New York.

(24) SARATOGA LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Saratoga Lake, New York.

(25) SCHROON LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Schroon Lake, New York.

(26) HIGHLAND COUNTY, OHIO.—Project for aquatic ecosystem restoration, Rocky Fork Lake, Clear Creek floodplain, Highland County, Ohio.

(27) HOCKING COUNTY, OHIO.—Project for aquatic ecosystem restoration, Long Hollow Mine, Hocking County, Ohio.

(28) MIDDLE CUYAHOGA RIVER, KENT, OHIO.—Project for aquatic ecosystem restoration, Middle Cuyahoga River, Kent, Ohio.

(29) TUSCARAWAS COUNTY, OHIO.—Project for aquatic ecosystem restoration, Huff Run, Tuscarawas County, Ohio.

(30) DELTA PONDS, OREGON.—Project for aquatic ecosystem restoration, Delta Ponds, Oregon.

(31) CENTRAL AMAZON CREEK, EUGENE, OREGON.—Project for aquatic ecosystem restoration, Central Amazon Creek, Eugene, Oregon.

(32) EUGENE MILLRACE, EUGENE, OREGON.—Project for aquatic ecosystem restoration, Eugene Millrace, Eugene, Oregon.

(33) BEAR CREEK WATERSHED, MEDFORD, OREGON.—Project for aquatic ecosystem restoration, Bear Creek watershed, Medford, Oregon.

(34) LONE PINE AND LAZY CREEKS, MEDFORD, OREGON.—Project for aquatic ecosystem restoration, Lone Pine and Lazy Creeks, Medford, Oregon.

(35) ROSLYN LAKE, OREGON.—Project for aquatic ecosystem restoration, Roslyn Lake, Oregon.

(36) TULLYTOWN BOROUGH, PENNSYLVANIA.—Project for aquatic ecosystem restoration, Tullytown Borough, Pennsylvania.

(b) SALMON RIVER, IDAHO.—The Secretary may credit toward the non-Federal share of the cost of the project for aquatic ecosystem restoration, Salmon River, Idaho, to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) the cost of work (consisting of surveys, studies, and development of technical data) carried out by the non-Federal interest if the Secretary determines that the work is integral to the project.

SEC. 107. SMALL PROJECTS FOR SHORELINE PROTECTION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary

determines that a project is feasible, may carry out the project under section 3 of the Act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property'', approved August 13, 1946 (33 U.S.C. 426g):

(1) LAKE PALOURDE, LOUISIANA.—Project for beach restoration and protection, Highway 70, Lake Palourde, St. Mary and St. Martin Parishes, Louisiana.

(2) ST. BERNARD, LOUISIANA.—Project for beach restoration and protection, Bayou Road, St. Bernard, Louisiana.

(3) HUDSON RIVER, DUTCHESS COUNTY, NEW YORK.—Project for beach restoration and protection, Hudson River, Dutchess County, New York.

SEC. 108. SMALL PROJECTS FOR SNAGGING AND SEDIMENT REMOVAL.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, the Secretary may carry out the project under section 2 of the Flood Control Act of August 28, 1937 (33 U.S.C. 701g):

(1) SANGAMON RIVER AND TRIBUTARIES, RIVERTON, ILLINOIS.—Project for removal of snags and clearing and straightening of channels for flood control, Sangamon River and tributaries, Riverton, Illinois.

(2) BAYOU MANCHAC, LOUISIANA.—Project for removal of snags and clearing and straightening of channels for flood control, Bayou Manchac, Ascension Parish, Louisiana.

(3) BLACK BAYOU AND HIPPOLYTE COULEE, LOUISIANA.—Project for removal of snags and clearing and straightening of channels for flood control, Black Bayou and Hippolyte Coulee, Calcasieu Parish, Louisiana.

SEC. 109. SMALL PROJECT FOR MITIGATION OF SHORE DAMAGE.

The Secretary shall conduct a study of shore damage at Puget Island, Columbia River, Washington, to determine if the damage is the result of the project for navigation, Columbia River, Washington, authorized by the first section of the Rivers and Harbors Appropriations Act of June 13, 1902 (32 Stat. 369), and, if the Secretary determines that the damage is the result of the project for navigation and that a project to mitigate the damage is appropriate, the Secretary may carry out the project to mitigate the damage under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

SEC. 110. BENEFICIAL USES OF DREDGED MATERIAL.

The Secretary may carry out the following projects under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326):

(1) HOUMA NAVIGATION CANAL, LOUISIANA.—Project to make beneficial use of dredged material from a Federal navigation project that includes barrier island restoration at the Houma Navigation Canal, Terrebonne Parish, Louisiana.

(2) MISSISSIPPI RIVER GULF OUTLET, MILE −3 TO MILE −9, LOUISIANA.—Project to make beneficial use of dredged material from a Federal navigation project that includes dredging of the Mississippi River Gulf Outlet, mile −3 to mile −9, St. Bernard Parish, Louisiana.

(3) MISSISSIPPI RIVER GULF OUTLET, MILE 11 TO MILE 4, LOUISIANA.—Project to make beneficial use of dredged material from a Federal navigation project that includes dredging of the Mississippi River Gulf Outlet, mile 11 to mile 4, St. Bernard Parish, Louisiana.

(4) PLAQUEMINES PARISH, LOUISIANA.—Project to make beneficial use of dredged material from a Federal navigation project that includes marsh creation at the contained submarine maintenance dredge sediment trap, Plaquemines Parish, Louisiana.

(5) ST. LOUIS COUNTY, MINNESOTA.—Project to make beneficial use of dredged material from a Federal navigation project in St. Louis County, Minnesota.

(6) OTTAWA COUNTY, OHIO.—Project to make beneficial use of dredged material from a Federal navigation to protect, restore, and create aquatic and related habitat, East Harbor State Park, Ottawa County, Ohio.

SEC. 111. DISPOSAL OF DREDGED MATERIAL ON BEACHES.

Section 217 of the Water Resources Development Act of 1999 (113 Stat. 294) is amended by adding at the end the following:

''(f) FORT CANBY STATE PARK, BENSON BEACH, WASHINGTON.—The Secretary may design and construct a shore protection project at Fort Canby State Park, Benson Beach, Washington, including beneficial use of dredged material from a Federal navigation project under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j) or section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326).''.

SEC. 112. PETALUMA RIVER, PETALUMA, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall carry out the Petaluma River project, at the city of Petaluma, Sonoma County, California, to provide a 100-year level of flood protection to the city in accordance with the detailed project report of the San Francisco District Engineer, dated March 1995, at a total cost of $32,227,000.

(b) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal interest for any project costs that the non-Federal interest has incurred in excess of the non-Federal share of project costs, regardless of the date on which the costs were incurred.

(c) COST SHARING.—For purposes of reimbursement under subsection (b), cost sharing for work performed on the project before the date of enactment of this Act shall be determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)).

TITLE II—GENERAL PROVISIONS

SEC. 201. COOPERATION AGREEMENTS WITH COUNTIES.

Section 221(a) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)) is amended in the second sentence—

(1) by striking ''State legislative'';

(2) by striking ''State constitutional'' and inserting ''constitutional; and

(3) by inserting before the period at the end the following: ''of the State or a political subdivision of the State''.

SEC. 202. WATERSHED AND RIVER BASIN ASSESSMENTS.

Section 729 of the Water Resources Development Act of 1986 (100 Stat. 4164) is amended to read as follows:

''SEC. 729. WATERSHED AND RIVER BASIN ASSESSMENTS.

''(a) IN GENERAL.—The Secretary may assess the water resources needs of river basins and watersheds of the United States, including needs relating to—

''(1) ecosystem protection and restoration;

''(2) flood damage reduction;

''(3) navigation and ports;

''(4) watershed protection;

''(5) water supply; and

''(6) drought preparedness.

''(b) COOPERATION.—An assessment under subsection (a) shall be carried out in cooperation and coordination with—

''(1) the Secretary of the Interior;

''(2) the Secretary of Agriculture;

''(3) the Secretary of Commerce;

''(4) the Administrator of the Environmental Protection Agency; and

''(5) the heads of other appropriate agencies.

''(c) CONSULTATION.—In carrying out an assessment under subsection (a), the Secretary shall consult with Federal, tribal, State, interstate, and local governmental entities.

''(d) PRIORITY RIVER BASINS AND WATERSHEDS.—In selecting river basins and watersheds for assessment under this section, the Secretary shall give priority to—

''(1) the Delaware River basin;

''(2) the Kentucky River basin;

''(3) the Potomac River basin;

''(4) the Susquehanna River basin; and

''(5) the Willamette River basin.

''(e) ACCEPTANCE OF CONTRIBUTIONS.—In carrying out an assessment under subsection (a), the Secretary may accept contributions, in cash or in kind, from Federal, tribal, State, interstate, and local governmental entities to the extent that the Secretary determines that the contributions will facilitate completion of the assessment.

''(f) COST-SHARING REQUIREMENTS.—

''(1) NON-FEDERAL SHARE.—The non-Federal share of the costs of an assessment carried out under this section shall be 50 percent.

''(2) CREDIT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may credit toward the non-Federal share of an assessment under this section the cost of services, materials, supplies, or other in-kind contributions provided by the non-Federal interests for the assessment.

''(B) MAXIMUM AMOUNT OF CREDIT.—The credit under subparagraph (A) may not exceed an amount equal to 25 percent of the costs of the assessment.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000.''.

SEC. 203. TRIBAL PARTNERSHIP PROGRAM.

(a) DEFINITION OF INDIAN TRIBE.—In this section, the term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) PROGRAM.—

(1) IN GENERAL.—In cooperation with Indian tribes and the heads of other Federal agencies, the Secretary may study and determine the feasibility of carrying out water resources development projects that—

(A) will substantially benefit Indian tribes; and

(B) are located primarily within Indian country (as defined in section 1151 of title 18, United States Code) or in proximity to Alaska Native villages.

(2) MATTERS TO BE STUDIED.—A study conducted under paragraph (1) may address—

(A) projects for flood damage reduction, environmental restoration and protection, and preservation of cultural and natural resources; and

(B) such other projects as the Secretary, in cooperation with Indian tribes and the heads of other Federal agencies, determines to be appropriate.

(c) CONSULTATION AND COORDINATION WITH SECRETARY OF THE INTERIOR.—

(1) IN GENERAL.—In recognition of the unique role of the Secretary of the Interior concerning trust responsibilities with Indian tribes and in recognition of mutual trust responsibilities, the Secretary shall consult with the Secretary of the Interior concerning studies conducted under subsection (b).

(2) INTEGRATION OF ACTIVITIES.—The Secretary shall—

(A) integrate civil works activities of the Department of the Army with activities of the Department of the Interior to avoid conflicts, duplications of effort, or unanticipated adverse effects on Indian tribes; and

(B) consider the authorities and programs of the Department of the Interior and other Federal agencies in any recommendations concerning carrying out projects studied under subsection (b).

(d) COST SHARING.—

(1) ABILITY TO PAY.—

(A) IN GENERAL.—Any cost-sharing agreement for a study under subsection (b) shall be subject to the ability of the non-Federal interest to pay.

(B) USE OF PROCEDURES.—The ability of a non-Federal interest to pay shall be determined by the Secretary in accordance with procedures established by the Secretary.

(2) CREDIT.—The Secretary may credit toward the non-Federal share of the costs of a study under subsection (b) the cost of services, studies, supplies, or other in-kind contributions provided by the non-Federal interest if the Secretary determines that the services, studies, supplies, and other in-kind contributions will facilitate completion of the study.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) $5,000,000 for each of fiscal years 2002 through 2006, of which not more than $1,000,000 may be used with respect to any 1 Indian tribe.

SEC. 204. ABILITY TO PAY.

Section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—Any cost-sharing agreement under this section for a feasibility study, or for construction of an environmental protection and restoration project, a flood control project, a project for navigation, storm damage protection, shoreline erosion, hurricane protection, or recreation, or an agricultural water supply project, shall be subject to the ability of the non-Federal interest to pay.

''(2) CRITERIA AND PROCEDURES.—The ability of a non-Federal interest to pay shall be determined by the Secretary in accordance with criteria and procedures in effect under paragraph (3) on the day before the date of enactment of the Water Resources Development Act of 2000; except that such criteria and procedures shall be revised, and new criteria and procedures shall be developed, not later than 180 days after such date of enactment to reflect the requirements of such paragraph (3).''; and

(2) in paragraph (3)—

(A) by inserting ''and'' after the semicolon at the end of subparagraph (A)(ii);

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B).

SEC. 205. PROPERTY PROTECTION PROGRAM.

(a) IN GENERAL.—The Secretary may carry out a program to reduce vandalism and destruction of property at water resources development projects under the jurisdiction of the Department of the Army.

(b) PROVISION OF REWARDS.—In carrying out the program, the Secretary may provide rewards (including cash rewards) to individuals who provide information or evidence leading to the arrest and prosecution of individuals causing damage to Federal property.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000 for fiscal year 2001 and each fiscal year thereafter.

SEC. 206. NATIONAL RECREATION RESERVATION SERVICE.

Notwithstanding section 611 of the Treasury and General Government Appropriations Act, 1999 (112 Stat. 2681–515), the Secretary may—

(1) participate in the National Recreation Reservation Service on an interagency basis; and

(2) pay the Department of the Army's share of the activities required to implement, operate, and maintain the Service.

SEC. 207. INTERAGENCY AND INTERNATIONAL SUPPORT AUTHORITY.

Section 234(d) of the Water Resources Development Act of 1996 (33 U.S.C. 2323a(d)) is amended—

(1) by striking the first sentence and inserting the following: ''There is authorized to be appropriated to carry out this section $250,000 for fiscal year 2001 and each fiscal year thereafter.''; and

(2) in the second sentence by inserting ''out'' after ''carry''.

SEC. 208. REBURIAL AND CONVEYANCE AUTHORITY.

(a) DEFINITION OF INDIAN TRIBE.—In this section, the term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) REBURIAL.—

(1) REBURIAL AREAS.—In consultation with affected Indian tribes, the Secretary may identify and set aside areas at civil works projects of the Department of the Army that may be used to rebury Native American remains that—

(A) have been discovered on project land; and

(B) have been rightfully claimed by a lineal descendant or Indian tribe in accordance with applicable Federal law.

(2) REBURIAL.—In consultation with and with the consent of the lineal descendant or the affected Indian tribe, the Secretary may recover and rebury, at Federal expense, the remains at the areas identified and set aside under subsection (b)(1).

(c) CONVEYANCE AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), notwithstanding any other provision of law, the Secretary may convey to an Indian tribe for use as a cemetery an area at a civil works project that is identified and set aside by the Secretary under subsection (b)(1).

(2) RETENTION OF NECESSARY PROPERTY INTERESTS.—In carrying out paragraph (1), the Secretary shall retain any necessary right-of-way, easement, or other property interest that the Secretary determines to be necessary to carry out the authorized purposes of the project.

SEC. 209. FLOODPLAIN MANAGEMENT REQUIREMENTS.

(a) IN GENERAL.—Section 402(c) of the Water Resources Development Act of 1986 (33 U.S.C. 701b–12(c)) is amended—

(1) in the first sentence of paragraph (1) by striking ''Within 6 months after the date of the enactment of this subsection, the'' and inserting ''The'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by striking ''Such guidelines shall address'' and inserting the following:

''(2) REQUIRED ELEMENTS.—The guidelines developed under paragraph (1) shall—

''(A) address''; and

(4) in paragraph (2) (as designated by paragraph (3) of this subsection)—

(A) by inserting ''to be undertaken by non-Federal interests to'' after ''policies'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(B) address those measures to be undertaken by non-Federal interests to preserve the level of flood protection provided by a project to which subsection (a) applies.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to any project or separable element of a project with respect to which the Secretary and the non-Federal interest have not entered a project cooperation agreement on or before the date of enactment of this Act.

(c) TECHNICAL AMENDMENTS.—Section 402(b) of the Water Resources Development Act of 1986 (33 U.S.C. 701b–12(b)) is amended—

(1) in the subsection heading by striking ''FLOOD PLAIN'' and inserting ''FLOODPLAIN''; and

(2) in the first sentence by striking ''flood plain'' and inserting ''floodplain''.

SEC. 210. NONPROFIT ENTITIES.

(a) ENVIRONMENTAL DREDGING.—Section 312 of the Water Resources Development Act of 1990 (33 U.S.C. 1272) is amended by adding at the end the following:

''(g) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal sponsor may include a nonprofit entity, with the consent of the affected local government.''.

(b) LAKES PROGRAM.—Section 602 of the Water Resources Development Act of 1986 (100 Stat. 4148–4149) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following:

''(d) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.''.

(c) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) is amended by redesignating subsections (g) and (h) as subsections (h) and (i), respectively, and by inserting after subsection (f) the following:

''(g) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal sponsor for any project carried out under this section may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 211. PERFORMANCE OF SPECIALIZED OR TECHNICAL SERVICES.

(a) DEFINITION OF STATE.—In this section, the term ''State'' has the meaning given the term in section 6501 of title 31, United States Code.

(b) AUTHORITY.—The Corps of Engineers may provide specialized or technical services to a Federal agency (other than an agency of the Department of Defense) or a State or local government under section 6505 of title 31, United States Code, only if the chief executive of the requesting entity submits to the Secretary—

(1) a written request describing the scope of the services to be performed and agreeing to reimburse the Corps for all costs associated with the performance of the services; and

(2) a certification that includes adequate facts to establish that the services requested are not reasonably and quickly available through ordinary business channels.

(c) CORPS AGREEMENT TO PERFORM SERVICES.—The Secretary, after receiving a request described in subsection (b) to provide specialized or technical services, shall, before entering into an agreement to perform the services—

(1) ensure that the requirements of subsection (b) are met with regard to the request for services; and

(2) execute a certification that includes adequate facts to establish that the Corps is uniquely equipped to perform such services.

(d) ANNUAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than the last day of each calendar year, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report identifying any request submitted by a Federal agency (other than an agency of the Department of Defense) or a State or local government to the Corps to provide specialized or technical services.

(2) CONTENTS OF REPORT.—The report shall include, with respect to each request described in paragraph (1)—

(A) a description of the scope of services requested;

(B) the certifications required under subsection (b) and (c);

(C) the status of the request;

(D) the estimated and final cost of the services;

(E) the status of reimbursement;

(F) a description of the scope of services performed; and

(G) copies of all certifications in support of the request.

SEC. 212. HYDROELECTRIC POWER PROJECT FUNDING.

Section 216 of the Water Resources Development Act of 1996 (33 U.S.C. 2321a) is amended—

(1) in subsection (a) by striking ''In carrying out'' and all that follows through ''(1) is'' and inserting the following: ''In carrying out the operation, maintenance, rehabilitation, and modernization of a hydroelectric power generating facility at a water resources project under the jurisdiction of the Department of the Army, the Secretary may, to the extent funds are made

available in appropriations Acts or in accordance with subsection (c), take such actions as are necessary to optimize the efficiency of energy production or increase the capacity of the facility, or both, if, after consulting with the heads of other appropriate Federal and State agencies, the Secretary determines that such actions—

''(1) are'';

(2) in the first sentence of subsection (b) by striking ''the proposed uprating'' and inserting ''any proposed uprating'';

(3) by redesignating subsection (c) as subsection (e); and

(4) by inserting after subsection (b) the following:

''(c) USE OF FUNDS PROVIDED BY PREFERENCE CUSTOMERS.—In carrying out this section, the Secretary may accept and expend funds provided by preference customers under Federal law relating to the marketing of power.

''(d) APPLICATION.—This section does not apply to any facility of the Department of the Army that is authorized to be funded under section 2406 of the Energy Policy Act of 1992 (16 U.S.C. 839d–1).''.

SEC. 213. ASSISTANCE PROGRAMS.

(a) CONSERVATION AND RECREATION MANAGEMENT.—To further training and educational opportunities at water resources development projects under the jurisdiction of the Secretary, the Secretary may enter into cooperative agreements with non-Federal public and nonprofit entities for services relating to natural resources conservation or recreation management.

(b) RURAL COMMUNITY ASSISTANCE.—In carrying out studies and projects under the jurisdiction of the Secretary, the Secretary may enter into cooperative agreements with multistate regional private nonprofit rural community assistance entities for services, including water resource assessment, community participation, planning, development, and management activities.

(c) COOPERATIVE AGREEMENTS.—A cooperative agreement entered into under this section shall not be considered to be, or treated as being, a cooperative agreement to which chapter 63 of title 31, United States Code, applies.

SEC. 214. FUNDING TO PROCESS PERMITS.

(a) IN GENERAL.—In fiscal years 2001 through 2003, the Secretary, after public notice, may accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits under the jurisdiction of the Department of the Army.

(b) EFFECT ON PERMITTING.—In carrying out this section, the Secretary shall ensure that the use of funds accepted under subsection (a) will not impact impartial decisionmaking with respect to permits, either substantively or procedurally.

SEC. 215. DREDGED MATERIAL MARKETING AND RECYCLING.

(a) DREDGED MATERIAL MARKETING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to allow the direct marketing of dredged material to public agencies and private entities.

(2) LIMITATIONS.—The Secretary shall not establish the program under paragraph (1) unless the Secretary determines that the program is in the interest of the United States and is economically justified, equitable, and environmentally acceptable.

(3) REGIONAL RESPONSIBILITY.—The program described in paragraph (1) may authorize each of the 8 division offices of the Corps of Engineers to market to public agencies and private entities any dredged material from projects under the jurisdiction of the regional office. Any revenues generated from any sale of dredged material to such entities shall be deposited in the United States Treasury.

(4) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter for a period of 4 years, the Secretary shall transmit to Congress a report on the program established under paragraph (1).

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $2,000,000 for each fiscal year.

(b) DREDGED MATERIAL RECYCLING.—

(1) PILOT PROGRAM.—The Secretary shall conduct a pilot program to provide incentives for the removal of dredged material from confined disposal facilities associated with Corps of Engineer navigation projects for the purpose of recycling the dredged material and extending the life of the confined disposal facilities.

(2) REPORT.—Not later than 90 days after the date of completion of the pilot program, the Secretary shall transmit to Congress a report on the results of the program.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $2,000,000, except that not to exceed $1,000,000 may be expended with respect to any project.

SEC. 216. NATIONAL ACADEMY OF SCIENCES STUDY.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ACADEMY.—The term ''Academy'' means the National Academy of Sciences.

(2) METHOD.—The term ''method'' means a method, model, assumption, or other pertinent planning tool used in conducting an economic or environmental analysis of a water resources project, including the formulation of a feasibility report.

(3) FEASIBILITY REPORT.—The term ''feasibility report'' means each feasibility report, and each associated environmental impact statement and mitigation plan, prepared by the Corps of Engineers for a water resources project.

(4) WATER RESOURCES PROJECT.—The term ''water resources project'' means a project for navigation, a project for flood control, a project for hurricane and storm damage reduction, a project for emergency streambank and shore protection, a project for ecosystem restoration and protection, and a water resources project of any other type carried out by the Corps of Engineers.

(b) INDEPENDENT PEER REVIEW OF PROJECTS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall contract with the Academy to study, and make recommendations relating to, the independent peer review of feasibility reports.

(2) STUDY ELEMENTS.—In carrying out a contract under paragraph (1), the Academy shall study the practicality and efficacy of the independent peer review of the feasibility reports, including—

(A) the cost, time requirements, and other considerations relating to the implementation of independent peer review; and

(B) objective criteria that may be used to determine the most effective application of independent peer review to feasibility reports for each type of water resources project.

(3) ACADEMY REPORT.—Not later than 1 year after the date of a contract under paragraph (1), the Academy shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate a report that includes—

(A) the results of the study conducted under paragraphs (1) and (2); and

(B) in light of the results of the study, specific recommendations, if any, on a program for implementing independent peer review of feasibility reports.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $1,000,000, to remain available until expended.

(c) INDEPENDENT PEER REVIEW OF METHODS FOR PROJECT ANALYSIS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall contract with the Academy to conduct a study that includes—

(A) a review of state-of-the-art methods;

(B) a review of the methods currently used by the Secretary;

(C) a review of a sample of instances in which the Secretary has applied the methods identified under subparagraph (B) in the analysis of each type of water resources project; and

(D) a comparative evaluation of the basis and validity of state-of-the-art methods identified under subparagraph (A) and the methods identified under subparagraphs (B) and (C).

(2) ACADEMY REPORT.—Not later than 1 year after the date of a contract under paragraph (1), the Academy shall transmit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate a report that includes—

(A) the results of the study conducted under paragraph (1); and

(B) in light of the results of the study, specific recommendations for modifying any of the methods currently used by the Secretary for conducting economic and environmental analyses of water resources projects.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $2,000,000. Such sums shall remain available until expended.

SEC. 217. REHABILITATION OF FEDERAL FLOOD CONTROL LEVEES.

Section 110(e) of the Water Resources Development Act of 1990 (104 Stat. 4622) is amended by striking ''1992,'' and all that follows through ''1996'' and inserting ''2001 through 2005''.

SEC. 218. MAXIMUM PROGRAM EXPENDITURES FOR SMALL FLOOD CONTROL PROJECTS.

Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended in the first sentence by striking ''$40,000,000'' and inserting ''$50,000,000''.

SEC. 219. ENGINEERING CONSULTING SERVICES.

In conducting a feasibility study for a water resources project, the Secretary, to the maximum extent practicable, should not employ a person for engineering and consulting services if the same person is also employed by the non-Federal interest for such services unless there is only 1 qualified and responsive bidder for such services.

SEC. 220. BEACH RECREATION.

Not later than 1 year after the date of enactment of this Act, the Secretary shall develop and implement procedures to ensure that all of the benefits of a beach restoration project, including those benefits attributable to recreation, hurricane and storm damage reduction, and environmental protection and restoration, are displayed in reports for such projects.

SEC. 221. DESIGN-BUILD CONTRACTING.

(a) PILOT PROGRAM.—The Secretary may conduct a pilot program consisting of not more than 5 authorized projects to test the design-build method of project delivery on various authorized civil works projects of the Corps of Engineers, including levees, pumping plants, revetments, dikes, dredging, weirs, dams, retaining walls, generation facilities, mattress laying, recreation facilities, and other water resources facilities.

(b) DESIGN-BUILD DEFINED.—In this section, the term ''design-build'' means an agreement between the Federal Government and a contractor that provides for both the design and construction of a project by a single contract.

(c) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the pilot program.

SEC. 222. ENHANCED PUBLIC PARTICIPATION.

(a) IN GENERAL.—Section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) is amended by adding at the end the following:

''(e) ENHANCED PUBLIC PARTICIPATION.—

''(1) IN GENERAL.—The Secretary shall establish procedures to enhance public participation

in the development of each feasibility study under subsection (a), including, if appropriate, establishment of a stakeholder advisory group to assist the Secretary with the development of the study.

''(2) MEMBERSHIP.—If the Secretary provides for the establishment of a stakeholder advisory group under this subsection, the membership of the advisory group shall include balanced representation of social, economic, and environmental interest groups, and such members shall serve on a voluntary, uncompensated basis.

''(3) LIMITATION.—Procedures established under this subsection shall not delay development of any feasibility study under subsection (a).''.

SEC. 223. MONITORING.

(a) IN GENERAL.—The Secretary shall conduct a monitoring program of the economic and environmental results of up to 5 eligible projects selected by the Secretary.

(b) DURATION.—The monitoring of a project selected by the Secretary under this section shall be for a period of not less than 12 years beginning on the date of its selection.

(c) REPORTS.—The Secretary shall transmit to Congress every 3 years a report on the performance of each project selected under this section.

(d) ELIGIBLE PROJECT DEFINED.—In this section, the term ''eligible project'' means a water resources project, or separable element thereof—

(1) for which a contract for physical construction has not been awarded before the date of enactment of this Act;

(2) that has a total cost of more than $25,000,000; and

(3)(A) that has as a benefit-to-cost ratio of less than 1.5 to 1; or

(B) that has significant environmental benefits or significant environmental mitigation components.

(e) COSTS.—The cost of conducting monitoring under this section shall be a Federal expense.

SEC. 224. FISH AND WILDLIFE MITIGATION.

(a) DESIGN OF MITIGATION PROJECTS.—Section 906(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(d)) is amended—

(1) by striking ''(1)'' and inserting ''(A)'';

(2) by striking ''(2)'' and inserting ''(B)'';

(3) by striking ''(d) After the date of enactment of this Act,'' and inserting the following:

''(d) MITIGATION PLANS AS PART OF PROJECT PROPOSALS.—

''(1) IN GENERAL.—After November 17, 1986,'';

(4) by adding at the end the following:

''(2) DESIGN OF MITIGATION PROJECTS.—The Secretary shall design mitigation projects to reflect contemporary understanding of the science of mitigating the adverse environmental impacts of water resources projects.''; and

(5) by aligning the remainder of the text of paragraph (1) (as designated by paragraph (3) of this subsection) with paragraph (2) (as added by paragraph (4) of this subsection).

(b) CONCURRENT MITIGATION.—

(1) INVESTIGATION.—

(A) IN GENERAL.—The Comptroller General shall conduct an investigation of the effectiveness of the concurrent mitigation requirements of section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283). In carrying out the investigation, the Comptroller General shall determine—

(i) whether or not there are instances in which less than 50 percent of required mitigation is completed before initiation of project construction and the number of such instances; and

(ii) the extent to which mitigation projects restore natural hydrologic conditions, restore native vegetation, and otherwise support native fish and wildlife species.

(B) SPECIAL RULE.—In carrying out subparagraph (A)(ii), the Comptroller General shall—

(i) establish a panel of independent scientists, comprised of individuals with expertise and experience in applicable scientific disciplines, to assist the Comptroller General; and

(ii) assess methods used by the Corps of Engineers to monitor and evaluate mitigation projects, and compare Corps of Engineers mitigation project design, construction, monitoring, and evaluation practices with those used in other publicly and privately financed mitigation projects.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the results of the investigation.

SEC. 225. FEASIBILITY STUDIES AND PLANNING, ENGINEERING, AND DESIGN.

Section 105(a)(1)(E) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(E)) is amended by striking ''Not more than ½ of the'' and inserting ''The''.

SEC. 226. ADMINISTRATIVE COSTS OF LAND CONVEYANCES.

Notwithstanding any other provision of law, the administrative costs associated with the conveyance of property by the Secretary to a non-Federal governmental or nonprofit entity shall be limited to the extent that the Secretary determines that such limitation is necessary to complete the conveyance based on the entity's ability to pay.

SEC. 227. FLOOD MITIGATION AND RIVERINE RESTORATION.

Section 212(e) of the Water Resources Development Act of 1999 (33 U.S.C. 2332(e)) is amended—

(1) by striking ''and'' at the end of paragraph (22);

(2) by striking the period at the end of paragraph (23) and inserting ''; and''; and

(3) by adding at the end the following:

''(24) Perry Creek, Iowa;

''(25) Lester, St. Louis, East Savanna, and Floodwood Rivers, Duluth, Minnesota;

''(26) Lower Hudson River and tributaries, New York;

''(27) Susquehanna River watershed, Bradford County, Pennsylvania; and

''(28) Clear Creek, Harris, Galveston, and Brazoria Counties, Texas.''.

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 301. TENNESSEE-TOMBIGBEE WATERWAY WILDLIFE MITIGATION PROJECT, ALABAMA AND MISSISSIPPI.

(a) GENERAL.—The Tennessee-Tombigbee Waterway Wildlife Mitigation Project, Alabama and Mississippi, authorized by section 601(a) of Public Law 99–662 (100 Stat. 4138) is modified to authorize the Secretary to—

(1) remove the wildlife mitigation purpose designation from up to 3,000 acres of land as necessary over the life of the project from lands originally acquired for water resource development projects included in the Mitigation Project in accordance with the Report of the Chief of Engineers dated August 31, 1985;

(2) sell or exchange such lands in accordance with subsection (c)(1) and under such conditions as the Secretary determines to be necessary to protect the interests of the United States, utilize such lands as the Secretary determines to be appropriate in connection with development, operation, maintenance, or modification of the water resource development projects, or grant such other interests as the Secretary may determine to be reasonable in the public interest; and

(3) acquire, in accordance with subsections (c) and (d), lands from willing sellers to offset the removal of any lands from the Mitigation Project for the purposes listed in subsection (a)(2) of this section.

(b) REMOVAL PROCESS.—Beginning on the date of enactment of this Act, the locations of these lands to be removed will be determined at appropriate time intervals at the discretion of the Secretary, in consultation with appropriate Federal and State fish and wildlife agencies, to facilitate the operation of the water resource development projects and to respond to regional needs related to the project. Removals under this subsection shall be restricted to Project Lands designated for mitigation and shall not include lands purchased exclusively for mitigation purposes (known as Separable Mitigation Lands). Parcel identification, removal, and sale may occur assuming acreage acquisitions pursuant to subsection (d) are at least equal to the total acreage of the lands removed.

(c) LANDS TO BE SOLD.—

(1) Lands to be sold or exchanged pursuant to subsection (a)(2) shall be made available for related uses consistent with other uses of the water resource development project lands (including port, industry, transportation, recreation, and other regional needs for the project).

(2) Any valuation of land sold or exchanged pursuant to this section shall be at fair market value as determined by the Secretary.

(3) The Secretary is authorized to accept monetary consideration and to use such funds without further appropriation to carry out subsection (a)(3). All monetary considerations made available to the Secretary under subsection (a)(2) from the sale of lands shall be used for and in support of acquisitions pursuant to subsection (d). The Secretary is further authorized for purposes of this section to purchase up to 1,000 acres from funds otherwise available.

(d) CRITERIA FOR LAND TO BE ACQUIRED.—The Secretary shall consult with the appropriate Federal and State fish and wildlife agencies in selecting the lands to be acquired pursuant to subsection (a)(3). In selecting the lands to be acquired, bottomland hardwood and associated habitats will receive primary consideration. The lands shall be adjacent to lands already in the Mitigation Project unless otherwise agreed to by the Secretary and the fish and wildlife agencies.

(e) DREDGED MATERIAL DISPOSAL SITES.—The Secretary shall utilize dredged material disposal areas in such a manner as to maximize their reuse by disposal and removal of dredged materials, in order to conserve undisturbed disposal areas for wildlife habitat to the maximum extent practicable. Where the habitat value loss due to reuse of disposal areas cannot be offset by the reduced need for other unused disposal sites, the Secretary shall determine, in consultation with Federal and State fish and wildlife agencies, and ensure full mitigation for any habitat value lost as a result of such reuse.

(f) OTHER MITIGATION LANDS.—The Secretary is also authorized to transfer by lease, easement, license, or permit lands acquired for the Wildlife Mitigation Project pursuant to section 601(a) of Public Law 99–662, in consultation with Federal and State fish and wildlife agencies, when such transfers are necessary to address transportation, utility, and related activities. The Secretary shall ensure full mitigation for any wildlife habitat value lost as a result of such sale or transfer. Habitat value replacement requirements shall be determined by the Secretary in consultation with the appropriate fish and wildlife agencies.

(g) REPEAL.—Section 102 of the Water Resources Development Act of 1992 (106 Stat. 4804) is amended by striking subsection (a).

SEC. 302. NOGALES WASH AND TRIBUTARIES, NOGALES, ARIZONA.

The project for flood control, Nogales Wash and tributaries, Nogales, Arizona, authorized by section 101(a)(4) of the Water Resources Development Act of 1990 (104 Stat. 4606), and modified by section 303 of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to provide that the Federal share of the costs associated with addressing flood control problems in Nogales, Arizona, arising from floodwater flows originating in Mexico shall be 100 percent.

SEC. 303. BOYDSVILLE, ARKANSAS.

The Secretary shall credit toward the non-Federal share of the cost the study to determine the feasibility of the reservoir and associated improvements in the vicinity of Boydsville, Arkansas, authorized by section 402 of the Water Resources Development Act of 1999 (113 Stat. 322), not more than $250,000 of the costs of the planning and engineering investigations carried out

by State and local agencies if the Secretary determines that the investigations are integral to the study.

SEC. 304. WHITE RIVER BASIN, ARKANSAS AND MISSOURI.

(a) IN GENERAL.—Subject to subsection (b), the project for flood control, power generation, and other purposes at the White River Basin, Arkansas and Missouri, authorized by section 4 of the Rivers and Harbors Act of June 28, 1938 (52 Stat. 1218), and modified by House Document 917, 76th Congress, 3d Session, and House Document 290, 77th Congress, 1st Session, approved August 18, 1941, and House Document 499, 83d Congress, 2d Session, approved September 3, 1954, and by section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to authorize the Secretary to provide minimum flows necessary to sustain tail water trout fisheries by reallocating the following recommended amounts of project storage:

(1) Beaver Lake, 1.5 feet.

(2) Table Rock, 2 feet.

(3) Bull Shoals Lake, 5 feet.

(4) Norfolk Lake, 3.5 feet.

(5) Greers Ferry Lake, 3 feet.

(b) REPORT.—

(1) IN GENERAL.—No funds may be obligated to carry out work on the modification under subsection (a) until the Chief of Engineers, through completion of a final report, determines that the work is technically sound, environmentally acceptable, and economically justified.

(2) TIMING.—Not later than January 1, 2002, the Secretary shall transmit to Congress the final report.

(3) CONTENTS.—The final report shall include determinations concerning whether—

(A) the modification under subsection (a) adversely affects other authorized project purposes; and

(B) Federal costs will be incurred in connection with the modification.

SEC. 305. SACRAMENTO DEEP WATER SHIP CHANNEL, CALIFORNIA.

The project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), is modified to authorize the Secretary to credit toward the non-Federal share of the cost of the project the value of dredged material from the project that is purchased by public agencies or nonprofit entities for environmental restoration or other beneficial uses if the Secretary determines that the use of such dredged material is technically sound, environmentally acceptable, and economically justified.

SEC. 306. DELAWARE RIVER MAINSTEM AND CHANNEL DEEPENING, DELAWARE, NEW JERSEY, AND PENNSYLVANIA.

The project for navigation, Delaware River Mainstem and Channel Deepening, Delaware, New Jersey, and Pennsylvania, authorized by section 101(6) of the Water Resources Development Act of 1992 (106 Stat. 4802) and modified by section 308 of the Water Resources Development Act of 1999 (113 Stat. 300), is further modified to authorize the Secretary to credit toward the non-Federal share of the cost of the project under section 101(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(2)) the costs incurred by the non-Federal interests in providing additional capacity at dredged material disposal areas, providing community access to the project (including such disposal areas), and meeting applicable beautification requirements.

SEC. 307. REHOBOTH BEACH AND DEWEY BEACH, DELAWARE.

The project for storm damage reduction and shoreline protection, Rehoboth Beach and Dewey Beach, Delaware, authorized by section 101(b)(6) of the Water Resources Development Act of 1996 (110 Stat. 3667), is modified to authorize the project to be carried out at a total cost of $13,997,000, with an estimated Federal cost of $9,098,000 and an estimated non-Federal cost of $4,899,000, and an estimated average annual cost of $1,320,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $858,000 and an estimated annual non-Federal cost of $462,000.

SEC. 308. FERNANDINA HARBOR, FLORIDA.

The project for navigation, Fernandina Harbor, Florida, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 186), is modified to authorize the Secretary to realign the access channel in the vicinity of the Fernandina Beach Municipal Marina 100 feet to the west. The cost of the realignment, including acquisition of lands, easements, rights-of-way, and dredged material disposal areas and relocations, shall be a non-Federal expense.

SEC. 309. GASPARILLA AND ESTERO ISLANDS, FLORIDA.

The project for shore protection, Gasparilla and Estero Island segments, Lee County, Florida, authorized under section 201 of the Flood Control Act of 1965 (79 Stat. 1073) by Senate Resolution dated December 17, 1970, and by House Resolution dated December 15, 1970, is modified to authorize the Secretary to enter into an agreement with the non-Federal interest to carry out the project in accordance with section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i–1) if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 310. EAST SAINT LOUIS AND VICINITY, ILLINOIS.

The project for flood protection, East Saint Louis and vicinity, Illinois (East Side levee and sanitary district), authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1082), is modified to include ecosystem restoration as a project purpose.

SEC. 311. KASKASKIA RIVER, KASKASKIA, ILLINOIS.

The project for navigation, Kaskaskia River, Kaskaskia, Illinois, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1175), is modified to include recreation as a project purpose.

SEC. 312. WAUKEGAN HARBOR, ILLINOIS.

The project for navigation, Waukegan Harbor, Illinois, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 192), is modified to authorize the Secretary to extend the upstream limit of the project 275 feet to the north at a width of 375 feet if the Secretary determines that the extension is feasible.

SEC. 313. UPPER DES PLAINES RIVER AND TRIBUTARIES, ILLINOIS.

The Secretary shall credit toward the non-Federal share of the cost of the study to determine the feasibility of improvements to the upper Des Plaines River and tributaries, phase 2, Illinois and Wisconsin, authorized by section 419 of the Water Resources Development Act of 1999 (113 Stat. 324), the cost of work carried out by the non-Federal interests before the date of execution of the study cost-sharing agreement if—

(1) the Secretary and the non-Federal interests enter into a cost-sharing agreement for the study; and

(2) the Secretary determines that the work is integral to the study.

SEC. 314. CUMBERLAND, KENTUCKY.

The Secretary shall initiate construction, using continuing contracts, of the city of Cumberland, Kentucky, flood control project, authorized by section 202(a) of the Energy and Water Development Appropriation Act, 1981 (94 Stat. 1339), in accordance with option 4 in the detailed project report, dated September 1998, as modified, to prevent losses from a flood equal in magnitude to the April 1977 level by providing protection from the 100-year frequency event and to share all costs in accordance with section 103 of Public Law 99–662, as amended.

SEC. 315. ATCHAFALAYA BASIN, LOUISIANA.

(a) IN GENERAL.—Notwithstanding the report of the Chief of Engineers, dated February 28, 1983, for the project for flood control, Atchafalaya Basin Floodway System, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142), which report refers to recreational development in the Lower Atchafalaya Basin Floodway, the Secretary—

(1) shall initiate, in collaboration with the State of Louisiana, construction of the visitors center, authorized as part of the project, at or near Lake End Park in Morgan City, Louisiana; and

(2) shall construct other recreational features, authorized as part of the project, within, and in the vicinity of, the Lower Atchafalaya Basin protection levees.

(b) AUTHORITIES.—The Secretary shall carry out subsection (a) in accordance with—

(1) the feasibility study for the Atchafalaya Basin Floodway System, Louisiana, dated January 1982; and

(2) the recreation cost-sharing requirements of section 103(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(c)).

SEC. 316. RED RIVER WATERWAY, LOUISIANA.

The project for mitigation of fish and wildlife losses, Red River Waterway, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142) and modified by section 4(h) of the Water Resources Development Act of 1988 (102 Stat. 4016), section 102(p) of the Water Resources Development Act of 1990 (104 Stat. 4613), and section 301(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3710), is further modified to authorize the purchase of mitigation land from willing sellers in any of the parishes that comprise the Red River Waterway District, consisting of Avoyelles, Bossier, Caddo, Grant, Natchitoches, Rapides, and Red River Parishes.

SEC. 317. THOMASTON HARBOR, GEORGES RIVER, MAINE.

The project for navigation, Georges River, Maine (Thomaston Harbor), authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 3, 1896 (29 Stat. 215), is modified to redesignate the following portion of the project as an anchorage area: The portion lying northwesterly of a line commencing at point N86,946.770, E321,303.830 thence running northeasterly about 203.67 feet to a point N86,994.750, E321,501.770.

SEC. 318. POPLAR ISLAND, MARYLAND.

(a) IN GENERAL.—The project for the beneficial use of dredged material at Poplar Island, Maryland, authorized by section 537 of the Water Resources Development Act of 1996 (110 Stat. 3776), is modified—

(1) to provide that the non-Federal share of the cost of the project may be provided in cash or in the form of in-kind services or materials; and

(2) to direct the Secretary to credit toward the non-Federal share of the cost of a project the cost of design and construction work carried out by the non-Federal interest before the date of execution of a cooperation agreement for the project if the Secretary determines that the work is integral to the project.

(b) REDUCTION.—The private sector performance goals for engineering work of the Baltimore District of the Corps of Engineers shall be reduced by the amount of the credit under subsection (a)(2).

SEC. 319. WILLIAM JENNINGS RANDOLPH LAKE, MARYLAND.

(a) IN GENERAL.—The Secretary may provide design and construction assistance for rec-

reational facilities in the State of Maryland at the William Jennings Randolph Lake (Bloomington Dam), Maryland and West Virginia, project authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1182).

(b) NON-FEDERAL SHARE.—The Secretary shall require the non-Federal interest to provide 50 percent of the costs of designing and constructing the recreational facilities under subsection (a).

SEC. 320. BRECKENRIDGE, MINNESOTA.

(a) IN GENERAL.—The Secretary may complete the project for flood damage reduction, Breckenridge, Minnesota, substantially in accordance with the detailed project report dated September 2000, at a total cost of $21,000,000, with an estimated Federal cost of $13,650,000 and an estimated non-Federal cost of $7,350,000.

(b) IN-KIND SERVICES.—The non-Federal interest may provide its share of project costs in cash or in the form of in-kind services or materials.

(c) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the cost of design and construction work carried out on the project by the non-Federal interest before the date of the cooperation agreement for the modified project or execution of a new cooperation agreement for the project if the Secretary determines that the work is integral to the project.

SEC. 321. DULUTH HARBOR, MINNESOTA.

The project for navigation, Duluth Harbor, Minnesota, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to include the relocation of Scenic Highway 61, including any required bridge construction.

SEC. 322. LITTLE FALLS, MINNESOTA.

The project for clearing, snagging, and sediment removal, East Bank of the Mississippi River, Little Falls, Minnesota, authorized under section 3 of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 (33 U.S.C. 603a), is modified to direct the Secretary to construct the project substantially in accordance with the plans contained in the feasibility report of the District Engineer, dated June 2000.

SEC. 323. NEW MADRID COUNTY, MISSOURI.

(a) IN GENERAL.—The project for navigation, New Madrid County Harbor, New Madrid County, Missouri, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is authorized as described in the feasibility report for the project, including both phase 1 and phase 2 of the project.

(b) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project the costs of construction work for phase 1 of the project carried out by the non-Federal interest if the Secretary determines that the construction work is integral to the project.

SEC. 324. PEMISCOT COUNTY HARBOR, MISSOURI.

The Secretary shall credit toward the non-Federal share of the cost of the project for navigation, Pemiscot County Harbor, Missouri, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), the cost of construction work carried out for the project after December 31, 1997, by the non-Federal interest if the Secretary determines that the work is integral to the project.

SEC. 325. FORT PECK FISH HATCHERY, MONTANA.

(a) FINDINGS.—Congress finds that—

(1) Fort Peck Lake, Montana, is in need of a multispecies fish hatchery;

(2) the burden of carrying out efforts to raise and stock fish species in Fort Peck Lake has been disproportionately borne by the State of Montana despite the existence of a Federal project at Fort Peck Lake;

(3)(A) as of the date of enactment of this Act, eastern Montana has only 1 warm water fish hatchery, which is inadequate to meet the demands of the region; and

(B) a disease or infrastructure failure at that hatchery could imperil fish populations throughout the region;

(4) although the multipurpose project at Fort Peck, Montana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1034, chapter 831), was intended to include irrigation projects and other activities designed to promote economic growth, many of those projects were never completed, to the detriment of the local communities flooded by the Fort Peck Dam;

(5) the process of developing an environmental impact statement for the update of the Corps of Engineers Master Manual for the operation of the Missouri River recognized the need for greater support of recreation activities and other authorized purposes of the Fort Peck project;

(6)(A) although fish stocking is included among the authorized purposes of the Fort Peck project, the State of Montana has funded the stocking of Fort Peck Lake since 1947; and

(B) the obligation to fund the stocking constitutes an undue burden on the State; and

(7) a viable multispecies fishery would spur economic development in the region.

(b) PURPOSES.—The purposes of this section are—

(1) to authorize and provide funding for the design and construction of a multispecies fish hatchery at Fort Peck Lake, Montana; and

(2) to ensure stable operation and maintenance of the fish hatchery.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) FORT PECK LAKE.—The term ''Fort Peck Lake'' means the reservoir created by the damming of the upper Missouri River in northeastern Montana.

(2) HATCHERY PROJECT.—The term ''hatchery project'' means the project authorized by subsection (d).

(d) AUTHORIZATION.—The Secretary shall carry out a project at Fort Peck Lake, Montana, for the design and construction of a fish hatchery and such associated facilities as are necessary to sustain a multispecies fishery.

(e) COST SHARING.—

(1) DESIGN AND CONSTRUCTION.—

(A) FEDERAL SHARE.—The Federal share of the costs of design and construction of the hatchery project shall be 75 percent.

(B) FORM OF NON-FEDERAL SHARE.—The non-Federal share of the costs of the hatchery project may be provided in the form of cash or in the form of land, easements, rights-of-way, services, roads, or any other form of in-kind contribution determined by the Secretary to be appropriate.

(C) REQUIRED CREDITING.—The Secretary shall credit toward the non-Federal share of the costs of the hatchery project—

(i) the costs to the State of Montana of stocking Fort Peck Lake during the period beginning January 1, 1947; and

(ii) the costs to the State of Montana and the counties having jurisdiction over land surrounding Fort Peck Lake of construction of local access roads to the lake.

(2) OPERATION, MAINTENANCE, REPAIR, AND REPLACEMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the operation, maintenance, repair, and replacement of the hatchery project shall be a non-Federal responsibility.

(B) COSTS ASSOCIATED WITH THREATENED AND ENDANGERED SPECIES.—The costs of operation and maintenance associated with raising threatened or endangered species shall be a Federal responsibility.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated—

(A) $20,000,000 to carry out this section (other than subsection (e)(2)(B)); and

(B) such sums as are necessary to carry out subsection (e)(2)(B).

(2) AVAILABILITY OF FUNDS.—Sums made available to carry out this section shall remain available until expended.

SEC. 326. SAGAMORE CREEK, NEW HAMPSHIRE.

The Secretary shall carry out maintenance dredging of the Sagamore Creek Channel, New Hampshire.

SEC. 327. PASSAIC RIVER BASIN FLOOD MANAGEMENT, NEW JERSEY.

(a) IN GENERAL.—The project for flood control, Passaic River, New Jersey and New York, authorized by section 101(a)(18) of the Water Resources Development Act of 1990 (104 Stat. 4607), is modified to direct the Secretary to give priority to nonstructural approaches for flood control as alternatives to the construction of the Passaic River tunnel element, while maintaining the integrity of other separable mainstream project elements, wetland banks, and other independent projects that were authorized to be carried out in the Passaic River basin before the date of enactment of this Act.

(b) REEVALUATION OF FLOODWAY STUDY.—The Secretary shall review the Passaic River floodway buyout study, dated October 1995, to calculate the benefits of a buyout and environmental restoration using the method used to calculate the benefits of structural projects under section 308(b) of the Water Resources Development Act of 1990 (33 U.S.C. 2318(b)).

(c) REEVALUATION OF 10-YEAR FLOODPLAIN STUDY.—The Secretary shall review the Passaic River buyout study of the 10-year floodplain beyond the floodway of the central Passaic River basin, dated September 1995, to calculate the benefits of a buyout and environmental restoration using the method used to calculate the benefits of structural projects under section 308(b) of the Water Resources Development Act of 1990 (33 U.S.C. 2318(b)).

(d) PRESERVATION OF NATURAL STORAGE AREAS.—

(1) IN GENERAL.—The Secretary shall reevaluate the acquisition, from willing sellers, for flood protection purposes, of wetlands in the Central Passaic River Basin to supplement the wetland acquisition authorized by section 101(a)(18)(C)(vi) of the Water Resources Development Act of 1990 (104 Stat. 4609).

(2) PURCHASE.—If the Secretary determines that the acquisition of wetlands evaluated under paragraph (1) is economically justified, the Secretary shall purchase the wetlands, with the goal of purchasing not more than 8,200 acres.

(e) STREAMBANK EROSION CONTROL STUDY.—The Secretary shall review relevant reports and conduct a study to determine the feasibility of carrying out a project for environmental restoration, erosion control, and streambank restoration along the Passaic River, from Dundee Dam to Kearny Point, New Jersey.

(f) PASSAIC RIVER FLOOD MANAGEMENT TASK FORCE.—

(1) ESTABLISHMENT.—The Secretary, in cooperation with the non-Federal interest, shall establish a task force, to be known as the ''Passaic River Flood Management Task Force'', to provide advice to the Secretary concerning all aspects of the Passaic River flood management project.

(2) MEMBERSHIP.—The task force shall be composed of 22 members, appointed as follows:

(A) APPOINTMENT BY SECRETARY.—The Secretary shall appoint 1 member to represent the Corps of Engineers and to provide technical advice to the task force.

(B) APPOINTMENTS BY GOVERNOR OF NEW JERSEY.—The Governor of New Jersey shall appoint 20 members to the task force, as follows:

(i) 2 representatives of the New Jersey legislature who are members of different political parties.

(ii) 3 representatives of the State of New Jersey.

(iii) 1 representative of each of Bergen, Essex, Morris, and Passaic Counties, New Jersey.

(iv) 6 representatives of governments of municipalities affected by flooding within the Passaic River basin.

(v) 1 representative of the Palisades Interstate Park Commission.

(vi) 1 representative of the North Jersey District Water Supply Commission.

(vii) 1 representative of each of the Association of New Jersey Environmental Commissions, the Passaic River Coalition, and the Sierra Club.

(C) APPOINTMENT BY GOVERNOR OF NEW YORK.—The Governor of New York shall appoint 1 representative of the State of New York to the task force.

(3) MEETINGS.—

(A) REGULAR MEETINGS.—The task force shall hold regular meetings.

(B) OPEN MEETINGS.—The meetings of the task force shall be open to the public.

(4) ANNUAL REPORT.—The task force shall transmit annually to the Secretary and to the non-Federal interest a report describing the achievements of the Passaic River flood management project in preventing flooding and any impediments to completion of the project.

(5) EXPENDITURE OF FUNDS.—The Secretary may use funds made available to carry out the Passaic River basin flood management project to pay the administrative expenses of the task force.

(6) TERMINATION.—The task force shall terminate on the date on which the Passaic River flood management project is completed.

(g) ACQUISITION OF LANDS IN THE FLOODWAY.—Section 1148 of the Water Resources Development Act of 1986 (100 Stat. 4254; 110 Stat. 3718) is amended by adding at the end the following:

''(e) CONSISTENCY WITH NEW JERSEY BLUE ACRES PROGRAM.—The Secretary shall carry out this section in a manner that is consistent with the Blue Acres Program of the State of New Jersey.''.

(h) STUDY OF HIGHLANDS LAND CONSERVATION.—The Secretary, in cooperation with the Secretary of Agriculture and the State of New Jersey, may study the feasibility of conserving land in the Highlands region of New Jersey and New York to provide additional flood protection for residents of the Passaic River basin in accordance with section 212 of the Water Resources Development Act of 1999 (33 U.S.C. 2332).

(i) RESTRICTION ON USE OF FUNDS.—The Secretary shall not obligate any funds to carry out design or construction of the tunnel element of the Passaic River flood control project, as authorized by section 101(a)(18)(A) of the Water Resources Development Act of 1990 (104 Stat. 4607).

SEC. 328. TIMES BEACH NATURE PRESERVE, BUFFALO, NEW YORK.

The project for improving the quality of the environment, Times Beach Nature Preserve, Buffalo, New York, carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), is modified to include recreation as a project purpose.

SEC. 329. ROCKAWAY INLET TO NORTON POINT, NEW YORK.

(a) IN GENERAL.—The project for shoreline protection, Atlantic Coast of New York City from Rockaway Inlet to Norton Point (Coney Island Area), New York, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4135), is modified to authorize the Secretary to construct T-groins to improve sand retention down drift of the West 37th Street groin, in the Sea Gate area of Coney Island, New York, as identified in the March 1998 report prepared for the Corps of Engineers, entitled ''Field Data Gathering Project Performance Analysis and Design Alternative Solutions to Improve Sandfill Retention'', at a total cost of $9,000,000, with an estimated Federal cost of $5,850,000 and an estimated non-Federal cost of $3,150,000.

(b) COST SHARING.—The non-Federal share of the costs of constructing the T-groins under subsection (a) shall be 35 percent.

(c) CONFORMING AMENDMENT.—Section 541 of the Water Resources Development Act of 1999 (113 Stat. 350) is repealed.

SEC. 330. GARRISON DAM, NORTH DAKOTA.

The Secretary shall conduct a study of the Garrison Dam, North Dakota, feature of the project for flood control, Missouri River Basin, authorized by section 9(a) of the Flood Control Act of December 22, 1944 (58 Stat. 891), to determine if the damage to the water transmission line for Williston, North Dakota, is the result of a design deficiency and, if the Secretary determines that the damage is the result of a design deficiency, shall correct the deficiency.

SEC. 331. DUCK CREEK, OHIO.

(a) IN GENERAL.—The project for flood control, Duck Creek, Ohio, authorized by section 101(a)(24) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to authorize the Secretary to carry out the project at a total cost of $36,323,000.

(b) NON-FEDERAL SHARE.—Notwithstanding section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), the non-Federal share of the cost of the project shall not exceed $4,200,000.

SEC. 332. JOHN DAY POOL, OREGON AND WASHINGTON.

(a) EXTINGUISHMENT OF REVERSIONARY INTERESTS AND USE RESTRICTIONS.—With respect to the land described in each deed specified in subsection (b)—

(1) the reversionary interests and the use restrictions relating to port or industrial purposes are extinguished;

(2) the human habitation or other building structure use restriction is extinguished in each area where the elevation is above the standard project flood elevation; and

(3) the use of fill material to raise low areas above the standard project flood elevation is authorized, except in any low area constituting wetland for which a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) would be required.

(b) AFFECTED DEEDS.—Subsection (a) applies to deeds with the following county auditors' numbers:

(1) Auditor's Microfilm Numbers 229 and 16226 of Morrow County, Oregon, executed by the United States.

(2) The portion of the land conveyed in a deed executed by the United States and bearing Benton County, Washington, Auditor's File Number 601766, described as a tract of land lying in sec. 7, T. 5 N., R. 28 E., Willamette meridian, Benton County, Washington, being more particularly described by the following boundaries:

(A) Commencing at the point of intersection of the centerlines of Plymouth Street and Third Avenue in the First Addition to the Town of Plymouth (according to the duly recorded plat thereof).

(B) Thence west along the centerline of Third Avenue, a distance of 565 feet.

(C) Thence south 54° 10' west, to a point on the west line of Tract 18 of that Addition and the true point of beginning.

(D) Thence north, parallel with the west line of that sec. 7, to a point on the north line of that sec. 7.

(E) Thence west along the north line thereof to the northwest corner of that sec. 7.

(F) Thence south along the west line of that sec. 7 to a point on the ordinary high water line of the Columbia River.

(G) Thence northeast along that high water line to a point on the north and south coordinate line of the Oregon Coordinate System, North Zone, that coordinate line being east 2,291,000 feet.

(H) Thence north along that line to a point on the south line of First Avenue of that Addition.

(I) Thence west along First Avenue to a point on the southerly extension of the west line of T. 18.

(J) Thence north along that west line of T. 18 to the point of beginning.

SEC. 333. FOX POINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND.

Section 352 of the Water Resources Development Act of 1999 (113 Stat. 310) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The''; and

(2) by adding at the end the following:

''(b) CREDIT TOWARD NON-FEDERAL SHARE.—The Secretary shall credit toward the non-Federal share of the cost of the project, or reimburse the non-Federal interest, for the Federal share of the costs of repairs authorized under subsection (a) that are incurred by the non-Federal interest before the date of execution of the project cooperation agreement.''.

SEC. 334. NONCONNAH CREEK, TENNESSEE AND MISSISSIPPI.

The project for flood control, Nonconnah Creek, Tennessee and Mississippi, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), is modified to authorize the Secretary—

(1) to extend the area protected by the flood control element of the project upstream approximately 5 miles to Reynolds Road; and

(2) to extend the hiking and biking trails of the recreational element of the project from 8.8 to 27 miles;

if the Secretary determines that it is technically sound, environmentally acceptable, and economically justified.

SEC. 335. SAN ANTONIO CHANNEL, SAN ANTONIO, TEXAS.

The project for flood control, San Antonio channel, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259) as part of the comprehensive plan for flood protection on the Guadalupe and San Antonio Rivers in Texas, and modified by section 103 of the Water Resources Development Act of 1976 (90 Stat. 2921), is further modified to include environmental restoration and recreation as project purposes.

SEC. 336. BUCHANAN AND DICKENSON COUNTIES, VIRGINIA.

The project for flood control, Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, authorized by section 202 of the Energy and Water Development Appropriation Act, 1981 (94 Stat. 1339), and modified by section 352 of the Water Resources Development Act of 1996 (110 Stat. 3724–3725), is further modified to direct the Secretary to determine the ability of Buchanan and Dickenson Counties, Virginia, to pay the non-Federal share of the cost of the project based solely on the criterion specified in section 103(m)(3)(A)(i) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)(3)(A)(i)).

SEC. 337. BUCHANAN, DICKENSON, AND RUSSELL COUNTIES, VIRGINIA.

(a) IN GENERAL.—Subject to subsection (b), at the request of the John Flannagan Water Authority, Dickenson County, Virginia, the Secretary may reallocate, under section 322 of the Water Resources Development Act of 1990 (33 U.S.C. 2324), water supply storage space in the John Flannagan Reservoir, Dickenson County, Virginia, sufficient to yield water withdrawals in amounts not to exceed 3,000,000 gallons per day in order to provide water for the communities in Buchanan, Dickenson, and Russell Counties, Virginia, notwithstanding the limitation in section 322(b) of such Act.

(b) LIMITATION.—The Secretary may only make the reallocation under subsection (a) to the extent the Secretary determines that such reallocation will not have an adverse impact on other project purposes of the John Flannagan Reservoir.

SEC. 338. SANDBRIDGE BEACH, VIRGINIA BEACH, VIRGINIA.

The project for beach erosion control and hurricane protection, Sandbridge Beach, Virginia Beach, Virginia, authorized by section 101(22) of the Water Resources Development Act of 1992 (106 Stat. 4804), is modified to direct the Secretary to provide 50 years of periodic beach nourishment beginning on the date on which construction of the project was initiated in 1998.

SEC. 339. MOUNT ST. HELENS, WASHINGTON.

The project for sediment control, Mount St. Helens, Washington, authorized by chapter IV

of title I of the Supplemental Appropriations Act, 1985 (99 Stat. 318), is modified to authorize the Secretary to maintain, for Longview, Kelso, Lexington, and Castle Rock on the Cowlitz River, Washington, the flood protection levels specified in the October 1985 report of the Chief of Engineers entitled ''Mount St. Helens, Washington, Decision Document (Toutle, Cowlitz, and Columbia Rivers)'', published as House Document No. 135, 99th Congress.

SEC. 340. LOWER MUD RIVER, MILTON, WEST VIRGINIA.

The project for flood damage reduction, Lower Mud River, Milton, West Virginia, authorized by section 580 of the Water Resources Development Act of 1996 (110 Stat. 3790), is modified to direct the Secretary to carry out the project.

SEC. 341. FOX RIVER SYSTEM, WISCONSIN.

Section 332(a) of the Water Resources Development Act of 1992 (106 Stat. 4852) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) PAYMENTS TO STATE.—The terms and conditions of the transfer may include 1 or more payments to the State of Wisconsin to assist the State in paying the costs of repair and rehabilitation of the transferred locks and appurtenant features.''.

SEC. 342. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended—

(1) in the second sentence by striking ''$7,000,000'' and inserting ''$20,000,000'';

(2) by striking paragraph (4) and inserting the following:

''(4) the construction of reefs and related clean shell substrate for fish habitat, including manmade 3-dimensional oyster reefs, in the Chesapeake Bay and its tributaries in Maryland and Virginia if the reefs are preserved as permanent sanctuaries by the non-Federal interests, consistent with the recommendations of the scientific consensus document on Chesapeake Bay oyster restoration dated June 1999.''; and

(3) by inserting after ''25 percent.'' the following: ''In carrying out paragraph (4), the Chief of Engineers may solicit participation by and the services of commercial watermen in the construction of the reefs.''.

SEC. 343. GREAT LAKES DREDGING LEVELS ADJUSTMENT.

(a) DEFINITION OF GREAT LAKE.—In this section, the term ''Great Lake'' means Lake Superior, Lake Michigan, Lake Huron (including Lake St. Clair), Lake Erie, and Lake Ontario (including the St. Lawrence River to the 45th parallel of latitude).

(b) DREDGING LEVELS.—In operating and maintaining Federal channels and harbors of, and the connecting channels between, the Great Lakes, the Secretary shall conduct such dredging as is necessary to ensure minimal operation depths consistent with the original authorized depths of the channels and harbors when water levels in the Great Lakes are, or are forecast to be, below the International Great Lakes Datum of 1985.

SEC. 344. GREAT LAKES REMEDIAL ACTION PLANS AND SEDIMENT REMEDIATION.

Section 401 of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; 104 Stat. 4644; 110 Stat. 3763; 113 Stat. 338) is amended—

(1) in subsection (a)(2)(A) by striking ''50 percent'' and inserting ''35 percent'';

(2) in subsection (b)—

(A) by striking paragraph (3);

(B) in the first sentence of paragraph (4) by striking ''50 percent'' and inserting ''35 percent''; and

(C) by redesignating paragraph (4) as paragraph (3); and

(3) in subsection (c) by striking ''$5,000,000 for each of fiscal years 1998 through 2000.'' and inserting ''$10,000,000 for each of fiscal years 2001 through 2006.''.

SEC. 345. TREATMENT OF DREDGED MATERIAL FROM LONG ISLAND SOUND.

(a) IN GENERAL.—Not later than December 31, 2002, the Secretary shall carry out a demonstration program for the use of innovative sediment treatment technologies for the treatment of dredged material from Long Island Sound.

(b) PROJECT CONSIDERATIONS.—In carrying out subsection (a), the Secretary shall, to the maximum extent practicable—

(1) encourage partnerships between the public and private sectors;

(2) build on treatment technologies that have been used successfully in demonstration or full-scale projects (including projects carried out in the States of New York, New Jersey, and Illinois), such as technologies described in—

(A) section 405 of the Water Resources Development Act of 1992 (33 U.S.C. 2239 note; 106 Stat. 4863); and

(B) section 503 of the Water Resources Development Act of 1999 (33 U.S.C. 2314 note; 113 Stat. 337);

(3) ensure that dredged material from Long Island Sound that is treated under the demonstration project is disposed of by beneficial reuse, by open water disposal, or at a licensed waste facility, as appropriate; and

(4) ensure that the demonstration project is consistent with the findings and requirements of any draft environmental impact statement on the designation of 1 or more dredged material disposal sites in Long Island Sound that is scheduled for completion in 2001.

(c) NON-FEDERAL SHARE.—The non-Federal share of the cost of each project carried out under the demonstration program authorized by this section shall be 35 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000.

SEC. 346. DECLARATION OF NONNAVIGABILITY FOR LAKE ERIE, NEW YORK.

(a) AREA TO BE DECLARED NONNAVIGABLE; PUBLIC INTEREST.—Unless the Secretary finds, after consultation with local and regional public officials (including local and regional public planning organizations), that the proposed projects to be undertaken within the boundaries in the portion of Erie County, New York, described in subsection (b), are not in the public interest then, subject to subsection (c), those portions of such county that were once part of Lake Erie and are now filled are declared to be nonnavigable waters of the United States.

(b) BOUNDARIES.—The portion of Erie County, New York, referred to in subsection (a) is all that tract or parcel of land, situated in the town of Hamburg and the city of Lackawanna, Erie County, New York, being part of Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 of the Ogden Gore Tract and part of Lots 23, 24, and 36 of the Buffalo Creek Reservation, Township 10, Range 8 of the Holland Land Company's Survey and more particularly bounded and described as follows:

Beginning at a point on the westerly highway boundary of Hamburg Turnpike (66.0 feet wide), said point being 547.89 feet South 19°36′46″ East from the intersection of the westerly highway boundary of Hamburg Turnpike (66.0 feet wide) and the northerly line of the City of Lackawanna (also being the southerly line of the City of Buffalo); thence South 19°36′46″ East along the westerly highway boundary of Hamburg Turnpike (66.0 feet wide) a distance of 628.41 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 40–R2, Parcel No. 44 the following 20 courses and distances:

(1) South 10°00′07″ East a distance of 164.30 feet;

(2) South 18°40′45″ East a distance of 355.00 feet;

(3) South 71°23′35″ West a distance of 2.00 feet;

(4) South 18°40′45″ East a distance of 223.00 feet;

(5) South 22°29′36″ East a distance of 150.35 feet;

(6) South 18°40′45″ East a distance of 512.00 feet;

(7) South 16°49′53″ East a distance of 260.12 feet;

(8) South 18°34′20″ East a distance of 793.00 feet;

(9) South 71°23′35″ West a distance of 4.00 feet;

(10) South 18°13′24″ East a distance of 132.00 feet;

(11) North 71°23′35″ East a distance of 4.67 feet;

(12) South 18°30′00″ East a distance of 38.00 feet;

(13) South 71°23′35″ West a distance of 4.86 feet;

(14) South 18°13′24″ East a distance of 160.00 feet;

(15) South 71°23′35″ East a distance of 9.80 feet;

(16) South 18°36′25″ East a distance of 159.00 feet;

(17) South 71°23′35″ West a distance of 3.89 feet;

(18) South 18°34′20″ East a distance of 180.00 feet;

(19) South 20°56′05″ East a distance of 138.11 feet;

(20) South 22°53′55″ East a distance of 272.45 feet to a point on the westerly highway boundary of Hamburg Turnpike.

Thence southerly along the westerly highway boundary of Hamburg Turnpike, South 18°36′25″ East, a distance of 2228.31 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 27 Parcel No. 31 the following 2 courses and distances:

(1) South 16°17′25″ East a distance of 74.93 feet;

(2) along a curve to the right having a radius of 1004.74 feet; a chord distance of 228.48 feet along a chord bearing of South 08°12′16″ East, a distance of 228.97 feet to a point on the westerly highway boundary of Hamburg Turnpike.

Thence southerly along the westerly highway boundary of Hamburg Turnpike, South 4°35′35″ West a distance of 940.87 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 1 Parcel No. 1 and Map No. 5 Parcel No. 7 the following 18 courses and distances:

(1) North 85°24′25″ West a distance of 1.00 feet;

(2) South 7°01′17″ West a distance of 170.15 feet;

(3) South 5°02′54″ West a distance of 180.00 feet;

(4) North 85°24′25″ West a distance of 3.00 feet;

(5) South 5°02′54″ West a distance of 260.00 feet;

(6) South 5°09′11″ West a distance of 110.00 feet;

(7) South 0°34′35″ West a distance of 110.27 feet;

(8) South 4°50′37″ West a distance of 220.00 feet;

(9) South 4°50′37″ West a distance of 365.00 feet;

(10) South 85°24′25″ East a distance of 5.00 feet;

(11) South 4°06′20″ West a distance of 67.00 feet;

(12) South 6°04′35″ West a distance of 248.08 feet;

(13) South 3°18′27″ West a distance of 52.01 feet;

(14) South 4°55′58″ West a distance of 133.00 feet;

(15) North 85°24′25″ West a distance of 1.00 feet;

(16) South 4°55′58″ West a distance of 45.00 feet;

(17) North 85°24′25″ West a distance of 7.00 feet;

(18) South 4°56′12″ West a distance of 90.00 feet.

Thence continuing along the westerly highway boundary of Lake Shore Road as appropriated by the New York State Department of Public Works as shown on Map No. 7, Parcel No. 7 the following 2 courses and distances:

(1) South 4°55′58″ West a distance of 127.00 feet;

(2) South 2°29′25″ East a distance of 151.15 feet to a point on the westerly former highway boundary of Lake Shore Road.

Thence southerly along the westerly formerly highway boundary of Lake Shore Road, South 4°35′35″ West a distance of 148.90 feet; thence along the westerly highway boundary of Lake Shore Road as appropriated by the New York State Department of Public Works as shown on Map No. 7, Parcel No. 8 the following 3 courses and distances:

(1) South 55°34′35″ West a distance of 12.55 feet;

(2) South 4°35′35″ West a distance of 118.50 feet;

(3) South 3°04′00″ West a distance of 62.95 feet to a point on the south line of the lands of South Buffalo Railway Company.

Thence southerly and easterly along the lands of South Buffalo Railway Company the following 5 courses and distances:

(1) North 89°25′14″ West a distance of 697.64 feet;

(2) along a curve to the left having a radius of 645.0 feet; a chord distance of 214.38 feet along a chord bearing of South 40°16′48″ West, a distance of 215.38 feet;

(3) South 30°42′49″ West a distance of 76.96 feet;

(4) South 22°06′03″ West a distance of 689.43 feet;

(5) South 36°09′23″ West a distance of 30.93 feet to the northerly line of the lands of Buffalo Crushed Stone, Inc.

Thence North 87°13′38″ West a distance of 2452.08 feet to the shore line of Lake Erie; thence northerly along the shore of Lake Erie the following 43 courses and distances:

(1) North 16°29′53″ West a distance of 267.84 feet;

(2) North 24°25′00″ West a distance of 195.01 feet;

(3) North 26°45′00″ West a distance of 250.00 feet;

(4) North 31°15′00″ West a distance of 205.00 feet;

(5) North 21°35′00″ West a distance of 110.00 feet;

(6) North 44°00′53″ West a distance of 26.38 feet;

(7) North 33°49′18″ West a distance of 74.86 feet;

(8) North 34°26′26″ West a distance of 12.00 feet;

(9) North 31°06′16″ West a distance of 72.06 feet;

(10) North 22°35′00″ West a distance of 150.00 feet;

(11) North 16°35′00″ West a distance of 420.00 feet;

(12) North 21°10′00″ West a distance of 440.00 feet;

(13) North 17°55′00″ West a distance of 340.00 feet;

(14) North 28°05′00″ West a distance of 375.00 feet;

(15) North 16°25′00″ West a distance of 585.00 feet;

(16) North 22°10′00″ West a distance of 160.00 feet;

(17) North 2°46′36″ West a distance of 65.54 feet;

(18) North 16°01′08″ West a distance of 70.04 feet;

(19) North 49°07′00″ West a distance of 79.00 feet;

(20) North 19°16′00″ West a distance of 425.00 feet;

(21) North 16°37′00″ West a distance of 285.00 feet;

(22) North 25°20′00″ West a distance of 360.00 feet;

(23) North 33°00′00″ West a distance of 230.00 feet;

(24) North 32°40′00″ West a distance of 310.00 feet;

(25) North 27°10′00″ West a distance of 130.00 feet;

(26) North 23°20′00″ West a distance of 315.00 feet;

(27) North 18°20′04″ West a distance of 302.92 feet;

(28) North 20°15′48″ West a distance of 387.18 feet;

(29) North 14°20′00″ West a distance of 530.00 feet;

(30) North 16°40′00″ West a distance of 260.00 feet;

(31) North 28°35′00″ West a distance of 195.00 feet;

(32) North 18°30′00″ West a distance of 170.00 feet;

(33) North 26°30′00″ West a distance of 340.00 feet;

(34) North 32°07′52″ West a distance of 232.38 feet;

(35) North 30°04′26″ West a distance of 17.96 feet;

(36) North 23°19′13″ West a distance of 111.23 feet;

(37) North 7°07′58″ West a distance of 63.90 feet;

(38) North 8°11′02″ West a distance of 378.90 feet;

(39) North 15°01′02″ West a distance of 190.64 feet;

(40) North 2°55′00″ West a distance of 170.00 feet;

(41) North 6°45′00″ West a distance of 240.00 feet;

(42) North 0°10′00″ East a distance of 465.00 feet;

(43) North 2°00′38″ West a distance of 378.58 feet to the northerly line of Letters Patent dated February 21, 1968 and recorded in the Erie County Clerk's Office under Liber 7453 of Deeds at Page 45.

Thence North 71°23′35″ East along the north line of the aforementioned Letters Patent a distance of 154.95 feet to the shore line; thence along the shore line the following 6 courses and distances:

(1) South 80°14′01″ East a distance of 119.30 feet;

(2) North 46°15′13″ East a distance of 47.83 feet;

(3) North 59°53′02″ East a distance of 53.32 feet;

(4) North 38°20′43″ East a distance of 27.31 feet;

(5) North 68°12′46″ East a distance of 48.67 feet;

(6) North 26°11′47″ East a distance of 11.48 feet to the northerly line of the aforementioned Letters Patent.

Thence along the northerly line of said Letters Patent, North 71°23′35″ East a distance of 1755.19 feet; thence South 35°27′25″ East a distance of 35.83 feet to a point on the U.S. Harbor Line; thence, North 54°02′35″ East along the U.S. Harbor Line a distance of 200.00 feet; thence continuing along the U.S. Harbor Line, North 50°01′45″ East a distance of 379.54 feet to the westerly line of the lands of Gateway Trade Center, Inc.; thence along the lands of Gateway Trade Center, Inc. the following 27 courses and distances:

(1) South 18°44′53″ East a distance of 623.56 feet;

(2) South 34°33′00″ East a distance of 200.00 feet;

(3) South 26°18′55″ East a distance of 500.00 feet;

(4) South 19°06′40″ East a distance of 1074.29 feet;

(5) South 28°03′18″ East a distance of 242.44 feet;

(6) South 18°38′50″ East a distance of 1010.95 feet;

(7) North 71°20′51″ East a distance of 90.42 feet;

(8) South 18°49′20″ East a distance of 158.61 feet;

(9) South 80°55′10″ East a distance of 45.14 feet;

(10) South 18°04′45″ East a distance of 52.13 feet;

(11) North 71°07′23″ East a distance of 102.59 feet;

(12) South 18°41′40″ East a distance of 63.00 feet;

(13) South 71°07′23″ West a distance of 240.62 feet;

(14) South 18°38′50″ East a distance of 668.13 feet;

(15) North 71°28′46″ East a distance of 958.68 feet;

(16) North 18°42′31″ West a distance of 1001.28 feet;

(17) South 71°17′29″ West a distance of 168.48 feet;

(18) North 18°42′31″ West a distance of 642.00 feet;

(19) North 71°17′37″ East a distance of 17.30 feet;

(20) North 18°42′31″ West a distance of 574.67 feet;

(21) North 71°17′29″ East a distance of 151.18 feet;

(22) North 18°42′31″West a distance of 1156.43 feet;

(23) North 71°29′21″ East a distance of 569.24 feet;

(24) North 18°30′39″ West a distance of 314.71 feet;

(25) North 70°59′36″ East a distance of 386.47 feet;

(26) North 18°30′39″ West a distance of 70.00 feet;

(27) North 70°59′36″ East a distance of 400.00 feet to the place or point of beginning.

Containing 1,142.958 acres.

(c) LIMITS ON APPLICABILITY; REGULATORY REQUIREMENTS.—The declaration under subsection (a) shall apply to those parts of the areas described in subsection (b) that are filled portions of Lake Erie. Any work on these filled portions shall be subject to all applicable Federal statutes and regulations, including sections 9 and 10 of the Act of March 3, 1899 (33 U.S.C. 401 and 403), section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) EXPIRATION DATE.—If, 20 years from the date of enactment of this Act, any area or part thereof described in subsection (a) is not occupied by permanent structures in accordance with the requirements set out in subsection (c), or if work in connection with any activity permitted in subsection (c) is not commenced within 5 years after issuance of such permits, then the declaration of nonnavigability for such area or part thereof shall expire.

SEC. 347. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—The following projects or portions of projects are not authorized after the date of enactment of this Act:

(1) BLACK WARRIOR AND TOMBIGBEE RIVERS, JACKSON, ALABAMA.—The project for navigation, Black Warrior and Tombigbee Rivers, vicinity of Jackson, Alabama, authorized by section 106 of the Energy and Water Development Appropriations Act, 1987 (100 Stat. 3341–199).

(2) SACRAMENTO DEEP WATER SHIP CHANNEL, CALIFORNIA.—The portion of the project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), beginning from the confluence of the Sacramento River and the Barge Canal to a point 3,300 feet west of the William G. Stone Lock western gate (including the William G. Stone Lock and the Bascule Bridge and Barge Canal). All waters within such portion of the project are declared to be nonnavigable waters of the United States solely for the purposes of

the General Bridge Act of 1946 (33 U.S.C. 525 et seq.) and section 9 of the Act of March 3, 1899 (33 U.S.C. 401).

(3) BAY ISLAND CHANNEL, QUINCY, ILLINOIS.—The access channel across Bay Island into Quincy Bay at Quincy, Illinois, constructed under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(4) WARSAW BOAT HARBOR, ILLINOIS.—The portion of the project for navigation, Illinois Waterway, Illinois and Indiana, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1175), known as the ''Warsaw Boat Harbor, Illinois''.

(5) KENNEBUNK RIVER, KENNEBUNK AND KENNEBUNKPORT, MAINE.—The following portion of the project for navigation, Kennebunk River, Maine, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173): The portion of the northernmost 6-foot deep anchorage the boundaries of which begin at a point with coordinates N1904693.6500, E418084.2700, thence running south 01 degree 04 minutes 50.3 seconds 35 feet to a point with coordinates N190434.6562, E418084.9301, thence running south 15 degrees 53 minutes 45.5 seconds 416.962 feet to a point with coordinates N190033.6386, E418199.1325, thence running north 03 degrees 11 minutes 30.4 seconds 70 feet to a point with coordinates N190103.5300, E418203.0300, thence running north 17 degrees 58 minutes 18.3 seconds west 384.900 feet to the point of origin.

(6) ROCKPORT HARBOR, MASSACHUSETTS.—The following portions of the project for navigation, Rockport Harbor, Massachusetts, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577):

(A) The portion of the 10-foot harbor channel the boundaries of which begin at a point with coordinates N605,741.948, E838,031.378, thence running north 36 degrees 04 minutes 40.9 seconds east 123.386 feet to a point N605,642.226, E838,104.039, thence running south 05 degrees 08 minutes 35.1 seconds east 24.223 feet to a point N605,618.100, E838,106.210, thence running north 41 degrees 05 minutes 10.9 seconds west 141.830 feet to a point N605,725.000, E838,013.000, thence running north 47 degrees 19 minutes 04.1 seconds east 25.000 feet to the point of origin.

(B) The portion of the 8-foot north basin entrance channel the boundaries of which begin at a point with coordinates N605,742.699, E837,977.129, thence running south 89 degrees 12 minutes 27.1 seconds east 54.255 feet to a point N605,741.948, E838,031.378, thence running south 47 degrees 19 minutes 04.1 seconds west 25.000 feet to a point N605,725.000, E838,013.000, thence running north 63 degrees 44 minutes 19.0 seconds west 40.000 feet to the point of origin.

(C) The portion of the 8-foot south basin anchorage the boundaries of which begin at a point with coordinates N605,563.770, E838,111.100, thence running south 05 degrees 08 minutes 35.1 seconds east 53.460 feet to a point N605,510.525, E838,115.892, thence running south 52 degrees 10 minutes 55.5 seconds west 145.000 feet to a point N605,421.618, E838,001.348, thence running north 37 degrees 49 minutes 04.5 seconds west feet to a point N605,480.960, E837,955.287, thence running south 64 degrees 52 minutes 33.9 seconds east 33.823 feet to a point N605,466.600, E837,985.910, thence running north 52 degrees 10 minutes 55.5 seconds east 158.476 feet to the point of origin.

(7) SCITUATE HARBOR, MASSACHUSETTS.—The portion of the project for navigation, Scituate Harbor, Massachusetts, authorized by section 101 of the River and Harbor Act of 1954 (68 Stat. 1249), consisting of an 8-foot anchorage basin and described as follows: Beginning at a point with coordinates N438,739.53, E810,354.75, thence running northwesterly about 200.00 feet to coordinates N438,874.02, E810,206.72, thence running northeasterly about 400.00 feet to coordinates N439,170.07, E810,475,70, thence running southwesterly about 447.21 feet to the point of origin.

(8) DULUTH-SUPERIOR HARBOR, MINNESOTA AND WISCONSIN.—The portion of the project for navigation, Duluth-Superior Harbor, Minnesota and Wisconsin, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 3, 1896 (29 Stat. 212), known as the 21st Avenue West Channel, beginning at the most southeasterly point of the channel N423074.09, E2871635.43 thence running north-northwest about 1854.83 feet along the easterly limit of the project to a point N424706.69, E2870755.48, thence running northwesterly about 111.07 feet to a point on the northerly limit of the project N424777.27, E2870669.46, thence west-southwest 157.88 feet along the north limit of the project to a point N424703.04, E2870530.38, thence south-southeast 1978.27 feet to the most southwesterly point N422961.45, E2871469.07, thence northeasterly 201.00 feet along the southern limit of the project to the point of origin.

(9) TREMLEY POINT, NEW JERSEY.—The portion of the Federal navigation channel, New York and New Jersey Channels, New York and New Jersey, authorized by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved August 30, 1935 (49 Stat. 1030), and modified by section 101 of the River and Harbor Act of 1950 (64 Stat. 164), that consists of a 35-foot deep channel beginning at a point along the western limit of the authorized project, N644100.411, E129256.91, thence running southeasterly about 38.25 feet to a point N644068.885, E129278.565, thence running southerly about 1,163.86 feet to a point N642912.127, E129150.209, thence running southwesterly about 56.89 feet to a point N642864.09, E2129119.725, thence running northerly along the existing western limit of the existing project to the point of origin.

(10) ANGOLA, NEW YORK.—The project for erosion protection, Angola Water Treatment Plant, Angola, New York, constructed under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r).

(11) WALLABOUT CHANNEL, BROOKLYN, NEW YORK.—

(A) IN GENERAL.—The northeastern portion of the project for navigation, Wallabout Channel, Brooklyn, New York, authorized by the Rivers and Harbors Appropriations Act of March 3, 1899 (30 Stat. 1124), beginning at a point N682,307.40, E638,918.10, thence running along the courses and distances described in subparagraph (B).

(B) COURSES AND DISTANCES.—The courses and distances referred to in subparagraph (A) are the following:

(i) South 85 degrees, 44 minutes, 13 seconds East 87.94 feet (coordinate: N682,300.86, E639,005.80).

(ii) North 74 degrees, 41 minutes, 30 seconds East 271.54 feet (coordinate: N682,372.55, E639,267.71).

(iii) South 4 degrees, 46 minutes, 02 seconds West 170.95 feet (coordinate: N682,202.20, E639,253.50).

(iv) South 4 degrees, 46 minutes, 02 seconds West 239.97 feet (coordinate: N681,963.06, E639,233.56).

(v) North 50 degrees, 48 minutes, 26 seconds West 305.48 feet (coordinate: N682,156.10, E638,996.80).

(vi) North 3 degrees, 33 minutes, 25 seconds East 145.04 feet (coordinate: N682,300.86, E639,005.80).

(12) NEW YORK AND NEW JERSEY CHANNELS, NEW YORK AND NEW JERSEY.—The portion of the project for navigation, New York and New Jersey Channels, New York and New Jersey, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1030, chapter 831), and modified by section 101 of the River and Harbor Act of 1950 (64 Stat. 164), consisting of a 35-foot-deep channel beginning at a point along the western limit of the authorized project, N644100.411, E2129256.91, thence running southeast about 38.25 feet to a point N644068.885, E2129278.565, thence running south about 1163.86 feet to a point N642912.127, E2129150.209, thence running southwest about 56.9 feet to a point N642864.09, E2129119.725, thence running north along the western limit of the project to the point of origin.

(13) WARWICK COVE, RHODE ISLAND.—The portion of the project for navigation, Warwick Cove, Rhode Island, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), that is located within the 5-acre, 6-foot anchorage area west of the channel: beginning at a point with coordinates N221,150.027, E528,960.028, thence running southerly about 257.39 feet to a point with coordinates N220,892.638, E528,960.028, thence running northwesterly about 346.41 feet to a point with coordinates N221,025.270, E528,885.780, thence running northeasterly about 145.18 feet to the point of origin.

(b) ROCKPORT HARBOR, MASSACHUSETTS.—The project for navigation, Rockport Harbor, Massachusetts, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified—

(1) to redesignate a portion of the 8-foot north outer anchorage as part of the 8-foot approach channel to the north inner basin described as follows: the perimeter of the area starts at a point with coordinates N605,792.110, E838,020.009, thence running south 89 degrees 12 minutes 27.1 seconds east 64.794 feet to a point N605,791.214, E838,084.797, thence running south 47 degrees 18 minutes 54.0 seconds west 40.495 feet to a point N605,763.760, E838,055.030, thence running north 68 degrees 26 minutes 49.0 seconds west 43.533 feet to a point N605,779.750, E838,014.540, thence running north 23 degrees 52 minutes 08.4 seconds east 13.514 feet to the point of origin; and

(2) to realign a portion of the 8-foot north inner basin approach channel by adding an area described as follows: the perimeter of the area starts at a point with coordinates N605,792.637, E837,981.920, thence running south 89 degrees 12 minutes 27.1 seconds east 38.093 feet to a point N605,792.110, E838,020.009, thence running south 23 degrees 52 minutes 08.4 seconds west 13.514 feet to a point N605,779.752, E838,014.541, thence running north 68 degrees 26 minutes 49.0 seconds west 35.074 feet to the point of origin.

SEC. 348. LAND CONVEYANCES.

(a) THOMPSON, CONNECTICUT.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the town of Thompson, Connecticut, all right, title, and interest of the United States in and to the approximately 1.36-acre parcel of land described in paragraph (2) for public ownership and use by the town for fire fighting and related emergency services purposes.

(2) LAND DESCRIPTION.—The parcel of land referred to in paragraph (1) is located in the town of Thompson, county of Windham, State of Connecticut, on the northerly side of West Thompson Road owned by the United States and shown as Parcel A on a plan by Provost, Rovero, Fitzback entitled ''Property Survey Prepared for West Thompson Independent Firemen Association #1'' dated August 24, 1998, bounded and described as follows:

Beginning at a bound labeled WT–276 on the northerly side line of West Thompson Road, so called, at the most south corner of the Parcel herein described and at land now or formerly of West Thompson Independent Firemen Association No. 1;

Thence in a generally westerly direction by said northerly side line of West Thompson Road, by a curve to the left, having a radius of 640.00 feet a distance of 169.30 feet to a point;

Thence North 13 degrees, 08 minutes, 37 seconds East by the side line of said West Thompson Road a distance of 10.00 feet to a point;

Thence in a generally westerly direction by the northerly side line of said West Thompson Road, by a curve to the left having a radius of 650.00 feet a distance of 109.88 feet to a bound

labeled WT–123, at land now or formerly of the United States of America;

Thence North 44 degrees, 43 minutes, 07 seconds East by said land now or formerly of the United States of America a distance of 185.00 feet to a point;

Thence North 67 degrees, 34 minutes, 13 seconds East by said land now or formerly of the United States of America a distance of 200.19 feet to a point in a stonewall;

Thence South 20 degrees, 49 minutes, 17 seconds East by a stonewall and by said land now or formerly of the United States of America a distance of 253.10 feet to a point at land now or formerly of West Thompson Independent Firemen Association No. 1;

Thence North 57 degrees, 45 minutes, 25 seconds West by land now or formerly of said West Thompson Independent Firemen Association No. 1 a distance of 89.04 feet to a bound labeled WT–277;

Thence South 32 degrees, 14 minutes, 35 seconds West by land now or formerly of said West Thompson Independent Firemen Association No. 1 a distance of 123.06 feet to the point of beginning.

(3) REVERSION.—If the Secretary determines that the parcel described in paragraph (2) ceases to be held in public ownership or used for fire fighting and related emergency services, all right, title, and interest in and to the parcel shall revert to the United States, at the option of the United States.

(b) WASHINGTON, DISTRICT OF COLUMBIA.—

(1) IN GENERAL.—The Secretary shall convey to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries Conducting Sibley Memorial Hospital (in this subsection referred to as the ''Hospital'') by quitclaim deed under the terms of a negotiated sale, all right, title, and interest of the United States in and to the 8.864-acre parcel of land described in paragraph (2) for medical care and parking purposes. The consideration paid under such negotiated sale shall reflect the value of the parcel, taking into consideration the terms and conditions of the conveyance imposed under this subsection.

(2) LAND DESCRIPTION.—The parcel of land referred to in paragraph (1) is the parcel described as follows: Beginning at a point on the westerly right-of-way line of Dalecarlia Parkway, said point also being on the southerly division line of part of Square N1448, A&T Lot 801 as recorded in A&T 2387 and part of the property of the United States Government, thence with said southerly division line now described:

(A) North 35° 05′ 40″ West—436.31 feet to a point, thence

(B) South 89° 59′ 30″ West—550 feet to a point, thence

(C) South 53° 48′ 00″ West—361.08 feet to a point, thence

(D) South 89° 59′ 30″ West—466.76 feet to a point at the southwesterly corner of the aforesaid A&T Lot 801, said point also being on the easterly right-of-way line of MacArthur Boulevard, thence with a portion of the westerly division line of said A&T Lot 801 and the easterly right-of-way line of MacArthur Boulevard, as now described.

(E) 78.62 feet along the arc of a curve to the right having a radius of 650.98 feet, chord bearing and distance of North 06° 17′ 20″ West—78.57 feet to a point, thence crossing to include a portion of aforesaid A&T Lot 801 and a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(F) North 87° 18′ 21″ East—258.85 feet to a point, thence

(G) North 02° 49′ 16″ West—214.18 feet to a point, thence

(H) South 87° 09′ 00″ West—238.95 feet to a point on the aforesaid easterly right-of-way line of MacArthur Boulevard, thence with said easterly right-of-way line, as now described

(I) North 08° 41′ 30″ East—30.62 feet to a point, thence crossing to include a portion of aforesaid A&T Lot 801 and a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(J) North 87° 09′ 00″ East—373.96 feet to a point, thence

(K) North 88° 42′ 48″ East—374.92 feet to a point, thence

(L) North 56° 53′ 40″ East—53.16 feet to a point, thence

(M) North 86° 00′ 15″ East—26.17 feet to a point, thence

(N) South 87° 24′ 50″ East—464.01 feet to a point, thence

(O) North 83° 34′ 31″ East—212.62 feet to a point, thence

(P) South 30° 16′ 12″ East—108.97 feet to a point, thence

(Q) South 38° 30′ 23″ East—287.46 feet to a point, thence

(R) South 09° 03′ 38″ West—92.74 feet to the point on the aforesaid westerly right-of-way line of Dalecarlia Parkway, thence with said westerly right-of-way line, as now described

(S) 197.74 feet along the arc of a curve to the right having a radius of 916.00 feet, chord bearing and distance of South 53° 54′ 43″ West—197.35 feet to the place of beginning.

(3) TERMS AND CONDITIONS.—The conveyance under this subsection shall be subject to the following terms and conditions:

(A) LIMITATION ON THE USE OF CERTAIN PORTIONS OF THE PARCEL.—The Secretary shall include in any deed conveying the parcel under this section a restriction to prevent the Hospital, and its successors and assigns, from constructing any structure, other than a structure used exclusively for the parking of motor vehicles, on the portion of the parcel that lies between the Washington Aqueduct and Little Falls Road.

(B) LIMITATION ON CERTAIN LEGAL CHALLENGES.—The Secretary shall require the Hospital, and its successors and assigns, to refrain from raising any legal challenge to the operations of the Washington Aqueduct arising from any impact such operations may have on the activities conducted by the Hospital on the parcel.

(C) EASEMENT.—The Secretary shall require that the conveyance be subject to the retention of an easement permitting the United States, and its successors and assigns, to use and maintain the portion of the parcel described as follows: Beginning at a point on the easterly or South 35° 05′ 40″ East—436.31 foot plat line of Lot 25 as shown on a subdivision plat recorded in book 175 page 102 among the records of the Office of the Surveyor of the District of Columbia, said point also being on the northerly right-of-way line of Dalecarlia Parkway, thence running with said easterly line of Lot 25 and crossing to include a portion of the aforesaid Dalecarlia Reservoir Grounds as now described:

(i) North 35° 05′ 40″ West—495.13 feet to a point, thence

(ii) North 87° 24′ 50″ West—414.43 feet to a point, thence

(iii) South 81° 08′ 00″ West—69.56 feet to a point, thence

(iv) South 88° 42′ 48″ West—367.50 feet to a point, thence

(v) South 87° 09′ 00″ West—379.68 feet to a point on the easterly right-of-way line of MacArthur Boulevard, thence with said easterly right-of-way line, as now described

(vi) North 08° 41′ 30″ East—30.62 feet to a point, thence crossing to include a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(vii) North 87° 09′ 00″ East—373.96 feet to a point, thence

(viii) North 88° 42′ 48″ East—374.92 feet to a point, thence

(ix) North 56° 53′ 40″ East—53.16 feet to a point, thence

(x) North 86° 00′ 15″ East—26.17 feet to a point, thence

(xi) South 87° 24′ 50″ East—464.01 feet to a point, thence

(xii) North 83° 34′ 31″ East—50.62 feet to a point, thence

(xiii) South 02° 35′ 10″ West—46.46 feet to a point, thence

(xiv) South 13° 38′ 12″ East—107.83 feet to a point, thence

(xv) South 35° 05′ 40″ East—347.97 feet to a point on the aforesaid northerly right-of-way line of Dalecarlia Parkway, thence with said right-of-way line, as now described

(xvi) 44.12 feet along the arc of a curve to the right having a radius of 855.00 feet, chord bearing and distance of South 58° 59′ 22″ West—44.11 feet to the place of beginning containing 1.7157 acres of land more or less as now described by Maddox Engineers and Surveyors, Inc., June 2000, Job #00015.

(4) APPRAISAL.—Before conveying any right, title, or interest under this subsection, the Secretary shall obtain an appraisal of the fair market value of the parcel.

(c) JOLIET, ILLINOIS.—

(1) IN GENERAL.—Subject to the provisions of this subsection, the Secretary shall convey by quitclaim deed without consideration to the Joliet Park District in Joliet, Illinois, all right, title, and interest of the United States in and to the parcel of real property located at 622 Railroad Street in the city of Joliet, consisting of approximately 2 acres, together with any improvements thereon, for public ownership and use as the site of the headquarters of the park district.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be held in public ownership or to be used as headquarters of the park district or for related purposes, all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

(d) OTTAWA, ILLINOIS.—

(1) CONVEYANCE OF PROPERTY.—Subject to the terms, conditions, and reservations of paragraph (2), the Secretary shall convey by quitclaim deed to the Young Men's Christian Association of Ottawa, Illinois (in this subsection referred to as the ''YMCA''), all right, title, and interest of the United States in and to a portion of the easements acquired for the improvement of the Illinois Waterway project over a parcel of real property owned by the YMCA, known as the ''Ottawa, Illinois, YMCA Site'', and located at 201 E. Jackson Street, Ottawa, La Salle County, Illinois (portion of NE¼, S11, T33N, R3E 3PM), except that portion lying below the elevation of 461 feet National Geodetic Vertical Datum.

(2) CONDITIONS.—The following conditions apply to the conveyance under paragraph (1):

(A) The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(B) The YMCA shall agree to hold and save the United States harmless from liability associated with the operation and maintenance of the Illinois Waterway project on the property described in paragraph (1).

(C) If the Secretary determines that any portion of the property that is the subject of the easement conveyed under paragraph (1) ceases to be used for the purposes for which the YMCA was established, all right, title, and interest in and to such easement shall revert to the United States, at the option of the United States.

(e) BAYOU TECHE, LOUISIANA.—

(1) IN GENERAL.—After renovations of the Keystone Lock facility have been completed, the Secretary may convey by quitclaim deed without consideration to St. Martin Parish, Louisiana, all rights, title, and interests of the United States in the approximately 12.03 acres of land under the administrative jurisdiction of the Secretary in Bayou Teche, Louisiana, together with improvements thereon. The dam and the authority to retain upstream pool elevations shall remain under the jurisdiction of the Secretary. The Secretary shall relinquish all operations and maintenance of the lock to St. Martin Parish.

(2) CONDITIONS.—The following conditions apply to the transfer under paragraph (1):

(A) St. Martin Parish shall operate, maintain, repair, replace, and rehabilitate the lock in accordance with regulations prescribed by the Secretary that are consistent with the project's authorized purposes.

(B) The Parish shall provide the Secretary access to the dam whenever the Secretary notifies the Parish of a need for access to the dam.

(C) If the Parish fails to comply with subparagraph (A), the Secretary shall notify the Parish of such failure. If the parish does not correct such failure during the 1-year period beginning on the date of such notification, the Secretary shall have a right of reverter to reclaim possession and title to the land and improvements conveyed under this section or, in the case of a failure to make necessary repairs, the Secretary may effect the repairs and require payment from the Parish for the repairs made by the Secretary.

(f) ONTONAGON, MICHIGAN.—

(1) IN GENERAL.—The Secretary may convey to the Ontonagon County Historical Society, at Federal expense—

(A) the lighthouse at Ontonagon, Michigan; and

(B) the land underlying and adjacent to the lighthouse (including any improvements on the land) that is under the jurisdiction of the Secretary.

(2) MAP.—The Secretary shall—

(A) determine the extent of the land conveyance under this subsection;

(B) determine the exact acreage and legal description of the land to be conveyed under this subsection; and

(C) prepare a map that clearly identifies any land to be conveyed.

(3) ENVIRONMENTAL RESPONSE.—To the extent required under any applicable law, the Secretary shall be responsible for any necessary environmental response required as a result of the prior Federal use or ownership of the land and improvements conveyed under this subsection.

(4) RESPONSIBILITIES AFTER CONVEYANCE.—After the conveyance of land under this subsection, the Ontonagon County Historical Society shall be responsible for any additional operation, maintenance, repair, rehabilitation, or replacement costs associated with the lighthouse or the conveyed land and improvements.

(5) APPLICABILITY OF ENVIRONMENTAL LAW.—Nothing in this section affects the potential liability of any person under any applicable environmental law.

(6) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be owned by the Ontonagon County Historical Society or to be used for public purposes, all right, title, and interest in and to such property shall revert to the United States, at the option of the United States.

(g) PIKE COUNTY, MISSOURI.—

(1) IN GENERAL.—Subject to paragraphs (3) and (4), at such time as S.S.S., Inc. conveys all right, title, and interest in and to the parcel of land described in paragraph (2)(A) to the United States, the Secretary shall convey all right, title, and interest of the United States in and to the parcel of land described in paragraph (2)(B) to S.S.S., Inc.

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are the following:

(A) NON-FEDERAL LAND.—8.99 acres with existing flowage easements, located in Pike County, Missouri, adjacent to land being acquired from Holnam, Inc. by the Corps of Engineers.

(B) FEDERAL LAND.—8.99 acres located in Pike County, Missouri, known as ''Government Tract Numbers FM–46 and FM–47'', administered by the Corps of Engineers.

(3) CONDITIONS.—The land exchange under paragraph (1) shall be subject to the following conditions:

(A) DEEDS.—

(i) NON-FEDERAL LAND.—The conveyance of the parcel of land described in subsection (2)(A) to the Secretary shall be by a warranty deed acceptable to the Secretary.

(ii) FEDERAL LAND.—The instrument of conveyance used to convey the parcel of land described in subsection (2)(B) to S.S.S., Inc. shall contain such reservations, terms, and conditions as the Secretary considers necessary to allow the United States to operate and maintain the Mississippi River 9-Foot Navigation Project.

(B) REMOVAL OF IMPROVEMENTS.—

(i) IN GENERAL.—S.S.S., Inc. may remove, and the Secretary may require S.S.S., Inc. to remove, any improvements on the parcel of land described in subsection (2)(A).

(ii) NO LIABILITY.—If S.S.S., Inc., voluntarily or under direction from the Secretary, removes an improvement on the parcel of land described in paragraph (2)(A)—

(I) S.S.S., Inc. shall have no claim against the United States for liability; and

(II) the United States shall not incur or be liable for any cost associated with the removal or relocation of the improvement.

(C) TIME LIMIT FOR LAND EXCHANGE.—Not later than 2 years after the date of enactment of this Act, the land exchange under paragraph (1) shall be completed.

(D) LEGAL DESCRIPTION.—The Secretary shall provide legal descriptions of the parcels of land described in paragraph (2), which shall be used in the instruments of conveyance of the parcels.

(4) VALUE OF PROPERTIES.—If the appraised fair market value, as determined by the Secretary, of the parcel of land conveyed to S.S.S., Inc. by the Secretary under paragraph (1) exceeds the appraised fair market value, as determined by the Secretary, of the parcel of land conveyed to the United States by S.S.S., Inc. under paragraph (1), S.S.S., Inc. shall pay to the United States, in cash or a cash equivalent, an amount equal to the difference between the 2 values.

(h) ST. CLAIR AND BENTON COUNTIES, MISSOURI.—

(1) IN GENERAL.—The Secretary shall convey to the Iconium Fire Protection District, St. Clair and Benton counties, Missouri, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the parcel of land described in paragraph (2).

(2) LAND DESCRIPTION.—The parcel of land to be conveyed under paragraph (1) is the tract of land located in the Southeast ¼ of Section 13, Township 39 North, Range 25 West, of the Fifth Principal Meridian, St. Clair County, Missouri, more particularly described as follows: Commencing at the Southwest corner of Section 18, as designated by Corps survey marker AP 18–1, thence northerly 11.22 feet to the southeast corner of Section 13, thence 657.22 feet north along the east line of Section 13 to Corps monument 18 1–C lying within the right-of-way of State Highway C, being the point of beginning of the tract of land herein described; thence westerly approximately 210 feet, thence northerly 150 feet, thence easterly approximately 210 feet to the east line of Section 13, thence southerly along said east line, 150 feet to the point of beginning, containing 0.723 acres, more or less.

(3) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be held in public ownership or to be used as a site for a fire station, all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

(i) CANDY LAKE PROJECT, OSAGE COUNTY, OKLAHOMA.—Section 563(c)(1)(B) of the Water Resources Development Act of 1999 (113 Stat. 357) is amended by striking ''a deceased individual'' and inserting ''an individual''.

(j) MANOR TOWNSHIP, PENNSYLVANIA.—

(1) IN GENERAL.—In accordance with this subsection, the Secretary shall convey by quitclaim deed to the township of Manor, Pennsylvania, all right, title, and interest of the United States in and to the approximately 113 acres of real property located at Crooked Creek Lake, together with any improvements on the land.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) CONSIDERATION.—The Secretary may convey under this subsection without consideration any portion of the real property described in paragraph (1) if the portion is to be retained in public ownership and be used for public park and recreation or other public purposes.

(4) REVERSION.—If the Secretary determines that any portion of the property conveyed under paragraph (3) ceases to be held in public ownership or to be used for public park and recreation or other public purposes, all right, title, and interest in and to such portion of property shall revert to the United States, at the option of the United States.

(k) RICHARD B. RUSSELL DAM AND LAKE, SOUTH CAROLINA.—Section 563(i) of the Water Resources Development Act of 1999 (113 Stat. 360–361) is amended to read as follows:

''(i) RICHARD B. RUSSELL DAM AND LAKE, SOUTH CAROLINA.—

''(1) IN GENERAL.—The Secretary shall convey to the State of South Carolina all right, title, and interest of the United States in and to the parcels of land described in paragraph (2)(A) that are being managed, as of August 17, 1999, by the South Carolina Department of Natural Resources for fish and wildlife mitigation purposes for the Richard B. Russell Dam and Lake, South Carolina, project authorized by section 203 of the Flood Control Act of 1966 (80 Stat. 1420).

''(2) LAND DESCRIPTION.—

''(A) IN GENERAL.—The parcels of land to be conveyed are described in Exhibits A, F, and H of Army Lease No. DACW21–1–93–0910 and associated supplemental agreements.

''(B) SURVEY.—The exact acreage and legal description of the land shall be determined by a survey satisfactory to the Secretary, with the cost of the survey borne by the State.

''(3) COSTS OF CONVEYANCE.—The State shall be responsible for all costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

''(4) PERPETUAL STATUS.—

''(A) IN GENERAL.—All land conveyed under this subsection shall be retained in public ownership and shall be managed in perpetuity for fish and wildlife mitigation purposes in accordance with a plan approved by the Secretary.

''(B) REVERSION.—If any parcel of land is not managed for fish and wildlife mitigation purposes in accordance with the plan, title to the parcel shall revert to the United States, at the option of the United States.

''(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this subsection as the Secretary considers appropriate to protect the interests of the United States.

''(6) FISH AND WILDLIFE MITIGATION AGREEMENT.—

''(A) IN GENERAL.—The Secretary shall pay the State of South Carolina $4,850,000, subject to the Secretary and the State entering into a contract for the State to manage for fish and wildlife mitigation purposes in perpetuity the parcels of land conveyed under this subsection.

''(B) FAILURE OF PERFORMANCE.—The agreement shall specify the terms and conditions under which payment will be made and the rights of, and remedies available to, the Federal Government to recover all or a portion of the payment if the State fails to manage any parcel in a manner satisfactory to the Secretary.''.

(l) SAVANNAH RIVER, SOUTH CAROLINA.—

(1) DEFINITION OF NEW SAVANNAH BLUFF LOCK AND DAM.—In this subsection, the term ''New Savannah Bluff Lock and Dam'' means—

(A) the lock and dam at New Savannah Bluff, Savannah River, Georgia and South Carolina; and

(B) the appurtenant features to the lock and dam, including—

(i) the adjacent approximately 50-acre park and recreation area with improvements made under the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924) and the first section of the Act of August 30, 1935 (49 Stat. 1032); and

(ii) other land that is part of the project and that the Secretary determines to be appropriate for conveyance under this subsection.

(2) REPAIR AND CONVEYANCE.—After execution of an agreement between the Secretary and the city of North Augusta and Aiken County, South Carolina, the Secretary—

(A) shall repair and rehabilitate the New Savannah Bluff Lock and Dam, at Federal expense of an estimated $5,300,000; and

(B) after repair and rehabilitation, may convey the New Savannah Bluff Lock and Dam, without consideration, to the city of North Augusta and Aiken County, South Carolina.

(3) TREATMENT OF NEW SAVANNAH BLUFF LOCK AND DAM.—The New Savannah Bluff Lock and Dam shall not be considered to be part of any Federal project after the conveyance under paragraph (2).

(4) OPERATION AND MAINTENANCE.—

(A) BEFORE CONVEYANCE.—Before the conveyance under paragraph (2), the Secretary shall continue to operate and maintain the New Savannah Bluff Lock and Dam.

(B) AFTER CONVEYANCE.—After the conveyance under paragraph (2), operation and maintenance of all features of the project for navigation, Savannah River below Augusta, Georgia, described in paragraph (1)(B)(i), other than the New Savannah Bluff Lock and Dam, shall continue to be a Federal responsibility.

(m) TRI-CITIES AREA, WASHINGTON.—Section 501(i) of the Water Resources Development Act of 1996 (110 Stat. 3752–3753) is amended—

(1) by inserting before the period at the end of paragraph (1) the following: ''; except that any of such local governments, with the agreement of the appropriate district engineer, may exempt from the conveyance to the local government all or any part of the property to be conveyed to the local government''; and

(2) by inserting before the period at the end of paragraph (2)(C) the following: ''; except that approximately 7.4 acres in Columbia Park, Kennewick, Washington, consisting of the historic site located in the Park and known and referred to as the ''Kennewick Man Site'' and such adjacent wooded areas as the Secretary determines are necessary to protect the historic site, shall remain in Federal ownership''.

(n) GENERALLY APPLICABLE PROVISIONS.—

(1) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers appropriate and necessary to protect the interests of the United States.

(3) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

(4) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

SEC. 349. PROJECT REAUTHORIZATIONS.

(a) IN GENERAL.—Each of the following projects may be carried out by the Secretary, and no construction on any such project may be initiated until the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, as appropriate:

(1) NARRAGUAGUS RIVER, MILBRIDGE, MAINE.—Only for the purpose of maintenance as anchorage, those portions of the project for navigation, Narraguagus River, Milbridge, Maine, authorized by section 2 of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 195), and deauthorized under section 101 of the River and Harbor Act of 1962 (75 Stat. 1173), lying adjacent to and outside the limits of the 11-foot and 9-foot channel authorized as part of the project for navigation, authorized by such section 101, as follows:

(A) An area located east of the 11-foot channel starting at a point with coordinates N248,060.52, E668,236.56, thence running south 36 degrees 20 minutes 52.3 seconds east 1567.242 feet to a point N246,798.21, E669,165.44, thence running north 51 degrees 30 minutes 06.2 seconds west 839.855 feet to a point N247,321.01, E668,508.15, thence running north 20 degrees 09 minutes 58.1 seconds west 787.801 feet to the point of origin.

(B) An area located west of the 9-foot channel starting at a point with coordinates N249,673.29, E667,537.73, thence running south 20 degrees 09 minutes 57.8 seconds east 1341.616 feet to a point N248,413.92, E668,000.24, thence running south 01 degrees 04 minutes 26.8 seconds east 371.688 feet to a point N248,042.30, E668,007.21, thence running north 22 degrees 21 minutes 20.8 seconds west 474.096 feet to a point N248,480.76, E667,826.88, thence running north 79 degrees 09 minutes 31.6 seconds east 100.872 feet to a point N248,499.73, E667,925.95, thence running north 13 degrees 47 minutes 27.6 seconds west 95.126 feet to a point N248,592.12, E667,903.28, thence running south 79 degrees 09 minutes 31.6 seconds west 115.330 feet to a point N248,570.42, E667,790.01, thence running north 22 degrees 21 minutes 20.8 seconds west 816.885 feet to a point N249,325.91, E667,479.30, thence running north 07 degrees 03 minutes 00.3 seconds west 305.680 feet to a point N249,629.28, E667,441.78, thence running north 65 degrees 21 minutes 33.8 seconds east 105.561 feet to the point of origin.

(2) CEDAR BAYOU, TEXAS.—The project for navigation, Cedar Bayou, Texas, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved September 19, 1890 (26 Stat. 444), and modified by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved July 3, 1930 (46 Stat. 926), and deauthorized by section 1002 of the Water Resources Development Act of 1986 (100 Stat. 4219), except that the project is authorized only for construction of a navigation channel 12 feet deep by 125 feet wide from mile −2.5 (at the junction with the Houston Ship Channel) to mile 11.0 on Cedar Bayou.

(b) REDESIGNATION.—The following portion of the 11-foot channel of the project for navigation, Narraguagus River, Milbridge, Maine, referred to in subsection (a)(1) is redesignated as anchorage: starting at a point with coordinates N248,413.92, E668,000.24, thence running south 20 degrees 09 minutes 57.8 seconds east 1325.205 feet to a point N247,169.95, E668,457.09, thence running north 51 degrees 30 minutes 05.7 seconds west 562.33 feet to a point N247,520.00, E668,017.00, thence running north 01 degrees 04 minutes 26.8 seconds west 894.077 feet to the point of origin.

SEC. 350. CONTINUATION OF PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—Notwithstanding section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)), the following projects shall remain authorized to be carried out by the Secretary:

(1) The projects for flood control, Sacramento River, California, modified by section 10 of the Flood Control Act of December 22, 1944 (58 Stat. 900–901).

(2) The project for flood protection, Sacramento River from Chico Landing to Red Bluff, California, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 314).

(b) LIMITATION.—A project described in subsection (a) shall not be authorized for construction after the last day of the 7-year period beginning on the date of enactment of this Act, unless, during such period, funds have been obligated for the construction (including planning and design) of the project.

SEC. 351. WATER QUALITY PROJECTS.

Section 307(a) of the Water Resources Development Act of 1992 (106 Stat. 4841) is amended by striking ''Jefferson and Orleans Parishes'' and inserting ''Jefferson, Orleans, and St. Tammany Parishes''.

TITLE IV—STUDIES

SEC. 401. STUDIES OF COMPLETED PROJECTS.

The Secretary shall conduct a study under section 216 of the Flood Control Act of 1970 (84 Stat. 1830) of each of the following completed projects:

(1) ESCAMBIA BAY AND RIVER, FLORIDA.—Project for navigation, Escambia Bay and River, Florida.

(2) ILLINOIS RIVER, HAVANA, ILLINOIS.—Project for flood control, Illinois River, Havana, Illinois, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1583).

(3) SPRING LAKE, ILLINOIS.—Project for flood control, Spring Lake, Illinois, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1584).

(4) PORT ORFORD, OREGON.—Project for navigation, Port Orford, Oregon, authorized by section 301 of River and Harbor Act of 1965 (79 Stat. 1092).

SEC. 402. LOWER MISSISSIPPI RIVER RESOURCE ASSESSMENT.

(a) ASSESSMENTS.—The Secretary, in cooperation with the Secretary of the Interior and the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, shall undertake for the Lower Mississippi River system—

(1) an assessment of information needed for river-related management;

(2) an assessment of natural resource habitat needs; and

(3) an assessment of the need for river-related recreation and access.

(b) PERIOD.—Each assessment referred to in subsection (a) shall be carried out for 2 years.

(c) REPORTS.—Before the last day of the second year of an assessment under subsection (a), the Secretary, in cooperation with the Secretary of the Interior and the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, shall transmit to Congress a report on the results of the assessment to Congress. The report shall contain recommendations for—

(1) the collection, availability, and use of information needed for river-related management;

(2) the planning, construction, and evaluation of potential restoration, protection, and enhancement measures to meet identified habitat needs; and

(3) potential projects to meet identified river access and recreation needs.

(d) LOWER MISSISSIPPI RIVER SYSTEM DEFINED.—In this section, the term ''Lower Mississippi River system'' means those river reaches and adjacent floodplains within the Lower Mississippi River alluvial valley having commercial navigation channels on the Mississippi mainstem and tributaries south of Cairo, Illinois, and the Atchafalaya basin floodway system.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,750,000 to carry out this section.

SEC. 403. UPPER MISSISSIPPI RIVER BASIN SEDIMENT AND NUTRIENT STUDY.

(a) IN GENERAL.—In conjunction with the Secretary of Agriculture and the Secretary of the Interior, the Secretary shall conduct a study to—

(1) identify and evaluate significant sources of sediment and nutrients in the upper Mississippi River basin;

(2) quantify the processes affecting mobilization, transport, and fate of those sediments and nutrients on land and in water; and

(3) quantify the transport of those sediments and nutrients to the upper Mississippi River and the tributaries of the upper Mississippi River.

(b) STUDY COMPONENTS.—

(1) COMPUTER MODELING.—In carrying out the study under this section, the Secretary shall develop computer models of the upper Mississippi River basin, at the subwatershed and basin scales, to—

(A) identify and quantify sources of sediment and nutrients; and

(B) examine the effectiveness of alternative management measures.

(2) RESEARCH.—In carrying out the study under this section, the Secretary shall conduct research to improve the understanding of—

(A) fate processes and processes affecting sediment and nutrient transport, with emphasis on nitrogen and phosphorus cycling and dynamics;

(B) the influences on sediment and nutrient losses of soil type, slope, climate, vegetation cover, and modifications to the stream drainage network; and

(C) river hydrodynamics, in relation to sediment and nutrient transformations, retention, and transport.

(c) USE OF INFORMATION.—On request of a Federal agency, the Secretary may provide information for use in applying sediment and nutrient reduction programs associated with land-use improvements and land management practices.

(d) REPORTS.—

(1) PRELIMINARY REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a preliminary report that outlines work being conducted on the study components described in subsection (b).

(2) FINAL REPORT.—Not later than 5 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report describing the results of the study under this section, including any findings and recommendations of the study.

(e) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $4,000,000 for each of fiscal years 2001 through 2005.

(2) FEDERAL SHARE.—The Federal share of the cost of carrying out this section shall be 50 percent.

SEC. 404. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN.

Section 459(e) of the Water Resources Development Act of 1999 (113 Stat. 333) is amended by striking ''date of enactment of this Act'' and inserting ''first date on which funds are appropriated to carry out this section.''.

SEC. 405. OHIO RIVER SYSTEM.

The Secretary may conduct a study of commodity flows on the Ohio River system. The study shall include an analysis of the commodities transported on the Ohio River system, including information on the origins and destinations of these commodities and market trends, both national and international.

SEC. 406. BALDWIN COUNTY, ALABAMA.

The Secretary shall conduct a study to determine the feasibility of carrying out beach erosion control, storm damage reduction, and other measures along the shores of Baldwin County, Alabama.

SEC. 407. BRIDGEPORT, ALABAMA.

The Secretary shall review the construction of a channel performed by the non-Federal interest at the project for navigation, Tennessee River, Bridgeport, Alabama, to determine the Federal navigation interest in such work.

SEC. 408–409. ARKANSAS RIVER NAVIGATION SYSTEM.

The Secretary shall expedite completion of the Arkansas River navigation study, including the feasibility of increasing the authorized channel from 9 feet to 12 feet.

SEC. 410. CACHE CREEK BASIN, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4112), to authorize construction of features to mitigate impacts of the project on the storm drainage system of the city of Woodland, California, that have been caused by construction of a new south levee of the Cache Creek Settling Basin.

(b) REQUIRED ELEMENTS.—The study shall include consideration of—

(1) an outlet works through the Yolo Bypass capable of receiving up to 1,600 cubic feet per second of storm drainage from the city of Woodland and Yolo County;

(2) a low-flow cross-channel across the Yolo Bypass, including all appurtenant features, that is sufficient to route storm flows of 1,600 cubic feet per second between the old and new south levees of the Cache Creek Settling Basin, across the Yolo Bypass, and into the Tule Canal; and

(3) such other features as the Secretary determines to be appropriate.

SEC. 411. ESTUDILLO CANAL, SAN LEANDRO, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction along the Estudillo Canal, San Leandro, California.

SEC. 412. LAGUNA CREEK, FREMONT, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction in the Laguna Creek watershed, Fremont, California.

SEC. 413. LAKE MERRITT, OAKLAND, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for ecosystem restoration, flood damage reduction, and recreation at Lake Merritt, Oakland, California.

SEC. 414. LANCASTER, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall evaluate the report of the city of Lancaster, California, entitled ''Master Plan of Drainage'', to determine whether the plans contained in the report are feasible and in the Federal interest, including plans relating to drainage corridors located at 52nd Street West, 35th Street West, North Armargosa, and 20th Street East.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 415. OCEANSIDE, CALIFORNIA.

Not later than 32 months after the date of enactment of this Act, the Secretary shall conduct a study, at Federal expense, of plans—

(1) to mitigate for the erosion and other impacts resulting from the construction of Camp Pendleton Harbor, Oceanside, California, as a wartime measure; and

(2) to restore beach conditions along the affected public and private shores to the conditions that existed before the construction of Camp Pendleton Harbor.

SEC. 416. SAN JACINTO WATERSHED, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a watershed study for the San Jacinto watershed, California.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $250,000.

SEC. 417. SUISUN MARSH, CALIFORNIA.

The investigation for Suisun Marsh, California, authorized under the Energy and Water Development Appropriations Act, 2000 (Public Law 106–60), shall be limited to evaluating the feasibility of the levee enhancement and managed wetlands protection program for Suisun Marsh, California.

SEC. 418. DELAWARE RIVER WATERSHED.

(a) STUDY.—The Secretary shall conduct studies and assessments to analyze the sources and impacts of sediment contamination in the Delaware River watershed.

(b) ACTIVITIES.—Activities authorized under this section may be conducted by a university with expertise in research in contaminated sediment sciences.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $5,000,000. Such sums shall remain available until expended.

(2) CORPS OF ENGINEERS EXPENSES.—10 percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer and implement studies and assessments under this section.

SEC. 419. BREVARD COUNTY, FLORIDA.

The Secretary shall prepare a general reevaluation report on the project for shoreline protection, Brevard County, Florida, authorized by section 101(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3667), to determine, if the project were modified to direct the Secretary to incorporate in the project any or all of the 7.1-mile reach of the project that was deleted from the south reach of the project, as described in paragraph (5) of the Report of the Chief of Engineers, dated December 23, 1996, whether the project as modified would be technically sound, environmentally acceptable, and economically justified.

SEC. 420. CHOCTAWHATCHEE RIVER, FLORIDA.

The Secretary shall conduct a study to determine the Federal interest in dredging the mouth of the Choctawhatchee River, Florida, to remove the sand plug.

SEC. 421. EGMONT KEY, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of stabilizing the historic fortifications and beach areas of Egmont Key, Florida, that are threatened by erosion.

SEC. 422. UPPER OCKLAWAHA RIVER AND APOPKA/PALATLAKAHA RIVER BASINS, FLORIDA.

(a) IN GENERAL.—The Secretary shall conduct a restudy of flooding and water quality issues in—

(1) the upper Ocklawaha River basin, south of the Silver River; and

(2) the Apopka River and Palatlakaha River basins.

(b) REQUIRED ELEMENTS.—In carrying out subsection (a), the Secretary shall review the report of the Chief of Engineers on the Four River Basins, Florida, project, published as House Document No. 585, 87th Congress, and other pertinent reports to determine the feasibility of measures relating to comprehensive watershed planning for water conservation, flood control, environmental restoration and protection, and other issues relating to water resources in the river basins described in subsection (a).

SEC. 423. LAKE ALLATOONA WATERSHED, GEORGIA.

Section 413 of the Water Resources Development Act of 1999 (113 Stat. 324) is amended to read as follows:

"SEC. 413. LAKE ALLATOONA WATERSHED, GEORGIA.

''(a) IN GENERAL.—The Secretary shall conduct a comprehensive study of the Lake Allatoona watershed, Georgia, to determine the feasibility of undertaking ecosystem restoration and resource protection measures.

''(b) MATTERS TO BE ADDRESSED.—The study shall address streambank and shoreline erosion, sedimentation, water quality, fish and wildlife habitat degradation, and other problems relat-

ing to ecosystem restoration and resource protection in the Lake Allatoona watershed.''.

SEC. 424. BOISE RIVER, IDAHO.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction along the Boise River, Idaho.

SEC. 425. WOOD RIVER, IDAHO.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction along the Wood River in Blaine County, Idaho.

SEC. 426. CHICAGO, ILLINOIS.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for shoreline protection along the Chicago River, Chicago, Illinois.

(b) SITES.—Under subsection (a), the Secretary shall study—

(1) the USX/Southworks site;

(2) Calumet Lake and River;

(3) the Canal Origins Heritage Corridor; and

(4) Ping Tom Park.

(c) USE OF INFORMATION; CONSULTATION.—In carrying out this section, the Secretary shall use available information from, and consult with, appropriate Federal, State, and local agencies.

SEC. 427. CHICAGO SANITARY AND SHIP CANAL SYSTEM, CHICAGO, ILLINOIS.

The Secretary shall conduct a study to determine the feasibility of reducing the use of the waters of Lake Michigan to support navigation in the Chicago sanitary and ship canal system, Chicago, Illinois.

SEC. 428. LONG LAKE, INDIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for ecosystem restoration, Long Lake, Indiana.

SEC. 429. BRUSH AND ROCK CREEKS, MISSION HILLS AND FAIRWAY, KANSAS.

The Secretary shall evaluate the preliminary engineering report for the project for flood control, Mission Hills and Fairway, Kansas, entitled ''Preliminary Engineering Report: Brush Creek/Rock Creek Drainage Improvements, 66th Street to State Line Road'', to determine whether the plans contained in the report are feasible and in the Federal interest.

SEC. 430. ATCHAFALAYA RIVER, BAYOUS CHENE, BOEUF, AND BLACK, LOUISIANA.

The Secretary shall investigate the problems associated with the mixture of freshwater, saltwater, and fine river silt in the channel of the project for navigation Atchafalaya River and Bayous Chene, Boeuf, and Black, Louisiana, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731), and recommend a solution to the problems.

SEC. 431. BOEUF AND BLACK, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of deepening the navigation channel of the Atchafalaya River and Bayous Chene, Boeuf and Black, Louisiana, from 20 feet to 35 feet.

SEC. 432. IBERIA PORT, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation, Iberia Port, Louisiana.

SEC. 433. LAKE PONTCHARTRAIN SEAWALL, LOUISIANA.

Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a post-authorization change report on the project for hurricane-flood protection, Lake Pontchartrain, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077), to include structural modifications to the seawall providing protection along the south shore of Lake Pontchartrain from the New Basin Canal on the west to the Inner Harbor Navigation Canal on the east.

SEC. 434. LOWER ATCHAFALAYA BASIN, LOUISIANA.

As part of the Lower Atchafalaya basin reevaluation study, the Secretary shall determine the feasibility of carrying out a project for flood damage reduction, Stephensville, Louisiana.

SEC. 435. ST. JOHN THE BAPTIST PARISH, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction on the east bank of the Mississippi River in St. John the Baptist Parish, Louisiana.

SEC. 436. SOUTH LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out projects for hurricane protection in the coastal area of the State of Louisiana between Morgan City and the Pearl River.

SEC. 437. PORTSMOUTH HARBOR AND PISCATAQUA RIVER, MAINE AND NEW HAMPSHIRE.

The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Portsmouth Harbor and Piscataqua River, Maine and New Hampshire, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173) and modified by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4095), to increase the authorized width of turning basins in the Piscataqua River to 1,000 feet.

SEC. 438. MERRIMACK RIVER BASIN, MASSACHUSETTS AND NEW HAMPSHIRE.

(a) IN GENERAL.—The Secretary shall conduct a comprehensive study of the water resources needs of the Merrimack River basin, Massachusetts and New Hampshire, in the manner described in section 729 of the Water Resources Development Act of 1986 (100 Stat. 4164).

(b) CONSIDERATION OF OTHER STUDIES.—In carrying out this section, the Secretary may take into consideration any studies conducted by the University of New Hampshire on environmental restoration of the Merrimack River System.

SEC. 439. WILD RICE RIVER, MINNESOTA.

The Secretary shall prepare a general reevaluation report on the project for flood control, Wild Rice River, Minnesota, authorized by section 201 of the Flood Control Act of 1970 (84 Stat. 1825). In carrying out the reevaluation, the Secretary shall include river dredging as a component of the study.

SEC. 440. PORT OF GULFPORT, MISSISSIPPI.

The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Gulfport Harbor, Mississippi, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4094) and modified by section 4(n) of the Water Resources Development Act of 1988 (102 Stat. 4017).

SEC. 441. LAS VEGAS VALLEY, NEVADA.

Section 432(b) of the Water Resources Development Act of 1999 (113 Stat. 327) is amended by inserting ''recreation,'' after ''runoff),''.

SEC. 442. UPLAND DISPOSAL SITES IN NEW HAMPSHIRE.

In conjunction with the State of New Hampshire, the Secretary shall conduct a study to identify and evaluate potential upland disposal sites for dredged material originating from harbor areas located within the State.

SEC. 443. SOUTHWEST VALLEY, ALBUQUERQUE, NEW MEXICO.

Section 433 of the Water Resources Development Act of 1999 (113 Stat. 327) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The''; and

(2) by adding at the end the following:

''(b) EVALUATION OF FLOOD DAMAGE REDUCTION MEASURES.—In conducting the study, the Secretary shall evaluate flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies of the Corps of Engineers concerning the frequency of flooding, the drainage area, and the amount of runoff.''.

SEC. 444. BUFFALO HARBOR, BUFFALO, NEW YORK.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the advisability and potential impacts of declaring as nonnavigable a portion of the channel at Control Point Draw, Buffalo Harbor, Buffalo New York.

(b) CONTENTS.—The study conducted under this section shall include an examination of other options to meet intermodal transportation needs in the area.

SEC. 445. JAMESVILLE RESERVOIR, ONONDAGA COUNTY, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration, flood damage reduction, and water quality, Jamesville Reservoir, Onondaga County, New York.

SEC. 446. BOGUE BANKS, CARTERET COUNTY, NORTH CAROLINA.

The Secretary shall expedite completion of a study under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j) on the expedited renourishment, through sharing of the costs of deposition of sand and other material used for beach renourishment, of the beaches of Bogue Banks in Carteret County, North Carolina, including Atlantic Beach, Pine Knoll Shores Beach, Salter Path Beach, Indian Beach, and Emerald Isle Beach.

SEC. 447. DUCK CREEK WATERSHED, OHIO.

The Secretary shall conduct a study to determine the feasibility of carrying out flood control, environmental restoration, and aquatic ecosystem restoration measures in the Duck Creek watershed, Ohio.

SEC. 448. FREMONT, OHIO.

In consultation with appropriate Federal, State, and local agencies, the Secretary shall conduct a study to determine the feasibility of carrying out projects for water supply and environmental restoration at the Ballville Dam on the Sandusky River at Fremont, Ohio.

SEC. 449. STEUBENVILLE, OHIO.

The Secretary shall conduct a study to determine the feasibility of developing a public port along the Ohio River in the vicinity of Steubenville, Ohio.

SEC. 450. GRAND LAKE, OKLAHOMA.

(a) EVALUATION.—The Secretary shall—

(1) evaluate the backwater effects specifically due to flood control operations on land around Grand Lake, Oklahoma; and

(2) transmit, not later than 180 days after the date of enactment of this Act, to Congress a report on whether Federal actions have been a significant cause of the backwater effects.

(b) FEASIBILITY STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of—

(A) addressing the backwater effects of the operation of the Pensacola Dam, Grand/Neosho River basin, Oklahoma; and

(B) purchasing easements for any land that has been adversely affected by backwater flooding in the Grand/Neosho River basin.

(2) COST SHARING.—If the Secretary determines under subsection (a)(2) that Federal actions have been a significant cause of the backwater effects, the Federal share of the costs of the feasibility study under paragraph (1) shall be 100 percent.

SEC. 451. COLUMBIA SLOUGH, OREGON.

Not later than 180 days after the date of enactment of this Act, the Secretary shall complete under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) a feasibility study for the ecosystem restoration project at Columbia Slough, Oregon. If the Secretary determines that the project is appropriate, the Secretary may carry out the project on an expedited basis under such section.

SEC. 452. CLIFF WALK IN NEWPORT, RHODE ISLAND.

The Secretary shall conduct a study to determine the project deficiencies and identify the necessary measures to restore the project for Cliff Walk in Newport, Rhode Island, to meet its authorized purpose.

SEC. 453. QUONSET POINT CHANNEL, RHODE ISLAND.

The Secretary shall conduct a study to determine the Federal interest in dredging the

Quonset Point navigation channel in Narragansett Bay, Rhode Island.

SEC. 454. DREDGED MATERIAL DISPOSAL SITE, RHODE ISLAND.

In consultation with the Administrator of the Environmental Protection Agency, the Secretary shall conduct a study to determine the feasibility of designating a permanent site in the State of Rhode Island for the disposal of dredged material.

SEC. 455. REEDY RIVER, GREENVILLE, SOUTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration, flood damage reduction, and streambank stabilization on the Reedy River, Cleveland Park West, Greenville, South Carolina.

SEC. 456. CHICKAMAUGA LOCK AND DAM, TENNESSEE.

(a) IN GENERAL.—The Secretary shall use $200,000, from funds transferred from the Tennessee Valley Authority, to prepare a report of the Chief of Engineers for a replacement lock at Chickamauga Lock and Dam, Tennessee.

(b) FUNDING.—As soon as practicable after the date of enactment of this Act, the Tennessee Valley Authority shall transfer to the Secretary the funds necessary to carry out subsection (a).

SEC. 457. GERMANTOWN, TENNESSEE.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood control and related purposes along Miller Farms Ditch, Howard Road Drainage, and Wolf River Lateral D, Germantown, Tennessee.

(b) JUSTIFICATION ANALYSIS.—The Secretary shall include environmental and water quality benefits in the justification analysis for the project.

(c) CREDIT.—The Secretary—

(1) shall credit toward the non-Federal share of the cost of the feasibility study the value of the in-kind services provided by the non-Federal interests relating to the planning, engineering, and design of the project, whether carried out before, on, or after the date of execution of the feasibility study cost-sharing agreement; and

(2) shall consider, for the purposes of paragraph (1), the feasibility study to be conducted as part of the Memphis Metro Tennessee and Mississippi study authorized by resolution of the Committee on Transportation and Infrastructure of the House of Representatives, dated March 7, 1996.

(d) LIMITATION.—The Secretary may not reject the project under the feasibility study based solely on a minimum amount of stream runoff.

SEC. 458. MILWAUKEE, WISCONSIN.

(a) IN GENERAL.—The Secretary shall evaluate the report for the project for flood damage reduction and environmental restoration, Milwaukee, Wisconsin, entitled ''Interim Executive Summary: Menominee River Flood Management Plan'', dated September 1999, to determine whether the plans contained in the report are cost-effective, technically sound, environmentally acceptable, and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. LAKES PROGRAM.

Section 602 of the Water Resources Development Act of 1986 (100 Stat. 4148–4149), as amended in section 210(b) of this Act, is further amended—

(1) in subsection (b) by inserting ''and activity'' after ''project'';

(2) in subsection (c) by inserting ''and activities under subsection (f)'' before the comma; and

(3) by adding at the end the following:

''(f) CENTER FOR LAKE EDUCATION AND RESEARCH, OTSEGO LAKE, NEW YORK.—

''(1) IN GENERAL.—The Secretary shall construct an environmental education and research facility at Otsego Lake, New York. The purpose of the Center shall be to—

''(A) conduct nationwide research on the impacts of water quality and water quantity on lake hydrology and the hydrologic cycle;

''(B) develop technologies and strategies for monitoring and improving water quality in the Nation's lakes; and

''(C) provide public education regarding the biological, economic, recreational, and aesthetic value of the Nation's lakes.

''(2) USE OF RESEARCH.—The results of research and education activities carried out at the Center shall be applied to the program under subsection (a) and to other Federal programs, projects, and activities that are intended to improve or otherwise affect lakes.

''(3) BIOLOGICAL MONITORING STATION.—A central function of the Center shall be to research, develop, test, and evaluate biological monitoring technologies and techniques for potential use at lakes listed in subsection (a) and throughout the Nation.

''(4) CREDIT.—The non-Federal sponsor shall receive credit for lands, easements, rights-of-way, and relocations toward its share of project costs.

''(5) AUTHORIZATION OF APPROPRIATIONS.—In addition to sums authorized by subsection (d), there is authorized to be appropriated to carry out this subsection $3,000,000. Such sums shall remain available until expended.''.

SEC. 502. RESTORATION PROJECTS.

(a) IN GENERAL.—Section 539 of the Water Resources Development Act of 1996 (110 Stat. 3776–3777) is amended—

*(1) in the section heading by striking ''**MARYLAND, PENNSYLVANIA, AND WEST VIRGINIA**'';*

(2) by striking ''and'' at the end of subsection (a)(1)(A);

(3) by striking the period at the end of subsection (a)(1)(B) and inserting a semicolon; and

(4) by adding at the end of subsection (a)(1) the following:

''(C) the Lackawanna River, Pennsylvania;

''(D) the Soda Butte Creek, Silver Creek, and Elkhorn Mountain drainages, Montana;

''(E) the Pemigewasset River watershed, New Hampshire;

''(F) the Hocking River, Ohio; and

''(G) the Clinch River watershed and Powell River watershed, Virginia.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 539(d) of such Act (110 Stat. 3776–3777) is amended—

(1) by striking ''(a)(1)(A) and'' and inserting ''(a)(1)(A),''; and

(2) by inserting '', $5,000,000 for projects undertaken under subsection (a)(1)(C), $5,000,000 for projects undertaken under subsection (a)(1)(D), $1,500,000 for projects undertaken under subsection (a)(1)(E), $2,500,000 for projects undertaken under subsection (a)(1)(F), and $5,000,000 for projects undertaken under subsection (a)(1)(G)'' before the period at the end.

SEC. 503. SUPPORT OF ARMY CIVIL WORKS PROGRAM.

The requirements of section 2361 of title 10, United States Code, shall not apply to any contract, cooperative research and development agreement, cooperative agreement, or grant entered into under section 229 of the Water Resources Development Act of 1996 (33 U.S.C. 2313b) between the Secretary and Marshall University or entered into under section 350 of the Water Resources Development Act of 1999 (113 Stat. 310) between the Secretary and Juniata College, Pennsylvania.

SEC. 504. EXPORT OF WATER FROM GREAT LAKES.

(a) ADDITIONAL FINDING.—Section 1109(b) of the Water Resources Development Act of 1986 (42 U.S.C. 1962d–20(b)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); and

(2) by inserting after paragraph (1) the following:

''(2) to encourage the Great Lakes States, in consultation with the Provinces of Ontario and Quebec, to develop and implement a mechanism that provides a common conservation standard embodying the principles of water conservation and resource improvement for making decisions concerning the withdrawal and use of water from the Great Lakes Basin;''.

(b) APPROVAL OF GOVERNORS FOR EXPORT OF WATER.—Section 1109(d) of the Water Resources Development Act of 1986 (42 U.S.C. 1962d–20(d)) is amended by—

(1) inserting ''or exported'' after ''diverted''; and

(2) inserting ''or export'' after ''diversion''.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should work with the Canadian Government to encourage and support the Provinces in the development and implementation of a mechanism and standard concerning the withdrawal and use of water from the Great Lakes Basin consistent with those mechanisms and standards developed by the Great Lakes States.

SEC. 505. GREAT LAKES TRIBUTARY MODEL.

Section 516 of the Water Resources Development Act of 1996 (33 U.S.C. 2326b) is amended—

(1) by adding at the end of subsection (e) the following:

''(3) REPORT.—Not later than December 31, 2003, the Secretary shall transmit to Congress a report on the Secretary's activities under this subsection.''; and

(2) in subsection (g)—

(A) by striking ''There is authorized'' and inserting the following:

''(1) IN GENERAL.—There is authorized'';

(B) by adding at the end the following:

''(2) GREAT LAKES TRIBUTARY MODEL.—In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out subsection (e) $5,000,000 for each of fiscal years 2002 through 2006.''; and

(C) by aligning the remainder of the text of paragraph (1) (as designated by subparagraph (A) of this paragraph) with paragraph (2) (as added by subparagraph (B) of this paragraph).

SEC. 506. GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION.

(a) FINDINGS.—Congress finds that—

(1) the Great Lakes comprise a nationally and internationally significant fishery and ecosystem;

(2) the Great Lakes fishery and ecosystem should be developed and enhanced in a coordinated manner; and

(3) the Great Lakes fishery and ecosystem provides a diversity of opportunities, experiences, and beneficial uses.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) GREAT LAKE.—

(A) IN GENERAL.—The term ''Great Lake'' means Lake Superior, Lake Michigan, Lake Huron (including Lake St. Clair), Lake Erie, and Lake Ontario (including the St. Lawrence River to the 45th parallel of latitude).

(B) INCLUSIONS.—The term ''Great Lake'' includes any connecting channel, historically connected tributary, and basin of a lake specified in subparagraph (A).

(2) GREAT LAKES COMMISSION.—The term ''Great Lakes Commission'' means The Great Lakes Commission established by the Great Lakes Basin Compact (82 Stat. 414).

(3) GREAT LAKES FISHERY COMMISSION.—The term ''Great Lakes Fishery Commission'' has the meaning given the term ''Commission'' in section 2 of the Great Lakes Fishery Act of 1956 (16 U.S.C. 931).

(4) GREAT LAKES STATE.—The term ''Great Lakes State'' means each of the States of Illinois, Indiana, Michigan, Minnesota, Ohio, Pennsylvania, New York, and Wisconsin.

(c) GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION.—

(1) SUPPORT PLAN.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a plan for activities of the Corps

of Engineers that support the management of Great Lakes fisheries.

(B) USE OF EXISTING DOCUMENTS.—To the maximum extent practicable, the plan shall make use of and incorporate documents that relate to the Great Lakes and are in existence on the date of enactment of this Act, such as lakewide management plans and remedial action plans.

(C) COOPERATION.—The Secretary shall develop the plan in cooperation with—

(i) the signatories to the Joint Strategic Plan for Management of the Great Lakes Fisheries; and

(ii) other affected interests.

(2) PROJECTS.—The Secretary shall plan, design, and construct projects to support the restoration of the fishery, ecosystem, and beneficial uses of the Great Lakes.

(3) EVALUATION PROGRAM.—

(A) IN GENERAL.—The Secretary shall develop a program to evaluate the success of the projects carried out under paragraph (2) in meeting fishery and ecosystem restoration goals.

(B) STUDIES.—Evaluations under subparagraph (A) shall be conducted in consultation with the Great Lakes Fishery Commission and appropriate Federal, State, and local agencies.

(d) COOPERATIVE AGREEMENTS.—In carrying out this section, the Secretary may enter into a cooperative agreement with the Great Lakes Commission or any other agency established to facilitate active State participation in management of the Great Lakes.

(e) RELATIONSHIP TO OTHER GREAT LAKES ACTIVITIES.—No activity under this section shall affect the date of completion of any other activity relating to the Great Lakes that is authorized under other law.

(f) COST SHARING.—

(1) DEVELOPMENT OF PLAN.—The Federal share of the cost of development of the plan under subsection (c)(1) shall be 65 percent.

(2) PROJECT PLANNING, DESIGN, CONSTRUCTION, AND EVALUATION.—The Federal share of the cost of planning, design, construction, and evaluation of a project under paragraph (2) or (3) of subsection (c) shall be 65 percent.

(3) NON-FEDERAL SHARE.—

(A) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—The Secretary shall credit the non-Federal interest for the value of any land, easement, right-of-way, dredged material disposal area, or relocation provided for carrying out a project under subsection (c)(2).

(B) FORM.—The non-Federal interest may provide up to 50 percent of the non-Federal share required under paragraphs (1) and (2) in the form of services, materials, supplies, or other in-kind contributions.

(4) OPERATION AND MAINTENANCE.—The operation, maintenance, repair, rehabilitation, and replacement of projects carried out under this section shall be a non-Federal responsibility.

(5) NON-FEDERAL INTERESTS.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a private interest and a nonprofit entity.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) DEVELOPMENT OF PLAN.—There is authorized to be appropriated for development of the plan under subsection (c)(1) $300,000.

(2) OTHER ACTIVITIES.—There is authorized to be appropriated to carry out paragraphs (2) and (3) of subsection (c) $100,000,000.

SEC. 507. NEW ENGLAND WATER RESOURCES AND ECOSYSTEM RESTORATION.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) CRITICAL RESTORATION PROJECT.—The term ''critical restoration project'' means a project that will produce, consistent with Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, and protection benefits.

(2) NEW ENGLAND.—The term ''New England'' means all watersheds, estuaries, and related coastal areas in the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

(b) ASSESSMENT.—

(1) IN GENERAL.—The Secretary, in coordination with appropriate Federal, State, tribal, regional, and local agencies, shall perform an assessment of the condition of water resources and related ecosystems in New England to identify problems and needs for restoring, preserving, and protecting water resources, ecosystems, wildlife, and fisheries.

(2) MATTERS TO BE ADDRESSED.—The assessment shall include—

(A) development of criteria for identifying and prioritizing the most critical problems and needs; and

(B) a framework for development of watershed or regional restoration plans.

(3) USE OF EXISTING INFORMATION.—In performing the assessment, the Secretary shall, to the maximum extent practicable, use—

(A) information that is available on the date of enactment of this Act; and

(B) ongoing efforts of all participating agencies.

(4) CRITERIA; FRAMEWORK.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop and make available for public review and comment—

(i) criteria for identifying and prioritizing critical problems and needs; and

(ii) a framework for development of watershed or regional restoration plans.

(B) USE OF RESOURCES.—In developing the criteria and framework, the Secretary shall make full use of all available Federal, State, tribal, regional, and local resources.

(5) REPORT.—Not later than October 1, 2002, the Secretary shall transmit to Congress a report on the assessment.

(c) RESTORATION PLANS.—

(1) IN GENERAL.—After the report is transmitted under subsection (b)(5), the Secretary, in coordination with appropriate Federal, State, tribal, regional, and local agencies, shall—

(A) develop a comprehensive plan for restoring, preserving, and protecting the water resources and ecosystem in each watershed and region in New England; and

(B) transmit the plan to Congress.

(2) CONTENTS.—Each restoration plan shall include—

(A) a feasibility report; and

(B) a programmatic environmental impact statement covering the proposed Federal action.

(d) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—After the restoration plans are transmitted under subsection (c)(1)(B), the Secretary, in coordination with appropriate Federal, State, tribal, regional, and local agencies, shall identify critical restoration projects that will produce independent, immediate, and substantial restoration, preservation, and protection benefits.

(2) AGREEMENTS.—The Secretary may carry out a critical restoration project after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(3) PROJECT JUSTIFICATION.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out a project under this subsection, the Secretary may determine that the project—

(A) is justified by the environmental benefits derived from the ecosystem; and

(B) shall not need further economic justification if the Secretary determines that the project is cost effective.

(4) TIME LIMITATION.—No critical restoration project may be initiated under this subsection after September 30, 2005.

(5) COST LIMITATION.—Not more than $5,000,000 in Federal funds may be used to carry out a project under this subsection.

(e) COST SHARING.—

(1) ASSESSMENT.—

(A) IN GENERAL.—The non-Federal share of the cost of the assessment under subsection (b) shall be 25 percent.

(B) IN-KIND CONTRIBUTIONS.—The non-Federal share may be provided in the form of services, materials, or other in-kind contributions.

(2) RESTORATION PLANS.—

(A) IN GENERAL.—The non-Federal share of the cost of developing the restoration plans under subsection (c) shall be 35 percent.

(B) IN-KIND CONTRIBUTIONS.—Up to 50 percent of the non-Federal share may be provided in the form of services, materials, or other in-kind contributions.

(3) CRITICAL RESTORATION PROJECTS.—

(A) IN GENERAL.—The non-Federal share of the cost of carrying out a project under subsection (d) shall be 35 percent.

(B) IN-KIND CONTRIBUTIONS.—Up to 50 percent of the non-Federal share may be provided in the form of services, materials, or other in-kind contributions.

(C) REQUIRED NON-FEDERAL CONTRIBUTION.—For any critical restoration project, the non-Federal interest shall—

(i) provide all land, easements, rights-of-way, dredged material disposal areas, and relocations;

(ii) pay all operation, maintenance, replacement, repair, and rehabilitation costs; and

(iii) hold the United States harmless from all claims arising from the construction, operation, and maintenance of the project.

(D) CREDIT.—The Secretary shall credit the non-Federal interest for the value of the land, easements, rights-of-way, dredged material disposal areas, and relocations provided under subparagraph (C).

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) ASSESSMENT AND RESTORATION PLANS.—There is authorized to be appropriated to carry out subsections (b) and (c) $4,000,000 for each of fiscal years 2001 through 2005.

(2) CRITICAL RESTORATION PROJECTS.—There is authorized to be appropriated to carry out subsection (d) $55,000,000.

SEC. 508. VISITORS CENTERS.

(a) JOHN PAUL HAMMERSCHMIDT VISITORS CENTER, ARKANSAS.—Section 103(e) of the Water Resources Development Act of 1992 (106 Stat. 4813) is amended by striking ''Arkansas River, Arkansas.'' and inserting ''Fort Smith, Arkansas, on land provided by the city of Fort Smith.''.

(b) LOWER MISSISSIPPI RIVER MUSEUM AND RIVERFRONT INTERPRETIVE SITE, MISSISSIPPI.—Section 103(c)(2) of the Water Resources Development Act of 1992 (106 Stat. 4811) is amended in the first sentence by striking ''in the vicinity of the Mississippi River Bridge in Vicksburg, Mississippi.'' and inserting ''between the Mississippi River Bridge and the waterfront in downtown Vicksburg, Mississippi.''.

SEC. 509. CALFED BAY-DELTA PROGRAM ASSISTANCE, CALIFORNIA.

(a) IN GENERAL.—The Secretary—

(1) may participate with the appropriate Federal and State agencies in the planning and management activities associated with the CALFED Bay-Delta Program referred to in the California Bay-Delta Environmental Enhancement and Water Security Act (division E of Public Law 104–208; 110 Stat. 3009–748); and

(2) shall integrate, to the maximum extent practicable and in accordance with applicable law, the activities of the Corps of Engineers in the San Joaquin and Sacramento River basins with the long-term goals of the CALFED Bay-Delta Program.

(b) COOPERATIVE ACTIVITIES.—In participating in the CALFED Bay-Delta Program under subsection (a), the Secretary may—

(1) accept and expend funds from other Federal agencies and from non-Federal public, private, and nonprofit entities to carry out ecosystem restoration projects and activities associated with the CALFED Bay-Delta Program; and

(2) in carrying out the projects and activities, enter into contracts, cooperative research and development agreements, and cooperative agreements with Federal and non-Federal private, public, and nonprofit entities.

(c) AREA COVERED BY PROGRAM.—For the purposes of this section, the area covered by the CALFED Bay-Delta Program shall be the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and its watershed (known as the ''Bay-Delta Estuary''), as identified in the Framework Agreement Between the Governor's Water Policy Council of the State of California and the Federal Ecosystem Directorate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal years 2002 through 2005.

SEC. 510. SEWARD, ALASKA.

The Secretary shall carry out, on an emergency one-time basis, necessary repairs of the Lowell Creek Tunnel in Seward, Alaska, at Federal expense and a total cost of $3,000,000.

SEC. 511. CLEAR LAKE BASIN, CALIFORNIA.

Amounts made available to the Secretary by the Energy and Water Development Appropriations Act, 2000 (113 Stat. 483 et seq.) for the project for aquatic ecosystem restoration, Clear Lake basin, California, to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), may be used only for the wetlands restoration and creation elements of the project.

SEC. 512. CONTRA COSTA CANAL, OAKLEY AND KNIGHTSEN, CALIFORNIA.

The Secretary shall carry out a project for flood damage reduction under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) at the Contra Costa Canal, Oakley and Knightsen, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 513. HUNTINGTON BEACH, CALIFORNIA.

The Secretary shall carry out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) a project for flood damage reduction in Huntington Beach, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 514. MALLARD SLOUGH, PITTSBURG, CALIFORNIA.

The Secretary shall carry out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) a project for flood damage reduction in Mallard Slough, Pittsburg, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 515. PORT EVERGLADES, FLORIDA.

Notwithstanding the absence of a project cooperation agreement, the Secretary shall reimburse the non-Federal interest for the project for navigation, Port Everglades Harbor, Florida, $15,003,000 for the Federal share of costs incurred by the non-Federal interest in carrying out the project and determined by the Secretary to be eligible for reimbursement under the limited reevaluation report of the Corps of Engineers, dated April 1998.

SEC. 516. LAKE SIDNEY LANIER, GEORGIA, HOME PRESERVATION.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) EASEMENT PROHIBITION.—The term ''easement prohibition'' means the rights acquired by the United States in the flowage easements to prohibit structures for human habitation.

(2) ELIGIBLE PROPERTY OWNER.—The term ''eligible property owner'' means a person that owns a structure for human habitation that was constructed before January 1, 2000, and is located on fee land or in violation of the flowage easement.

(3) FEE LAND.—The term ''fee land'' means the land acquired in fee title by the United States for the Lake.

(4) FLOWAGE EASEMENT.—The term ''flowage easement'' means an interest in land that the United States acquired that provides the right to flood, to the elevation of 1,085 feet above mean sea level (among other rights), land surrounding the Lake.

(5) LAKE.—The term ''Lake'' means the Lake Sidney Lanier, Georgia, project of the Corps of Engineers authorized by the first section of the Rivers and Harbors Act of July 24, 1946 (60 Stat. 635).

(b) ESTABLISHMENT OF PROGRAM.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish, and provide public notice of, a program—

(1) to convey to eligible property owners the right to maintain existing structures for human habitation on fee land; or

(2) to release eligible property owners from the easement prohibition as it applies to existing structures for human habitation on the flowage easements (if the floor elevation of the human habitation area is above the elevation of 1,085 feet above mean sea level).

(c) REGULATIONS.—To carry out subsection (b), the Secretary shall issue regulations that—

(1) require the Corps of Engineers to suspend any activities to require eligible property owners to remove structures for human habitation that encroach on fee land or flowage easements;

(2) provide that a person that owns a structure for human habitation on land adjacent to the Lake shall have a period of 1 year after the date of enactment of this Act—

(A) to request that the Corps of Engineers resurvey the property of the person to determine if the person is an eligible property owner under this section; and

(B) to pay the costs of the resurvey to the Secretary for deposit in the Corps of Engineers account in accordance with section 2695 of title 10, United States Code;

(3) provide that when a determination is made, through a private survey or through a boundary line maintenance survey conducted by the Federal Government, that a structure for human habitation is located on the fee land or a flowage easement—

(A) the Corps of Engineers shall immediately notify the property owner by certified mail; and

(B) the property owner shall have a period of 90 days from receipt of the notice in which to establish that the structure was constructed before January 1, 2000, and that the property owner is an eligible property owner under this section;

(4) provide that any private survey shall be subject to review and approval by the Corps of Engineers to ensure that the private survey conforms to the boundary line established by the Federal Government;

(5) require the Corps of Engineers to offer to an eligible property owner a conveyance or release that—

(A) on fee land, conveys by quitclaim deed the minimum land required to maintain the human habitation structure, reserving the right to flood to the elevation of 1,085 feet above mean sea level, if applicable;

(B) in a flowage easement, releases by quitclaim deed the easement prohibition;

(C) provides that—

(i) the existing structure shall not be extended further onto fee land or into the flowage easement; and

(ii) additional structures for human habitation shall not be placed on fee land or in a flowage easement; and

(D) provides that—

(i)(I) the United States shall not be liable or responsible for damage to property or injury to persons caused by operation of the Lake; and

(II) no claim to compensation shall accrue from the exercise of the flowage easement rights; and

(ii) the waiver described in clause (i) of any and all claims against the United States shall be a covenant running with the land and shall be binding on heirs, successors, assigns, and purchasers of the property subject to the waiver; and

(6) provide that the eligible property owner shall—

(A) agree to an offer under paragraph (5) not later than 90 days after the offer is made by the Corps of Engineers; or

(B) comply with the real property rights of the United States and remove the structure for human habitation and any other unauthorized real or personal property.

(d) OPTION TO PURCHASE INSURANCE.—Nothing in this section precludes a property owner from purchasing flood insurance to which the property owner may be eligible.

(e) PRIOR ENCROACHMENT RESOLUTIONS.—Nothing in this section affects any resolution, before the date of enactment of this Act, of an encroachment at the Lake, whether the resolution was effected through sale, exchange, voluntary removal, or alteration or removal through litigation.

(f) PRIOR REAL PROPERTY RIGHTS.—Nothing in this section—

(1) takes away, diminishes, or eliminates any other real property rights acquired by the United States at the Lake; or

(2) affects the ability of the United States to require the removal of any and all encroachments that are constructed or placed on United States real property or flowage easements at the Lake after December 31, 1999.

SEC. 517. BALLARD'S ISLAND, LASALLE COUNTY, ILLINOIS.

The Secretary may provide the non-Federal interest for the project for the improvement of the quality of the environment, Ballard's Island, LaSalle County, Illinois, carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest after July 1, 1999, if the Secretary determines that the work is integral to the project.

SEC. 518. LAKE MICHIGAN DIVERSION, ILLINOIS.

Section 1142(b) of the Water Resources Development Act of 1986 (42 U.S.C. 1962d–20 note; 100 Stat. 4253; 113 Stat. 339) is amended by inserting after ''2003'' the following: ''and $800,000 for each fiscal year beginning after September 30, 2003,''.

SEC. 519. ILLINOIS RIVER BASIN RESTORATION.

(a) ILLINOIS RIVER BASIN DEFINED.—In this section, the term ''Illinois River basin'' means the Illinois River, Illinois, its backwaters, its side channels, and all tributaries, including their watersheds, draining into the Illinois River.

(b) COMPREHENSIVE PLAN.—

(1) DEVELOPMENT.—The Secretary shall develop, as expeditiously as practicable, a proposed comprehensive plan for the purpose of restoring, preserving, and protecting the Illinois River basin.

(2) TECHNOLOGIES AND INNOVATIVE APPROACHES.—The comprehensive plan shall provide for the development of new technologies and innovative approaches—

(A) to enhance the Illinois River as a vital transportation corridor;

(B) to improve water quality within the entire Illinois River basin;

(C) to restore, enhance, and preserve habitat for plants and wildlife; and

(D) to increase economic opportunity for agriculture and business communities.

(3) SPECIFIC COMPONENTS.—The comprehensive plan shall include such features as are necessary to provide for—

(A) the development and implementation of a program for sediment removal technology, sediment characterization, sediment transport, and beneficial uses of sediment;

(B) the development and implementation of a program for the planning, conservation, evaluation, and construction of measures for fish and wildlife habitat conservation and rehabilitation, and stabilization and enhancement of land and water resources in the basin;

(C) the development and implementation of a long-term resource monitoring program; and

(D) the development and implementation of a computerized inventory and analysis system.

(4) CONSULTATION.—The comprehensive plan shall be developed by the Secretary in consultation with appropriate Federal agencies, the State of Illinois, and the Illinois River Coordinating Council.

(5) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the comprehensive plan.

(6) ADDITIONAL STUDIES AND ANALYSES.—After transmission of a report under paragraph (5), the Secretary shall continue to conduct such studies and analyses related to the comprehensive plan as are necessary, consistent with this subsection.

(c) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—If the Secretary, in cooperation with appropriate Federal agencies and the State of Illinois, determines that a restoration project for the Illinois River basin will produce independent, immediate, and substantial restoration, preservation, and protection benefits, the Secretary shall proceed expeditiously with the implementation of the project.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out projects under this subsection $100,000,000 for fiscal years 2001 through 2004.

(3) FEDERAL SHARE.—The Federal share of the cost of carrying out any project under this subsection shall not exceed $5,000,000.

(d) GENERAL PROVISIONS.—

(1) WATER QUALITY.—In carrying out projects and activities under this section, the Secretary shall take into account the protection of water quality by considering applicable State water quality standards.

(2) PUBLIC PARTICIPATION.—In developing the comprehensive plan under subsection (b) and carrying out projects under subsection (c), the Secretary shall implement procedures to facilitate public participation, including providing advance notice of meetings, providing adequate opportunity for public input and comment, maintaining appropriate records, and making a record of the proceedings of meetings available for public inspection.

(e) COORDINATION.—The Secretary shall integrate and coordinate projects and activities carried out under this section with ongoing Federal and State programs, projects, and activities, including the following:

(1) Upper Mississippi River System-Environmental Management Program authorized under section 1103 of the Water Resources Development Act of 1986 (33 U.S.C. 652).

(2) Upper Mississippi River Illinois Waterway System Study.

(3) Kankakee River Basin General Investigation.

(4) Peoria Riverfront Development General Investigation.

(5) Illinois River Ecosystem Restoration General Investigation.

(6) Conservation Reserve Program (and other farm programs of the Department of Agriculture).

(7) Conservation Reserve Enhancement Program (State) and Conservation 2000 Ecosystem Program of the Illinois Department of Natural Resources.

(8) Conservation 2000 Conservation Practices Program and the Livestock Management Facilities Act administered by the Illinois Department of Agriculture.

(9) National Buffer Initiative of the Natural Resources Conservation Service.

(10) Nonpoint source grant program administered by the Illinois Environmental Protection Agency.

(f) JUSTIFICATION.—

(1) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out activities to restore, preserve, and protect the Illinois River basin under this section, the Secretary may determine that the activities—

(A) are justified by the environmental benefits derived by the Illinois River basin; and

(B) shall not need further economic justification if the Secretary determines that the activities are cost-effective.

(2) APPLICABILITY.—Paragraph (1) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the Illinois River basin.

(g) COST SHARING.—

(1) IN GENERAL.—The non-Federal share of the cost of projects and activities carried out under this section shall be 35 percent.

(2) OPERATION, MAINTENANCE, REHABILITATION, AND REPLACEMENT.—The operation, maintenance, rehabilitation, and replacement of projects carried out under this section shall be a non-Federal responsibility.

(3) IN-KIND SERVICES.—The Secretary may credit the value of in-kind services provided by the non-Federal interest for a project or activity carried out under this section toward not more than 80 percent of the non-Federal share of the cost of the project or activity. In-kind services shall include all State funds expended on programs and projects that accomplish the goals of this section, as determined by the Secretary. The programs and projects may include the Illinois River Conservation Reserve Program, the Illinois Conservation 2000 Program, the Open Lands Trust Fund, and other appropriate programs carried out in the Illinois River basin.

(4) CREDIT.—

(A) VALUE OF LANDS.—If the Secretary determines that lands or interests in land acquired by a non-Federal interest, regardless of the date of acquisition, are integral to a project or activity carried out under this section, the Secretary may credit the value of the lands or interests in land toward the non-Federal share of the cost of the project or activity. Such value shall be determined by the Secretary.

(B) WORK.—If the Secretary determines that any work completed by a non-Federal interest, regardless of the date of completion, is integral to a project or activity carried out under this section, the Secretary may credit the value of the work toward the non-Federal share of the cost of the project or activity. Such value shall be determined by the Secretary.

SEC. 520. KOONTZ LAKE, INDIANA.

The Secretary shall provide the non-Federal interest for the project for aquatic ecosystem restoration, Koontz Lake, Indiana, carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), credit toward the non-Federal share of the cost of the project for the value of work performed by the non-Federal interest before the date of execution of the project cooperation agreement if the Secretary determines that the work is integral to the project.

SEC. 521. WEST VIEW SHORES, CECIL COUNTY, MARYLAND.

Not later than 1 year after the date of enactment of this Act, the Secretary shall carry out an investigation of the contamination of the well system in West View Shores, Cecil County, Maryland. If the Secretary determines that a disposal site for a Federal navigation project has contributed to the contamination of the well system, the Secretary may provide alternative water supplies, including replacement of wells.

SEC. 522. MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS.

The Secretary shall carry out the project for flood damage reduction and environmental restoration, Muddy River, Brookline and Boston, Massachusetts, substantially in accordance with the plans, and subject to the conditions, described in the draft evaluation report of the New England District Engineer entitled ''Phase I Muddy River Master Plan'', dated June 2000.

SEC. 523. SOO LOCKS, SAULT STE. MARIE, MICHIGAN.

The Secretary may not require a cargo vessel equipped with bow thrusters and friction winches that is transiting the Soo Locks in Sault Ste. Marie, Michigan, to provide more than 2 crew members to serve as line handlers on the pier of a lock, except in adverse weather conditions or if there is a mechanical failure on the vessel.

SEC. 524. MINNESOTA DAM SAFETY.

(a) INVENTORY AND ASSESSMENT OF OTHER DAMS.—

(1) INVENTORY.—The Secretary shall establish an inventory of dams constructed in the State of Minnesota by and using funds made available through the Works Progress Administration, the Works Projects Administration, and the Civilian Conservation Corps.

(2) ASSESSMENT OF REHABILITATION NEEDS.—In establishing the inventory required under paragraph (1), the Secretary shall assess the condition of the dams on the inventory and the need for rehabilitation or modification of the dams.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the inventory and assessment required by this section.

(c) INTERIM ACTIONS.—

(1) IN GENERAL.—If the Secretary determines that a dam referred to in subsection (a) presents an imminent and substantial risk to public safety, the Secretary may carry out measures to prevent or mitigate against that risk.

(2) FEDERAL SHARE.—The Federal share of the cost of assistance provided under this subsection shall be 65 percent.

(d) COORDINATION.—In carrying out this section, the Secretary shall coordinate with the appropriate State dam safety officials and the Director of the Federal Emergency Management Agency.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $7,000,000.

SEC. 525. BRUCE F. VENTO UNIT OF THE BOUNDARY WATERS CANOE AREA WILDERNESS, MINNESOTA.

(a) DESIGNATION.—The portion of the Boundary Waters Canoe Area Wilderness, Minnesota, that is situated north and east of the Gunflint Corridor and bounded by the United States border with Canada to the north shall be known and designated as the ''Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness''.

(b) LEGAL REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the area referred to in subsection (a) shall be deemed to be a reference to the ''Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness''.

SEC. 526. DULUTH, MINNESOTA, ALTERNATIVE TECHNOLOGY PROJECT.

(a) PROJECT AUTHORIZATION.—Section 541(a) of the Water Resources Development Act of 1996 (110 Stat. 3777) is amended—

(1) by striking ''implement'' and inserting ''conduct full scale demonstrations of''; and

(2) by inserting before the period the following: '', including technologies evaluated for the New York/New Jersey Harbor under section 405 of the Water Resources Development Act of 1992 (33 U.S.C. 2239 note; 106 Stat. 4863)''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 541(b) of such Act is amended by striking ''$1,000,000'' and inserting ''$3,000,000''.

SEC. 527. MINNEAPOLIS, MINNESOTA.

(a) IN GENERAL.—The Secretary, in cooperation with the State of Minnesota, shall design and construct the project for environmental restoration and recreation, Minneapolis, Minnesota, substantially in accordance with the plans described in the report entitled ''Feasibility Study for Mississippi Whitewater Park, Minneapolis, Minnesota'', prepared for the State of Minnesota Department of Natural Resources, dated June 30, 1999.

(b) COST SHARING.—

(1) IN GENERAL.—The non-Federal share of the cost of the project shall be 35 percent.

(2) LANDS, EASEMENTS, AND RIGHTS-OF-WAY.—The non-Federal interest shall provide all lands,

easements, rights-of-way, relocations, and dredged material disposal areas necessary for construction of the project and shall receive credit for the cost of providing such lands, easements, rights-of-way, relocations, and dredged material disposal areas toward the non-Federal share of the cost of the project.

(3) OPERATION, MAINTENANCE, REPAIR, REHABILITATION, AND REPLACEMENT.—The operation, maintenance, repair, rehabilitation, and replacement of the project shall be a non-Federal responsibility.

(4) CREDIT FOR NON-FEDERAL WORK.—The non-Federal interest shall receive credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest before the date of execution of the project cooperation agreement if the Secretary determines that the work is integral to the project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SEC. 528. COASTAL MISSISSIPPI WETLANDS RESTORATION PROJECTS.

(a) IN GENERAL.—In order to further the purposes of section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) and section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), the Secretary shall participate in restoration projects for critical coastal wetlands and coastal barrier islands in the State of Mississippi that will produce, consistent with existing Federal programs, projects, and activities, immediate and substantial restoration, preservation, and ecosystem protection benefits, including the beneficial use of dredged material if such use is a cost-effective means of disposal of such material.

(b) PROJECT SELECTION.—The Secretary, in coordination with other Federal, tribal, State, and local agencies, may identify and implement projects described in subsection (a) after entering into an agreement with an appropriate non-Federal interest in accordance with this section.

(c) COST SHARING.—Before implementing any project under this section, the Secretary shall enter into a binding agreement with the non-Federal interests. The agreement shall provide that the non-Federal responsibility for the project shall be as follows:

(1) To acquire any lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for implementation of the project.

(2) To hold and save harmless the United States free from claims or damages due to implementation of the project, except for the negligence of the Federal Government or its contractors.

(3) To pay 35 percent of project costs.

(d) NONPROFIT ENTITY.—For any project undertaken under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 529. LAS VEGAS, NEVADA.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) COMMITTEE.—The term ''Committee'' means the Las Vegas Wash Coordinating Committee.

(2) PLAN.—The term ''Plan'' means the Las Vegas Wash comprehensive adaptive management plan, developed by the Committee and dated January 20, 2000.

(3) PROJECT.—The term ''Project'' means the Las Vegas Wash wetlands restoration and Lake Mead improvement project and includes the programs, features, components, projects, and activities identified in the Plan.

(b) PARTICIPATION IN PROJECT.—

(1) IN GENERAL.—The Secretary, in conjunction with the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, and the Secretary of the Interior and in partnership with the Committee, shall participate in the implementation of the Project at Las Vegas Wash and Lake Mead in accordance with the Plan.

(2) COST SHARING REQUIREMENTS.—

(A) IN GENERAL.—The non-Federal interests shall pay 35 percent of the cost of any project carried out under this section.

(B) OPERATION AND MAINTENANCE.—The non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(C) FEDERAL LANDS.—Notwithstanding any other provision of this subsection, the Federal share of the cost of a project carried out under this section on Federal lands shall be 100 percent, including the costs of operation and maintenance.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SEC. 530. URBANIZED PEAK FLOOD MANAGEMENT RESEARCH, NEW JERSEY.

(a) IN GENERAL.—The Secretary shall develop and implement a research program to evaluate opportunities to manage peak flood flows in urbanized watersheds located in the State of New Jersey.

(b) SCOPE OF RESEARCH.—The research program authorized by subsection (a) shall be accomplished through the New York District of the Corps of Engineers. The research shall include the following:

(1) Identification of key factors in the development of an urbanized watershed that affect peak flows in the watershed and downstream.

(2) Development of peak flow management models for 4 to 6 watersheds in urbanized areas with widely differing geology, shapes, and soil types that can be used to determine optimal flow reduction factors for individual watersheds.

(c) REPORT TO CONGRESS.—The Secretary shall evaluate policy changes in the planning process for flood damage reduction projects based on the results of the research under this section and transmit to Congress a report on such results not later than 3 years after the date of enactment of this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,000,000.

SEC. 531. NEPPERHAN RIVER, YONKERS, NEW YORK.

The Secretary shall provide technical assistance to the city of Yonkers, New York, in support of activities relating to the dredging of the Nepperhan River outlet, New York.

SEC. 532. UPPER MOHAWK RIVER BASIN, NEW YORK.

(a) IN GENERAL.—The Secretary, in cooperation with the Secretary of Agriculture and the State of New York, shall conduct a study, develop a strategy, and implement a project to reduce flood damages and create wildlife habitat through wetlands restoration, soil and water conservation practices, nonstructural measures, and other appropriate means in the Upper Mohawk River Basin, at an estimated Federal cost of $10,000,000.

(b) IMPLEMENTATION OF STRATEGY.—The Secretary shall implement the strategy under this section in cooperation with local landowners and local government. Projects to implement the strategy shall be designed to take advantage of ongoing or planned actions by other agencies, local municipalities, or nonprofit, nongovernmental organizations with expertise in wetlands restoration that would increase the effectiveness or decrease the overall cost of implementing recommended projects and may include the acquisition of wetlands, from willing sellers, that contribute to the Upper Mohawk River basin ecosystem.

(c) COOPERATION AGREEMENTS.—In carrying out activities under this section, the Secretary shall enter into cooperation agreements to provide financial assistance to appropriate Federal, State, and local government agencies and appropriate nonprofit, nongovernmental organizations with expertise in wetland restoration, with the consent of the affected local government. Financial assistance provided may include activities for the implementation of wetlands restoration projects and soil and water conservation measures.

(d) NON-FEDERAL SHARE.—The non-Federal share of the cost of activities carried out under this section shall be 35 percent and may be provided through in-kind services and materials.

(e) UPPER MOHAWK RIVER BASIN DEFINED.—In this section, the term ''Upper Mohawk River basin'' means the Mohawk River, its tributaries, and associated lands upstream of the confluence of the Mohawk River and Canajoharie Creek, and including Canajoharie Creek, New York.

SEC. 533. FLOOD DAMAGE REDUCTION.

(a) IN GENERAL.—In order to assist the States of North Carolina and Ohio and local governments in mitigating damages resulting from a major disaster, the Secretary shall carry out flood damage reduction projects by protecting, clearing, and restoring channel dimensions (including removing accumulated snags and other debris)—

(1) in eastern North Carolina, in—

(A) New River and tributaries;

(B) White Oak River and tributaries;

(C) Neuse River and tributaries; and

(D) Pamlico River and tributaries; and

(2) in Ohio, in—

(A) Symmes Creek;

(B) Duck Creek; and

(C) Brush Creek.

(b) COST SHARE.—The non-Federal interest for a project under this section shall—

(1) pay 35 percent of the cost of the project; and

(2) provide any lands, easements, rights-of-way, relocations, and material disposal areas necessary for implementation of the project.

(c) CONDITIONS.—The Secretary may not reject a project based solely on a minimum amount of stream runoff.

(d) MAJOR DISASTER DEFINED.—In this section, the term ''major disaster'' means a major disaster declared under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) before the date of enactment of this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $6,000,000 for fiscal years 2001 through 2003.

SEC. 534. CUYAHOGA RIVER, OHIO.

(a) IN GENERAL.—The Secretary shall provide technical assistance to non-Federal interests for an evaluation of the structural integrity of the bulkhead system located along the Cuyahoga River in the vicinity of Cleveland, Ohio, at a total cost of $500,000.

(b) EVALUATION.—The evaluation described in subsection (a) shall include design analysis, plans and specifications, and cost estimates for repair or replacement of the bulkhead system.

SEC. 535. CROWDER POINT, CROWDER, OKLAHOMA.

At the request of the city of Crowder, Oklahoma, the Secretary shall enter into a long-term lease, not to exceed 99 years, with the city under which the city may develop, operate, and maintain as a public park all or a portion of approximately 260 acres of land known as Crowder Point on Lake Eufaula, Oklahoma. The lease shall include such terms and conditions as the Secretary determines are necessary to protect the interest of the United States and project purposes and shall be made without consideration to the United States.

SEC. 536. LOWER COLUMBIA RIVER AND TILLAMOOK BAY ECOSYSTEM RESTORATION, OREGON AND WASHINGTON.

(a) IN GENERAL.—The Secretary shall conduct studies and ecosystem restoration projects for the lower Columbia River and Tillamook Bay estuaries, Oregon and Washington.

(b) USE OF MANAGEMENT PLANS.—

(1) LOWER COLUMBIA RIVER ESTUARY.—

(A) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall use as a guide the Lower Columbia River estuary program's comprehensive conservation and management plan developed under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330).

(B) CONSULTATION.—The Secretary shall carry out ecosystem restoration projects under this section for the lower Columbia River estuary in consultation with the Governors of the States of Oregon and Washington and the heads of appropriate Indian tribes, the Environmental Protection Agency, the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the Forest Service.

(2) TILLAMOOK BAY ESTUARY.—

(A) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall use as a guide the Tillamook Bay national estuary project's comprehensive conservation and management plan developed under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330).

(B) CONSULTATION.—The Secretary shall carry out ecosystem restoration projects under this section for the Tillamook Bay estuary in consultation with the Governor of the State of Oregon and the heads of appropriate Indian tribes, the Environmental Protection Agency, the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the Forest Service.

(c) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall undertake activities necessary to protect, monitor, and restore fish and wildlife habitat.

(2) LIMITATIONS.—The Secretary may not carry out any activity under this section that adversely affects—

(A) the water-related needs of the lower Columbia River estuary or the Tillamook Bay estuary, including navigation, recreation, and water supply needs; or

(B) private property rights.

(d) PRIORITY.—In determining the priority of projects to be carried out under this section, the Secretary shall consult with the Implementation Committee of the Lower Columbia River Estuary Program and the Performance Partnership Council of the Tillamook Bay National Estuary Project, and shall consider the recommendations of such entities.

(e) COST-SHARING REQUIREMENTS.—

(1) STUDIES.—Studies conducted under this section shall be subject to cost sharing in accordance with section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215).

(2) ECOSYSTEM RESTORATION PROJECTS.—

(A) IN GENERAL.—Non-Federal interests shall pay 35 percent of the cost of any ecosystem restoration project carried out under this section.

(B) ITEMS PROVIDED BY NON-FEDERAL INTERESTS.—Non-Federal interests shall provide all land, easements, rights-of-way, dredged material disposal areas, and relocations necessary for ecosystem restoration projects to be carried out under this section. The value of such land, easements, rights-of-way, dredged material disposal areas, and relocations shall be credited toward the payment required under this paragraph.

(C) IN-KIND CONTRIBUTIONS.—Not more than 50 percent of the non-Federal share required under this subsection may be satisfied by the provision of in-kind services.

(3) OPERATION AND MAINTENANCE.—Non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(4) FEDERAL LANDS.—Notwithstanding any other provision of this subsection, the Federal share of the cost of a project carried out under this section on Federal lands shall be 100 percent, including costs of operation and maintenance.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) LOWER COLUMBIA RIVER ESTUARY.—The term ''lower Columbia River estuary'' means those river reaches having navigation channels on the mainstem of the Columbia River in Oregon and Washington west of Bonneville Dam, and the tributaries of such reaches to the extent such tributaries are tidally influenced.

(2) TILLAMOOK BAY ESTUARY.—The term ''Tillamook Bay estuary'' means those waters of Tillamook Bay in Oregon and its tributaries that are tidally influenced.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000.

SEC. 537. ACCESS IMPROVEMENTS, RAYSTOWN LAKE, PENNSYLVANIA.

The Commonwealth of Pennsylvania may transfer any unobligated funds made available to the Commonwealth for item number 1278 of the table contained in section 1602 of Public Law 105–178 (112 Stat. 305) to the Secretary for access improvements at the Raystown Lake project, Pennsylvania.

SEC. 538. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.

Section 567 of the Water Resources Development Act of 1996 (110 Stat. 3787–3788) is amended—

(1) by striking subsection (a)(2) and inserting the following:

''(2) The Susquehanna River watershed upstream of the Chemung River, New York, at an estimated Federal cost of $10,000,000.''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) COOPERATION AGREEMENTS.—In conducting the study and developing the strategy under this section, the Secretary shall enter into cooperation agreements to provide financial assistance to appropriate Federal, State, and local government agencies and appropriate nonprofit, nongovernmental organizations with expertise in wetland restoration, with the consent of the affected local government. Financial assistance provided may include activities for the implementation of wetlands restoration projects and soil and water conservation measures.

''(d) IMPLEMENTATION OF STRATEGY.—The Secretary shall undertake development and implementation of the strategy under this section in cooperation with local landowners and local government officials. Projects to implement the strategy shall be designed to take advantage of ongoing or planned actions by other agencies, local municipalities, or nonprofit, nongovernmental organizations with expertise in wetlands restoration that would increase the effectiveness or decrease the overall cost of implementing recommended projects and may include the acquisition of wetlands, from willing sellers, that contribute to the Upper Susquehanna River basin ecosystem.''.

SEC. 539. CHARLESTON HARBOR, SOUTH CAROLINA.

(a) ESTUARY RESTORATION.—

(1) SUPPORT PLAN.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a plan for activities of the Corps of Engineers to support the restoration of the ecosystem of the Charleston Harbor estuary, South Carolina.

(B) COOPERATION.—The Secretary shall develop the plan in cooperation with—

(i) the State of South Carolina; and

(ii) other affected Federal and non-Federal interests.

(2) PROJECTS.—The Secretary shall plan, design, and construct projects to support the restoration of the ecosystem of the Charleston Harbor estuary.

(3) EVALUATION PROGRAM.—

(A) IN GENERAL.—The Secretary shall develop a program to evaluate the success of the projects carried out under paragraph (2) in meeting ecosystem restoration goals.

(B) STUDIES.—Evaluations under subparagraph (A) shall be conducted in consultation with the appropriate Federal, State, and local agencies.

(b) COST SHARING.—

(1) DEVELOPMENT OF PLAN.—The Federal share of the cost of development of the plan under subsection (a)(1) shall be 65 percent.

(2) PROJECT PLANNING, DESIGN, CONSTRUCTION, AND EVALUATION.—The Federal share of the cost of planning, design, construction, and evaluation of a project under paragraphs (2) and (3) of subsection (a) shall be 65 percent.

(3) NON-FEDERAL SHARE.—

(A) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—The Secretary shall credit the non-Federal interest for the value of any land, easement, right-of-way, dredged material disposal area, or relocation provided for carrying out a project under subsection (a)(2).

(B) FORM.—The non-Federal interest may provide up to 50 percent of the non-Federal share in the form of services, materials, supplies, or other in-kind contributions.

(4) OPERATION AND MAINTENANCE.—The operation, maintenance, repair, rehabilitation, and replacement of projects carried out under this section shall be a non-Federal responsibility.

(5) NON-FEDERAL INTERESTS.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a private interest and a nonprofit entity.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) DEVELOPMENT OF PLAN.—There is authorized to be appropriated to carry out subsection (a)(1) $300,000.

(2) OTHER ACTIVITIES.—There is authorized to be appropriated to carry out paragraphs (2) and (3) of subsection (a) $5,000,000 for each of fiscal years 2001 through 2004.

SEC. 540. CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION.

(a) TERRESTRIAL WILDLIFE HABITAT RESTORATION.—Section 602 of the Water Resources Development Act of 1999 (113 Stat. 385–388) is amended—

(1) in subsection (a)(4)(C)(i) by striking subclause (I) and inserting the following:

''(I) fund, from funds made available for operation and maintenance under the Pick-Sloan Missouri River Basin program and through grants to the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe—

''(aa) the terrestrial wildlife habitat restoration programs being carried out as of August 17, 1999, on Oahe and Big Bend project land at a level that does not exceed the greatest amount of funding that was provided for the programs during a previous fiscal year; and

''(bb) the carrying out of plans developed under this section; and''; and

(2) in subsection (b)(4)(B) by striking ''section 604(d)(3)(A)(iii)'' and inserting ''section 604(d)(3)(A)''.

(b) SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND.—Section 603 of the Water Resources Development Act of 1999 (113 Stat. 388–389) is amended—

(1) in subsection (c)(2) by striking ''The'' and inserting ''In consultation with the State of South Dakota, the''; and

(2) in subsection (d)—

(A) in paragraph (2) by inserting ''Department of Game, Fish and Parks of the'' before ''State of''; and

(B) in paragraph (3)(A)(ii)—

(i) in subclause (I) by striking ''transferred'' and inserting ''transferred or to be transferred''; and

(ii) by striking subclause (II) and inserting the following:

''(II) fund all costs associated with the lease, ownership, management, operation, administra-

tion, maintenance, or development of recreation areas and other land that are transferred or to be transferred to the State of South Dakota by the Secretary;''.

(c) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.—Section 604 of the Water Resources Development Act of 1999 (113 Stat. 389–390) is amended—

(1) in subsection (c)(2) by striking ''The'' and inserting ''In consultation with the Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe, the''; and

(2) in subsection (d)—

(A) in paragraph (2) by inserting ''as tribal funds'' after ''for use''; and

(B) in paragraph (3)(A)(ii)—

(i) in subclause (I) by striking ''transferred'' and inserting ''transferred or to be transferred''; and

(ii) by striking subclause (II) and inserting the following:

''(II) fund all costs associated with the lease, ownership, management, operation, administration, maintenance, or development of recreation areas and other land that are transferred or to be transferred to the respective affected Indian Tribe by the Secretary;''.

(d) TRANSFER OF FEDERAL LAND TO STATE OF SOUTH DAKOTA.—Section 605 of the Water Resources Development Act of 1999 (113 Stat. 390–393) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B) by striking ''in perpetuity'' and inserting ''for the life of the Mni Wiconi project'';

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

''(B) DEADLINE FOR TRANSFER OF RECREATION AREAS.—Under subparagraph (A), the Secretary shall transfer recreation areas not later than January 1, 2002.'';

(2) in subsection (c)—

(A) by redesignating paragraph (1) as paragraph (1)(A);

(B) by redesignating paragraphs (2) through (4) as subparagraphs (B) through (D), respectively, of paragraph (1);

(C) in paragraph (1)—

(i) in subparagraph (C) (as redesignated by subparagraph (B) of this paragraph) by inserting ''and'' after the semicolon; and

(ii) in subparagraph (D) (as redesignated by subparagraph (B) of this paragraph) by striking ''and'' and inserting ''or''; and

(D) by redesignating paragraph (5) as paragraph (2);

(3) in subsection (d) by striking paragraph (2) and inserting the following:

''(2) STRUCTURES.—

''(A) IN GENERAL.—The map shall identify all land and structures to be retained as necessary for continuation of the operation, maintenance, repair, replacement, rehabilitation, and structural integrity of the dams and related flood control and hydropower structures.

''(B) LEASE OF RECREATION AREAS.—

''(i) IN GENERAL.—The Secretary shall lease to the State of South Dakota in perpetuity all or part of the following recreation areas, within the boundaries determined under clause (ii), that are adjacent to land received by the State of South Dakota under this title:

''(I) OAHE DAM AND LAKE.—

''(aa) Downstream Recreation Area.

''(bb) West Shore Recreation Area.

''(cc) East Shore Recreation Area.

''(dd) Tailrace Recreation Area.

''(II) FORT RANDALL DAM AND LAKE FRANCIS CASE.—

''(aa) Randall Creek Recreation Area.

''(bb) South Shore Recreation Area.

''(cc) Spillway Recreation Area.

''(III) GAVINS POINT DAM AND LEWIS AND CLARK LAKE.—Pierson Ranch Recreation Area.

''(ii) LEASE BOUNDARIES.—The Secretary shall determine the boundaries of the recreation areas in consultation with the State of South Dakota.'';

(4) in subsection (f)(1) by striking ''Federal law'' and inserting ''a Federal law specified in section 607(a)(6) or any other Federal law'';

(5) in subsection (g) by striking paragraph (3) and inserting the following:

''(3) EASEMENTS AND ACCESS.—

''(A) IN GENERAL.—Not later than 180 days after a request by the State of South Dakota, the Secretary shall provide to the State of South Dakota easements and access on land and water below the level of the exclusive flood pool outside Indian reservations in the State of South Dakota for recreational and other purposes (including for boat docks, boat ramps, and related structures).

''(B) NO EFFECT ON MISSION.—The easements and access referred to in subparagraph (A) shall not prevent the Corps from carrying out its mission under the Act entitled 'An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes', approved December 22, 1944 (58 Stat. 887).'';

(6) in subsection (h) by striking ''of this Act'' and inserting ''of law''; and

(7) by adding at the end the following:

''(j) CLEANUP OF LAND AND RECREATION AREAS.—

''(1) IN GENERAL.—Not later than 10 years after the date of enactment of this subsection, the Secretary shall clean up each open dump and hazardous waste site identified by the Secretary and located on the land and recreation areas described in subsections (b) and (c).

''(2) FUNDING.—Cleanup activities under paragraph (1) shall be funded solely from funds made available for operation and maintenance under the Pick-Sloan Missouri River Basin program.

''(k) CULTURAL RESOURCES ADVISORY COMMISSION.—

''(1) IN GENERAL.—The State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe may establish an advisory commission to be known as the 'Cultural Resources Advisory Commission' (referred to in this subsection as the 'Commission').

''(2) MEMBERSHIP.—The Commission shall be composed of—

''(A) 1 member representing the State of South Dakota;

''(B) 1 member representing the Cheyenne River Sioux Tribe;

''(C) 1 member representing the Lower Brule Sioux Tribe; and

''(D) upon unanimous vote of the members of the Commission described in subparagraphs (A) through (C), a member representing a federally recognized Indian Tribe located in the State of North Dakota or South Dakota that is historically or traditionally affiliated with the Missouri River basin in South Dakota.

''(3) DUTY.—The duty of the Commission shall be to provide advice on the identification, protection, and preservation of cultural resources on the land and recreation areas described in subsections (b) and (c) of this section and subsections (b) and (c) of section 606.

''(4) RESPONSIBILITIES, POWERS, AND ADMINISTRATION.—The Governor of the State of South Dakota, the Chairman of the Cheyenne River Sioux Tribe, and the Chairman of the Lower Brule Sioux Tribe are encouraged to unanimously enter into a formal written agreement, not later than 1 year after the date of enactment of this subsection, to establish the role, responsibilities, powers, and administration of the Commission.

''(l) INVENTORY AND STABILIZATION OF CULTURAL AND HISTORIC SITES.—

''(1) IN GENERAL.—Not later than 10 years after the date of enactment of this subsection, the Secretary, through contracts entered into with the State of South Dakota, the affected Indian Tribes, and other Indian Tribes in the States of North Dakota and South Dakota, shall inventory and stabilize each cultural site and historic site located on the land and recreation areas described in subsections (b) and (c).

''(2) FUNDING.—Inventory and stabilization activities under paragraph (1) shall be funded solely from funds made available for operation and maintenance under the Pick-Sloan Missouri River Basin program.''.

(e) TRANSFER OF CORPS OF ENGINEERS LAND FOR AFFECTED INDIAN TRIBES.—Section 606 of the Water Resources Development Act of 1999 (113 Stat. 393–395) is amended—

(1) in subsection (a)(1) by striking ''The Secretary'' and inserting ''Not later than January 1, 2002, the Secretary'';

(2) in subsection (b)(1) by striking ''Big Bend and Oahe'' and inserting ''Oahe, Big Bend, and Fort Randall'';

(3) in subsection (d) by striking paragraph (2) and inserting the following:

''(2) STRUCTURES.—

''(A) IN GENERAL.—The map shall identify all land and structures to be retained as necessary for continuation of the operation, maintenance, repair, replacement, rehabilitation, and structural integrity of the dams and related flood control and hydropower structures.

''(B) LEASE OF RECREATION AREAS.—

''(i) IN GENERAL.—The Secretary shall lease to the Lower Brule Sioux Tribe in perpetuity all or part of the following recreation areas at Big Bend Dam and Lake Sharpe:

''(I) Left Tailrace Recreation Area.

''(II) Right Tailrace Recreation Area.

''(III) Good Soldier Creek Recreation Area.

''(ii) LEASE BOUNDARIES.—The Secretary shall determine the boundaries of the recreation areas in consultation with the Lower Brule Sioux Tribe.'';

(4) in subsection (f)—

(A) in paragraph (1) by striking ''Federal law'' and inserting ''a Federal law specified in section 607(a)(6) or any other Federal law'';

(B) in paragraph (2) by striking subparagraph (C) and inserting the following:

''(C) EASEMENTS AND ACCESS.—

''(i) IN GENERAL.—Not later than 180 days after a request by an affected Indian Tribe, the Secretary shall provide to the affected Indian Tribe easements and access on land and water below the level of the exclusive flood pool inside the Indian reservation of the affected Indian Tribe for recreational and other purposes (including for boat docks, boat ramps, and related structures).

''(ii) NO EFFECT ON MISSION.—The easements and access referred to in clause (i) shall not prevent the Corps of Engineers from carrying out its mission under the Act entitled 'An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes', approved December 22, 1944 (58 Stat. 887).''; and

(C) in paragraph (3)(B) by inserting before the period at the end the following: ''that were administered by the Corps of Engineers as of the date of the land transfer.''; and

(5) by adding at the end the following:

''(h) CLEANUP OF LAND AND RECREATION AREAS.—

''(1) IN GENERAL.—Not later than 10 years after the date of enactment of this subsection, the Secretary shall clean up each open dump and hazardous waste site identified by the Secretary and located on the land and recreation areas described in subsections (b) and (c).

''(2) FUNDING.—Cleanup activities under paragraph (1) shall be funded solely from funds made available for operation and maintenance under the Pick-Sloan Missouri River Basin program.

''(i) INVENTORY AND STABILIZATION OF CULTURAL AND HISTORIC SITES.—

''(1) IN GENERAL.—Not later than 10 years after the date of enactment of this subsection, the Secretary, in consultation with the Cultural Resources Advisory Commission established under section 605(k) and through contracts entered into with the State of South Dakota, the affected Indian Tribes, and other Indian Tribes

in the States of North Dakota and South Dakota, shall inventory and stabilize each cultural site and historic site located on the land and recreation areas described in subsections (b) and (c).

''(2) FUNDING.—Inventory and stabilization activities under paragraph (1) shall be funded solely from funds made available for operation and maintenance under the Pick-Sloan Missouri River Basin program.

''(j) SEDIMENT CONTAMINATION.—

''(1) IN GENERAL.—Not later than 10 years after the date of enactment of this subsection, the Secretary shall—

''(A) complete a study of sediment contamination in the Cheyenne River; and

''(B) take appropriate remedial action to eliminate any public health and environmental risk posed by the contaminated sediment.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out paragraph (1).''.

(f) BUDGET CONSIDERATIONS.—Section 607 of the Water Resources Development Act of 1999 (113 Stat. 395–396) is amended by adding at the end the following:

''(d) BUDGET CONSIDERATIONS.—

''(1) IN GENERAL.—In developing an annual budget to carry out this title, the Corps of Engineers shall consult with the State of South Dakota and the affected Indian Tribes.

''(2) INCLUSIONS; AVAILABILITY.—The budget referred to in paragraph (1) shall—

''(A) be detailed;

''(B) include all necessary tasks and associated costs; and

''(C) be made available to the State of South Dakota and the affected Indian Tribes at the time at which the Corps of Engineers submits the budget to Congress.''.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 609 of the Water Resources Development Act of 1999 (113 Stat. 396–397) is amended by striking subsection (a) and inserting the following:

''(a) SECRETARY.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Secretary for each fiscal year such sums as are necessary—

''(A) to pay the administrative expenses incurred by the Secretary in carrying out this title;

''(B) to fund the implementation of terrestrial wildlife habitat restoration plans under section 602(a);

''(C) to fund activities described in sections 603(d)(3) and 604(d)(3) with respect to land and recreation areas transferred or to be transferred to an affected Indian Tribe or the State of South Dakota under section 605 or 606; and

''(D) to fund the annual expenses (not to exceed the Federal cost as of August 17, 1999) of operating recreation areas transferred or to be transferred under sections 605(c) and 606(c) to, or leased by, the State of South Dakota or an affected Indian Tribe, until such time as the trust funds under sections 603 and 604 are fully capitalized.

''(2) ALLOCATIONS.—

''(A) IN GENERAL.—For each fiscal year, the Secretary shall allocate the amounts made available under subparagraphs (B), (C), and (D) of paragraph (1) as follows:

''(i) $1,000,000 (or, if a lesser amount is so made available for the fiscal year, the lesser amount) shall be allocated equally among the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe, for use in accordance with paragraph (1).

''(ii) Any amounts remaining after the allocation under clause (i) shall be allocated as follows:

''(I) 65 percent to the State of South Dakota.

''(II) 26 percent to the Cheyenne River Sioux Tribe.

''(III) 9 percent to the Lower Brule Sioux Tribe.

''(B) USE OF ALLOCATIONS.—Amounts allocated under subparagraph (A) may be used at the option of the recipient for any purpose described in subparagraph (B), (C), or (D) of paragraph (1).''.

(h) CLARIFICATION OF REFERENCES TO INDIAN TRIBES.—

(1) DEFINITIONS.—Section 601 of the Water Resources Development Act of 1999 (113 Stat. 385) is amended by striking paragraph (1) and inserting the following:

''(1) AFFECTED INDIAN TRIBE.—The term 'affected Indian Tribe' means each of the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe.''.

(2) TERRESTRIAL WILDLIFE HABITAT RESTORATION.—Section 602(b)(4)(B) of the Water Resources Development Act of 1999 (113 Stat. 388) is amended by striking ''the Tribe'' and inserting ''the affected Indian Tribe''.

(3) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.—Section 604(d)(3)(A) of the Water Resources Development Act of 1999 (113 Stat. 390) is amended by striking ''the respective Tribe'' each place it appears and inserting ''the respective affected Indian Tribe''.

(4) TRANSFER OF FEDERAL LAND TO STATE OF SOUTH DAKOTA.—Section 605 of the Water Resources Development Act of 1999 (113 Stat. 390–393) is amended—

(A) in subsection (b)(3) by striking ''an Indian Tribe'' and inserting ''any Indian Tribe''; and

(B) in subsection (c)(1)(B) (as redesignated by subsection (d)(2)(B) of this section) by striking ''an Indian Tribe'' and inserting ''any Indian Tribe''.

(5) TRANSFER OF CORPS OF ENGINEERS LAND FOR AFFECTED INDIAN TRIBES.—Section 606 of the Water Resources Development Act of 1999 (113 Stat. 393–395) is amended—

*(A) in the section heading by striking ''**INDIAN TRIBES**'' and inserting ''**AFFECTED INDIAN TRIBES**'';*

(B) in paragraphs (1) and (4) of subsection (a) by striking ''the Indian Tribes'' each place it appears and inserting ''the affected Indian Tribes'';

(C) in subsection (c)(2) by striking ''an Indian Tribe'' and inserting ''any Indian Tribe'';

(D) in subsection (f)(2)(B)(i)—

(i) by striking ''the respective tribes'' and inserting ''the respective affected Indian Tribes''; and

(ii) by striking ''the respective Tribe's'' and inserting ''the respective affected Indian Tribe's''; and

(E) in subsection (g) by striking ''an Indian Tribe'' and inserting ''any Indian Tribe''.

(6) ADMINISTRATION.—Section 607(a) of the Water Resources Development Act of 1999 (113 Stat. 395) is amended by striking ''an Indian Tribe'' each place it appears and inserting ''any Indian Tribe''.

SEC. 541. HORN LAKE CREEK AND TRIBUTARIES, TENNESSEE AND MISSISSIPPI.

The Secretary shall prepare a limited reevaluation report of the project for flood control, Horn Lake Creek and Tributaries, Tennessee and Mississippi, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), to determine the feasibility of modifying the project to provide urban flood protection along Horn Lake Creek and, if the Secretary determines that the modification is technically sound, environmentally acceptable, and economically justified, carry out the project as modified in accordance with the report.

SEC. 542. LAKE CHAMPLAIN WATERSHED, VERMONT AND NEW YORK.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) CRITICAL RESTORATION PROJECT.—The term ''critical restoration project'' means a project that will produce, consistent with Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, and protection benefits.

(2) LAKE CHAMPLAIN WATERSHED.—The term ''Lake Champlain watershed'' means—

(A) the land areas within Addison, Bennington, Caledonia, Chittenden, Franklin, Grand Isle, Lamoille, Orange, Orleans, Rutland, and Washington Counties in the State of Vermont; and

(B)(i) the land areas that drain into Lake Champlain and that are located within Essex, Clinton, Franklin, Warren, and Washington Counties in the State of New York; and

(ii) the near-shore areas of Lake Champlain within the counties referred to in clause (i).

(b) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—The Secretary may participate in critical restoration projects in the Lake Champlain watershed.

(2) TYPES OF PROJECTS.—A critical restoration project shall be eligible for assistance under this section if the critical restoration project consists of—

(A) implementation of an intergovernmental agreement for coordinating regulatory and management responsibilities with respect to the Lake Champlain watershed;

(B) acceleration of whole farm planning to implement best management practices to maintain or enhance water quality and to promote agricultural land use in the Lake Champlain watershed;

(C) acceleration of whole community planning to promote intergovernmental cooperation in the regulation and management of activities consistent with the goal of maintaining or enhancing water quality in the Lake Champlain watershed;

(D) natural resource stewardship activities on public or private land to promote land uses that—

(i) preserve and enhance the economic and social character of the communities in the Lake Champlain watershed; and

(ii) protect and enhance water quality; or

(E) any other activity determined by the Secretary to be appropriate.

(c) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a critical restoration project under this section only if—

(1) the critical restoration project is publicly owned; or

(2) the non-Federal interest with respect to the critical restoration project demonstrates that the critical restoration project will provide a substantial public benefit in the form of water quality improvement.

(d) PROJECT SELECTION.—

(1) IN GENERAL.—In consultation with the Lake Champlain Basin Program and the heads of other appropriate Federal, State, tribal, and local agencies, the Secretary may—

(A) identify critical restoration projects in the Lake Champlain watershed; and

(B) carry out the critical restoration projects after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(2) CERTIFICATION.—

(A) IN GENERAL.—A critical restoration project shall be eligible for financial assistance under this section only if the appropriate State official for the critical restoration project certifies to the Secretary that the critical restoration project will contribute to the protection and enhancement of the quality or quantity of the water resources of the Lake Champlain watershed.

(B) SPECIAL CONSIDERATION.—In certifying critical restoration projects to the Secretary, the appropriate State officials shall give special consideration to projects that implement plans, agreements, and measures that preserve and enhance the economic and social character of the communities in the Lake Champlain watershed.

(e) COST SHARING.—

(1) IN GENERAL.—Before providing assistance under this section with respect to a critical restoration project, the Secretary shall enter into a project cooperation agreement that shall require the non-Federal interest—

(A) to pay 35 percent of the total costs of the project;

(B) to provide any land, easements, rights-of-way, dredged material disposal areas, and relocations necessary to carry out the project;

(C) to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the project; and

(D) to hold the United States harmless from any claim or damage that may arise from carrying out the project, except any claim or damage that may arise from the negligence of the Federal Government or a contractor of the Federal Government.

(2) NON-FEDERAL SHARE.—

(A) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work carried out by the non-Federal interest before the date of execution of a project cooperation agreement for the critical restoration project, if the Secretary finds that the design work is integral to the project.

(B) CREDIT FOR LAND, EASEMENTS, AND RIGHTS-OF-WAY.—The Secretary shall credit the non-Federal interest for the value of any land, easement, right-of-way, dredged material disposal area, or relocation provided for carrying out the project.

(C) FORM.—The non-Federal interest may provide up to 50 percent of the non-Federal share in the form of services, materials, supplies, or other in-kind contributions.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of Federal or State law with respect to a project carried out with assistance provided under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000, to remain available until expended.

SEC. 543. VERMONT DAMS REMEDIATION.

(a) IN GENERAL.—The Secretary—

(1) shall conduct a study to evaluate the structural integrity and need for modification or removal of each dam located in the State of Vermont and described in subsection (b);

(2) shall provide to the non-Federal interest design analysis, plans and specifications, and cost estimates for repair, restoration, modification, and removal of each dam described in subsection (b); and

(3) may carry out measures to prevent or mitigate against such risk if the Secretary determines that a dam described in subsection (b) presents an imminent and substantial risk to public safety.

(b) DAMS TO BE EVALUATED.—The dams referred to in subsection (a) are the following:

(1) East Barre Dam, Barre Town.

(2) Wrightsville Dam, Middlesex-Montpelier.

(3) Lake Sadawga Dam, Whitingham.

(4) Dufresne Pond Dam, Manchester.

(5) Knapp Brook Site 1 Dam, Cavendish.

(6) Lake Bomoseen Dam, Castleton.

(7) Little Hosmer Dam, Craftsbury.

(8) Colby Pond Dam, Plymouth.

(9) Silver Lake Dam, Barnard.

(10) Gale Meadows Dam, Londonderry.

(c) COST SHARING.—The non-Federal share of the cost of activities under subsection (a) shall be 35 percent.

(d) COORDINATION.—In carrying out this section, the Secretary shall coordinate with the appropriate State dam safety officials and the Director of the Federal Emergency Management Agency.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000.

SEC. 544. PUGET SOUND AND ADJACENT WATERS RESTORATION, WASHINGTON.

(a) DEFINITION OF CRITICAL RESTORATION PROJECT.—In this section, the term ''critical restoration project'' means a project that will produce, consistent with Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, and protection benefits.

(b) CRITICAL RESTORATION PROJECTS.—The Secretary may participate in critical restoration projects in the area of Puget Sound, Washington, and adjacent waters, including—

(1) the watersheds that drain directly into Puget Sound;

(2) Admiralty Inlet;

(3) Hood Canal;

(4) Rosario Strait; and

(5) the Strait of Juan de Fuca to Cape Flattery.

(c) PROJECT SELECTION.—

(1) IN GENERAL.—The Secretary may identify critical restoration projects in the area described in subsection (b) based on—

(A) studies to determine the feasibility of carrying out the critical restoration projects; and

(B) analyses conducted before the date of enactment of this Act by non-Federal interests.

(2) CRITERIA AND PROCEDURES FOR REVIEW AND APPROVAL.—

(A) IN GENERAL.—In consultation with the Secretary of Commerce, the Secretary of the Interior, the Governor of the State of Washington, tribal governments, and the heads of other appropriate Federal, State, and local agencies, the Secretary may develop criteria and procedures for prioritizing projects identified under paragraph (1).

(B) CONSISTENCY WITH FISH RESTORATION GOALS.—The criteria and procedures developed under subparagraph (A) shall be consistent with fish restoration goals of the National Marine Fisheries Service and the State of Washington.

(C) USE OF EXISTING STUDIES AND PLANS.—In carrying out subparagraph (A), the Secretary shall use, to the maximum extent practicable, studies and plans in existence on the date of enactment of this Act to identify project needs and priorities.

(3) LOCAL PARTICIPATION.—In prioritizing projects for implementation under this section, the Secretary shall consult with, and consider the priorities of, public and private entities that are active in watershed planning and ecosystem restoration in Puget Sound watersheds, including—

(A) the Salmon Recovery Funding Board;

(B) the Northwest Straits Commission;

(C) the Hood Canal Coordinating Council;

(D) county watershed planning councils; and

(E) salmon enhancement groups.

(d) IMPLEMENTATION.—The Secretary may carry out projects identified under subsection (c) after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(e) COST SHARING.—

(1) IN GENERAL.—Before carrying out any project under this section, the Secretary shall enter into a binding agreement with the non-Federal interest that shall require the non-Federal interest—

(A) to pay 35 percent of the total costs of the project;

(B) to provide any land, easements, rights-of-way, dredged material disposal areas and relocations necessary to carry out the project;

(C) to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the project; and

(D) to hold the United States harmless from any claim or damage that may arise from carrying out the project, except any claim or damage that may arise from the negligence of the Federal Government or a contractor of the Federal Government.

(2) CREDIT.—

(A) IN GENERAL.—The Secretary shall credit the non-Federal interest for the value of any land, easement, right-of-way, dredged material disposal area, or relocation provided for carrying out the project.

(B) FORM.—The non-Federal interest may provide up to 50 percent of the non-Federal share in the form of services, materials, supplies, or other in-kind contributions.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000, of which not more than $5,000,000 may be used to carry out any 1 critical restoration project.

SEC. 545. WILLAPA BAY, WASHINGTON.

(a) STUDY.—The Secretary shall conduct a study to determine the feasibility of providing coastal erosion protection for the tribal reservation of the Shoalwater Bay Tribe on Willapa Bay, Washington.

(b) PROJECT.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any requirement for economic justification), the Secretary may construct and maintain a project to provide coastal erosion protection for the tribal reservation of the Shoalwater Bay Tribe on Willapa Bay, Washington, at Federal expense, if the Secretary determines that the project—

(A) is a cost-effective means of providing erosion protection;

(B) is environmentally acceptable and technically feasible; and

(C) will improve the economic and social conditions of the Shoalwater Bay Tribe.

(2) LAND, EASEMENTS, AND RIGHTS-OF-WAY.—As a condition of the project described in paragraph (1), the Shoalwater Bay Tribe shall provide lands, easements, rights-of-way, and dredged material disposal areas necessary for implementation of the project.

SEC. 546. WYNOOCHEE LAKE, WYNOOCHEE RIVER, WASHINGTON.

(a) IN GENERAL.—The city of Aberdeen, Washington, may transfer all rights, title, and interests of the city in the land transferred to the city under section 203 of the Water Resources Development Act of 1990 (104 Stat. 4632) to the city of Tacoma, Washington.

(b) CONDITIONS.—The transfer under this section shall be subject to the conditions set forth in section 203(b) of the Water Resources Development Act of 1990 (104 Stat. 4632); except that the condition set forth in paragraph (1) of such section shall apply to the city of Tacoma only for so long as the city of Tacoma has a valid license with the Federal Energy Regulatory Commission relating to operation of the Wynoochee Dam, Washington.

(c) LIMITATION.—The transfer under subsection (a) may be made only after the Secretary determines that the city of Tacoma will be able to operate, maintain, repair, replace, and rehabilitate the project for Wynoochee Lake, Wynoochee River, Washington, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1193), in accordance with such regulations as the Secretary may issue to ensure that such operation, maintenance, repair, replacement, and rehabilitation is consistent with project purposes.

(d) WATER SUPPLY CONTRACT.—The water supply contract designated as DACWD 67–68–C–0024 shall be null and void if the Secretary exercises the reversionary right set forth in section 203(b)(3) of the Water Resources Development Act of 1990 (104 Stat. 4632).

SEC. 547. BLUESTONE, WEST VIRGINIA.

(a) IN GENERAL.—The project for flood control, Bluestone Lake, Ohio River basin, West Virginia, authorized by section 4 of the Flood Control Act of June 28, 1938 (52 Stat. 1217), is modified to authorize construction of hydroelectric generating facilities at the project by the Tri-Cities Power Authority of West Virginia under the terms and conditions of the agreement referred to in subsection (b).

(b) AGREEMENT.—

(1) AGREEMENT TERMS.—The Secretary and the Secretary of Energy, acting through the Southeastern Power Administration, shall enter into a binding agreement with the Tri-Cities Power Authority that contains mutually acceptable terms and conditions and under which the Tri-Cities Power Authority agrees to each of the following:

(A) To design and construct the generating facilities referred to in subsection (a) within 4 years after the date of such agreement.

(B) To reimburse the Secretary for—

(i) the cost of approving such design and inspecting such construction;

(ii) the cost of providing any assistance authorized under subsection (c)(2); and

(iii) the redistributed costs associated with the original construction of the dam and dam safety if all parties agree with the method of the development of the chargeable amounts associated with hydropower at the facility.

(C) To release and indemnify the United States from any claims, causes of action, or liabilities that may arise from such design and construction of the facilities referred to in subsection (a), including any liability that may arise out of the removal of the facility if directed by the Secretary.

(2) ADDITIONAL TERMS.—The agreement shall also specify each of the following:

(A) The procedures and requirements for approval and acceptance of design, construction, and operation and maintenance of the facilities referred to in subsection (a).

(B) The rights, responsibilities, and liabilities of each party to the agreement.

(C) The amount of the payments under subsection (f) and the procedures under which such payments are to be made.

(c) OTHER REQUIREMENTS.—

(1) PROHIBITION.—No Federal funds may be expended for the design, construction, and operation and maintenance of the facilities referred to in subsection (a) prior to the date on which such facilities are accepted by the Secretary under subsection (d).

(2) REIMBURSEMENT.—Notwithstanding any other provision of law, if requested by the Tri-Cities Power Authority, the Secretary may provide, on a reimbursable basis, assistance in connection with the design and construction of the generating facilities referred to in subsection (a).

(d) COMPLETION OF CONSTRUCTION.—

(1) TRANSFER OF FACILITIES.—Notwithstanding any other provision of law, upon completion of the construction of the facilities referred to in subsection (a) and final approval of such facilities by the Secretary, the Tri-Cities Power Authority shall transfer without consideration title to such facilities to the United States, and the Secretary shall—

(A) accept the transfer of title to such facilities on behalf of the United States; and

(B) operate and maintain the facilities.

(2) CERTIFICATION.—The Secretary may accept title to the facilities pursuant to paragraph (1) only after certifying that the quality of the construction meets all standards established for similar facilities constructed by the Secretary.

(3) AUTHORIZED PROJECT PURPOSES.—The operation and maintenance of the facilities shall be conducted in a manner that is consistent with other authorized project purposes of the Bluestone Lake facility.

(e) EXCESS POWER.—Pursuant to any agreement under subsection (b), the Southeastern Power Administration shall market the excess power produced by the facilities referred to in subsection (a) in accordance with section 5 of the Rivers and Harbors Act of December 22, 1944 (16 U.S.C. 825s; 58 Stat. 890).

(f) PAYMENTS.—Notwithstanding any other provision of law, the Secretary of Energy, acting through the Southeastern Power Administration, may pay, in accordance with the terms of the agreement entered into under subsection (b), out of the revenues from the sale of power produced by the generating facility of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration—

(1) to the Tri-Cities Power Authority all reasonable costs incurred by the Tri-Cities Power Authority in the design and construction of the facilities referred to in subsection (a), including the capital investment in such facilities and a reasonable rate of return on such capital investment; and

(2) to the Secretary, in accordance with the terms of the agreement entered into under subsection (b) out of the revenues from the sale of power produced by the generating facility of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration, all reasonable costs incurred by the Secretary in the operation and maintenance of facilities referred to in subsection (a).

(g) AUTHORITY OF SECRETARY OF ENERGY.—Notwithstanding any other provision of law, the Secretary of Energy, acting through the Southeastern Power Administration, is authorized—

(1) to construct such transmission facilities as necessary to market the power produced at the facilities referred to in subsection (a) with funds contributed by the Tri-Cities Power Authority; and

(2) to repay those funds, including interest and any administrative expenses, directly from the revenues from the sale of power produced by such facilities of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration.

(h) SAVINGS CLAUSE.—Nothing in this section affects any requirement under Federal or State environmental law relating to the licensing or operation of the facilities referred to in subsection (a).

SEC. 548. LESAGE/GREENBOTTOM SWAMP, WEST VIRGINIA.

Section 30 of the Water Resources Development Act of 1988 (102 Stat. 4030) is amended by adding at the end the following:

''(d) HISTORIC STRUCTURE.—The Secretary shall ensure the preservation and restoration of the structure known as the 'Jenkins House' located within the Lesage/Greenbottom Swamp in accordance with standards for sites listed on the National Register of Historic Places.''.

SEC. 549. TUG FORK RIVER, WEST VIRGINIA.

(a) IN GENERAL.—The Secretary may provide planning and design assistance to non-Federal interests for projects located along the Tug Fork River in West Virginia and identified by the master plan developed pursuant to section 114(t) of the Water Resources Development Act of 1992 (106 Stat. 4820).

(b) PRIORITIES.—In providing assistance under this section, the Secretary shall give priority to the primary development demonstration sites in West Virginia identified by the master plan referred to in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000.

SEC. 550. SOUTHERN WEST VIRGINIA.

Section 340(a) of the Water Resources Development Act of 1992 (106 Stat. 4856) is amended in the second sentence by inserting ''environmental restoration,'' after ''distribution facilities,''.

SEC. 551. SURFSIDE/SUNSET AND NEWPORT BEACH, CALIFORNIA.

The Secretary shall treat the Surfside/Sunset Newport Beach element of the project for beach erosion, Orange County, California, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1177), as continuing construction.

SEC. 552. WATERSHED MANAGEMENT, RESTORATION, AND DEVELOPMENT.

Section 503(d) of the Water Resources Development Act of 1996 (110 Stat. 3756–3757; 113 Stat. 288) is amended by adding at the end the following:

''(28) Tomales Bay watershed, California.

''(29) Kaskaskia River watershed, Illinois.

''(30) Sangamon River watershed, Illinois.

''(31) Upper Charles River watershed, Massachusetts.

''(32) Lackawanna River watershed, Pennsylvania.

''(33) Brazos River watershed, Texas.''.

SEC. 553. MAINTENANCE OF NAVIGATION CHANNELS.

Section 509(a) of the Water Resources Development Act of 1996 (110 Stat. 3759; 113 Stat. 339) is amended by adding at the end the following:

''(16) Cameron Loop, Louisiana, as part of the Calcasieu River and Pass Ship Channel.

''(17) Morehead City Harbor, North Carolina.''.

SEC. 554. HYDROGRAPHIC SURVEY.

The Secretary shall enter into an agreement with the Administrator of the National Oceanic and Atmospheric Administration—

(1) to require the Secretary, not later than 60 days after the Corps of Engineers completes a project involving dredging of a channel, to provide data to the Administration in a standard digital format on the results of a hydrographic survey of the channel conducted by the Corps of Engineers; and

(2) to require the Administrator to provide the final charts with respect to the project to the Secretary in digital format, at no charge, for the purpose of enhancing the mission of the Corps of Engineers of maintaining Federal navigation projects.

SEC. 555. COLUMBIA RIVER TREATY FISHING ACCESS.

Section 401(d) of the Act entitled ''An Act to establish procedures for review of tribal constitutions and bylaws or amendments thereto pursuant to the Act of June 18, 1934 (48 Stat. 987)'', approved November 1, 1988 (102 Stat. 2944), is amended by striking ''$2,000,000'' and inserting ''$4,000,000''.

SEC. 556. RELEASE OF USE RESTRICTION.

(a) RELEASE.—Notwithstanding any other provision of law, the Tennessee Valley Authority shall grant a release or releases, without monetary consideration, from the restrictive covenant that requires that property described in subsection (b) shall at all times be used solely for the purpose of erecting docks and buildings for shipbuilding purposes or for the manufacture or storage of products for the purpose of trading or shipping in transportation.

(b) DESCRIPTION OF PROPERTY.—This section shall apply only to those lands situated in the city of Decatur, Morgan County, Alabama, and described in an indenture conveying such lands to the Ingalls Shipbuilding Corporation dated July 29, 1954, and recorded in deed book 535 at page 6 in the office of the Probate Judge of Morgan County, Alabama, which are owned or may be acquired by the Alabama Farmers Cooperative, Inc.

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION

SEC. 601. COMPREHENSIVE EVERGLADES RESTORATION PLAN.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) CENTRAL AND SOUTHERN FLORIDA PROJECT.—

(A) IN GENERAL.—The term ''Central and Southern Florida Project'' means the project for Central and Southern Florida authorized under the heading ''CENTRAL AND SOUTHERN FLORIDA'' in section 203 of the Flood Control Act of 1948 (62 Stat. 1176).

(B) INCLUSION.—The term ''Central and Southern Florida Project'' includes any modification to the project authorized by this section or any other provision of law.

(2) GOVERNOR.—The term ''Governor'' means the Governor of the State of Florida.

(3) NATURAL SYSTEM.—

(A) IN GENERAL.—The term ''natural system'' means all land and water managed by the Federal Government or the State within the South Florida ecosystem.

(B) INCLUSIONS.—The term ''natural system'' includes—

(i) water conservation areas;

(ii) sovereign submerged land;

(iii) Everglades National Park;

(iv) Biscayne National Park;

(v) Big Cypress National Preserve;

(vi) other Federal or State (including a political subdivision of a State) land that is designated and managed for conservation purposes; and

(vii) any tribal land that is designated and managed for conservation purposes, as approved by the tribe.

(4) PLAN.—The term ''Plan'' means the Comprehensive Everglades Restoration Plan contained in the ''Final Integrated Feasibility Report and Programmatic Environmental Impact Statement'', dated April 1, 1999, as modified by this section.

(5) SOUTH FLORIDA ECOSYSTEM.—

(A) IN GENERAL.—The term ''South Florida ecosystem'' means the area consisting of the land and water within the boundary of the South Florida Water Management District in effect on July 1, 1999.

(B) INCLUSIONS.—The term ''South Florida ecosystem'' includes—

(i) the Everglades;

(ii) the Florida Keys; and

(iii) the contiguous near-shore coastal water of South Florida.

(6) STATE.—The term ''State'' means the State of Florida.

(b) COMPREHENSIVE EVERGLADES RESTORATION PLAN.—

(1) APPROVAL.—

(A) IN GENERAL.—Except as modified by this section, the Plan is approved as a framework for modifications and operational changes to the Central and Southern Florida Project that are needed to restore, preserve, and protect the South Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, and the improvement of the environment of the South Florida ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(B) INTEGRATION.—In carrying out the Plan, the Secretary shall integrate the activities described in subparagraph (A) with ongoing Federal and State projects and activities in accordance with section 528(c) of the Water Resources Development Act of 1996 (110 Stat. 3769). Unless specifically provided herein, nothing in this section shall be construed to modify any existing cost share or responsibility for projects as listed in subsection (c) or (e) of section 528 of the Water Resources Development Act of 1996 (110 Stat. 3769).

(2) SPECIFIC AUTHORIZATIONS.—

(A) IN GENERAL.—

(i) PROJECTS.—The Secretary shall carry out the projects included in the Plan in accordance with subparagraphs (B), (C), (D), and (E).

(ii) CONSIDERATIONS.—In carrying out activities described in the Plan, the Secretary shall—

(I) take into account the protection of water quality by considering applicable State water quality standards; and

(II) include such features as the Secretary determines are necessary to ensure that all ground water and surface water discharges from any project feature authorized by this subsection will meet all applicable water quality standards and applicable water quality permitting requirements.

(iii) REVIEW AND COMMENT.—In developing the projects authorized under subparagraph (B), the Secretary shall provide for public review and comment in accordance with applicable Federal law.

(B) PILOT PROJECTS.—The following pilot projects are authorized for implementation, after review and approval by the Secretary, at a total cost of $69,000,000, with an estimated Federal cost of $34,500,000 and an estimated non-Federal cost of $34,500,000:

(i) Caloosahatchee River (C–43) Basin ASR, at a total cost of $6,000,000, with an estimated Federal cost of $3,000,000 and an estimated non-Federal cost of $3,000,000.

(ii) Lake Belt In-Ground Reservoir Technology, at a total cost of $23,000,000, with an estimated Federal cost of $11,500,000 and an estimated non-Federal cost of $11,500,000.

(iii) L–31N Seepage Management, at a total cost of $10,000,000, with an estimated Federal cost of $5,000,000 and an estimated non-Federal cost of $5,000,000.

(iv) Wastewater Reuse Technology, at a total cost of $30,000,000, with an estimated Federal cost of $15,000,000 and an estimated non-Federal cost of $15,000,000.

(C) INITIAL PROJECTS.—The following projects are authorized for implementation, after review and approval by the Secretary, subject to the conditions stated in subparagraph (D), at a total cost of $1,100,918,000, with an estimated Federal cost of $550,459,000 and an estimated non-Federal cost of $550,459,000:

(i) C–44 Basin Storage Reservoir, at a total cost of $112,562,000, with an estimated Federal cost of $56,281,000 and an estimated non-Federal cost of $56,281,000.

(ii) Everglades Agricultural Area Storage Reservoirs—Phase I, at a total cost of $233,408,000, with an estimated Federal cost of $116,704,000 and an estimated non-Federal cost of $116,704,000.

(iii) Site 1 Impoundment, at a total cost of $38,535,000, with an estimated Federal cost of $19,267,500 and an estimated non-Federal cost of $19,267,500.

(iv) Water Conservation Areas 3A/3B Levee Seepage Management, at a total cost of $100,335,000, with an estimated Federal cost of $50,167,500 and an estimated non-Federal cost of $50,167,500.

(v) C–11 Impoundment and Stormwater Treatment Area, at a total cost of $124,837,000, with an estimated Federal cost of $62,418,500 and an estimated non-Federal cost of $62,418,500.

(vi) C–9 Impoundment and Stormwater Treatment Area, at a total cost of $89,146,000, with an estimated Federal cost of $44,573,000 and an estimated non-Federal cost of $44,573,000.

(vii) Taylor Creek/Nubbin Slough Storage and Treatment Area, at a total cost of $104,027,000, with an estimated Federal cost of $52,013,500 and an estimated non-Federal cost of $52,013,500.

(viii) Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within Water Conservation Area 3, at a total cost of $26,946,000, with an estimated Federal cost of $13,473,000 and an estimated non-Federal cost of $13,473,000.

(ix) North New River Improvements, at a total cost of $77,087,000, with an estimated Federal cost of $38,543,500 and an estimated non-Federal cost of $38,543,500.

(x) C–111 Spreader Canal, at a total cost of $94,035,000, with an estimated Federal cost of $47,017,500 and an estimated non-Federal cost of $47,017,500.

(xi) Adaptive Assessment and Monitoring Program, at a total cost of $100,000,000, with an estimated Federal cost of $50,000,000 and an estimated non-Federal cost of $50,000,000.

(D) CONDITIONS.—

(i) PROJECT IMPLEMENTATION REPORTS.—Before implementation of a project described in any of clauses (i) through (x) of subparagraph (C), the Secretary shall review and approve for the project a project implementation report prepared in accordance with subsections (f) and (h).

(ii) SUBMISSION OF REPORT.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate the project implementation report required by subsections (f) and (h) for each project under this paragraph (including all relevant data and information on all costs).

(iii) FUNDING CONTINGENT ON APPROVAL.—No appropriation shall be made to construct any project under this paragraph if the project implementation report for the project has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(iv) MODIFIED WATER DELIVERY.—No appropriation shall be made to construct the Water Conservation Area 3 Decompartmentalization and Sheetflow Enhancement Project (including component AA, Additional S–345 Structures; component QQ Phase 1, Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within WCA 3; component QQ Phase 2, WCA 3 Decompartmentalization and Sheetflow Enhancement; and component SS, North New River Improvements) or the Central Lakebelt Storage Project (including components S and EEE, Central Lake Belt Storage Area) until the completion of the project to improve water deliveries to Everglades National Park authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–8).

(E) MAXIMUM COST OF PROJECTS.—Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall apply to each project feature authorized under this subsection.

(c) ADDITIONAL PROGRAM AUTHORITY.—

(1) IN GENERAL.—To expedite implementation of the Plan, the Secretary may implement modifications to the Central and Southern Florida Project that—

(A) are described in the Plan; and

(B) will produce a substantial benefit to the restoration, preservation and protection of the South Florida ecosystem.

(2) PROJECT IMPLEMENTATION REPORTS.—Before implementation of any project feature authorized under this subsection, the Secretary shall review and approve for the project feature a project implementation report prepared in accordance with subsections (f) and (h).

(3) FUNDING.—

(A) INDIVIDUAL PROJECT FUNDING.—

(i) FEDERAL COST.—The total Federal cost of each project carried out under this subsection shall not exceed $12,500,000.

(ii) OVERALL COST.—The total cost of each project carried out under this subsection shall not exceed $25,000,000.

(B) AGGREGATE COST.—The total cost of all projects carried out under this subsection shall not exceed $206,000,000, with an estimated Federal cost of $103,000,000 and an estimated non-Federal cost of $103,000,000.

(d) AUTHORIZATION OF FUTURE PROJECTS.—

(1) IN GENERAL.—Except for a project authorized by subsection (b) or (c), any project included in the Plan shall require a specific authorization by Congress.

(2) SUBMISSION OF REPORT.—Before seeking congressional authorization for a project under paragraph (1), the Secretary shall submit to Congress—

(A) a description of the project; and

(B) a project implementation report for the project prepared in accordance with subsections (f) and (h).

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of carrying out a project authorized by subsection (b), (c), or (d) shall be 50 percent.

(2) NON-FEDERAL RESPONSIBILITIES.—The non-Federal sponsor with respect to a project described in subsection (b), (c), or (d), shall be—

(A) responsible for all land, easements, rights-of-way, and relocations necessary to implement the Plan; and

(B) afforded credit toward the non-Federal share of the cost of carrying out the project in accordance with paragraph (5)(A).

(3) FEDERAL ASSISTANCE.—

(A) IN GENERAL.—The non-Federal sponsor with respect to a project authorized by subsection (b), (c), or (d) may use Federal funds for the purchase of any land, easement, rights-of-way, or relocation that is necessary to carry out the project if any funds so used are credited toward the Federal share of the cost of the project.

(B) AGRICULTURE FUNDS.—Funds provided to the non-Federal sponsor under the Conservation Restoration and Enhancement Program (CREP) and the Wetlands Reserve Program (WRP) for projects in the Plan shall be credited toward the non-Federal share of the cost of the Plan if the Secretary of Agriculture certifies that the funds

provided may be used for that purpose. Funds to be credited do not include funds provided under section 390 of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1022).

(4) OPERATION AND MAINTENANCE.—Notwithstanding section 528(e)(3) of the Water Resources Development Act of 1996 (110 Stat. 3770), the non-Federal sponsor shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities authorized under this section. Furthermore, the Seminole Tribe of Florida shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities for the Big Cypress Seminole Reservation Water Conservation Plan Project.

(5) CREDIT.—

(A) IN GENERAL.—Notwithstanding section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) and regardless of the date of acquisition, the value of lands or interests in lands and incidental costs for land acquired by a non-Federal sponsor in accordance with a project implementation report for any project included in the Plan and authorized by Congress shall be—

(i) included in the total cost of the project; and

(ii) credited toward the non-Federal share of the cost of the project.

(B) WORK.—The Secretary may provide credit, including in-kind credit, toward the non-Federal share for the reasonable cost of any work performed in connection with a study, preconstruction engineering and design, or construction that is necessary for the implementation of the Plan if—

(i)(I) the credit is provided for work completed during the period of design, as defined in a design agreement between the Secretary and the non-Federal sponsor; or

(II) the credit is provided for work completed during the period of construction, as defined in a project cooperation agreement for an authorized project between the Secretary and the non-Federal sponsor;

(ii) the design agreement or the project cooperation agreement prescribes the terms and conditions of the credit; and

(iii) the Secretary determines that the work performed by the non-Federal sponsor is integral to the project.

(C) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this paragraph may be carried over between authorized projects in accordance with subparagraph (D).

(D) PERIODIC MONITORING.—

(i) IN GENERAL.—To ensure that the contributions of the non-Federal sponsor equal 50 percent proportionate share for projects in the Plan, during each 5-year period, beginning with commencement of design of the Plan, the Secretary shall, for each project—

(I) monitor the non-Federal provision of cash, in-kind services, and land; and

(II) manage, to the maximum extent practicable, the requirement of the non-Federal sponsor to provide cash, in-kind services, and land.

(ii) OTHER MONITORING.—The Secretary shall conduct monitoring under clause (i) separately for the preconstruction engineering and design phase and the construction phase.

(E) AUDITS.—Credit for land (including land value and incidental costs) or work provided under this subsection shall be subject to audit by the Secretary.

(f) EVALUATION OF PROJECTS.—

(1) IN GENERAL.—Before implementation of a project authorized by subsection (c) or (d) or any of clauses (i) through (x) of subsection (b)(2)(C), the Secretary, in cooperation with the non-Federal sponsor, shall complete, after notice and opportunity for public comment and in accordance with subsection (h), a project implementation report for the project.

(2) PROJECT JUSTIFICATION.—

(A) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out any activity authorized under this section or any other provision of law to restore, preserve, or protect the South Florida ecosystem, the Secretary may determine that—

(i) the activity is justified by the environmental benefits derived by the South Florida ecosystem; and

(ii) no further economic justification for the activity is required, if the Secretary determines that the activity is cost-effective.

(B) APPLICABILITY.—Subparagraph (A) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the natural system.

(g) EXCLUSIONS AND LIMITATIONS.—The following Plan components are not approved for implementation:

(1) WATER INCLUDED IN THE PLAN.—

(A) IN GENERAL.—Any project that is designed to implement the capture and use of the approximately 245,000 acre-feet of water described in section 7.7.2 of the Plan shall not be implemented until such time as—

(i) the project-specific feasibility study described in subparagraph (B) on the need for and physical delivery of the approximately 245,000 acre-feet of water, conducted by the Secretary, in cooperation with the non-Federal sponsor, is completed;

(ii) the project is favorably recommended in a final report of the Chief of Engineers; and

(iii) the project is authorized by Act of Congress.

(B) PROJECT-SPECIFIC FEASIBILITY STUDY.—The project-specific feasibility study referred to in subparagraph (A) shall include—

(i) a comprehensive analysis of the structural facilities proposed to deliver the approximately 245,000 acre-feet of water to the natural system;

(ii) an assessment of the requirements to divert and treat the water;

(iii) an assessment of delivery alternatives;

(iv) an assessment of the feasibility of delivering the water downstream while maintaining current levels of flood protection to affected property; and

(v) any other assessments that are determined by the Secretary to be necessary to complete the study.

(2) WASTEWATER REUSE.—

(A) IN GENERAL.—On completion and evaluation of the wastewater reuse pilot project described in subsection (b)(2)(B)(iv), the Secretary, in an appropriately timed 5-year report, shall describe the results of the evaluation of advanced wastewater reuse in meeting, in a cost-effective manner, the requirements of restoration of the natural system.

(B) SUBMISSION.—The Secretary shall submit to Congress the report described in subparagraph (A) before congressional authorization for advanced wastewater reuse is sought.

(3) PROJECTS APPROVED WITH LIMITATIONS.—The following projects in the Plan are approved for implementation with limitations:

(A) LOXAHATCHEE NATIONAL WILDLIFE REFUGE.—The Federal share for land acquisition in the project to enhance existing wetland systems along the Loxahatchee National Wildlife Refuge, including the Stazzulla tract, should be funded through the budget of the Department of the Interior.

(B) SOUTHERN CORKSCREW REGIONAL ECOSYSTEM.—The Southern Corkscrew regional ecosystem watershed addition should be accomplished outside the scope of the Plan.

(h) ASSURANCE OF PROJECT BENEFITS.—

(1) IN GENERAL.—The overarching objective of the Plan is the restoration, preservation, and protection of the South Florida Ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, the improvement of the environment of the South Florida Ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(2) AGREEMENT.—

(A) IN GENERAL.—In order to ensure that water generated by the Plan will be made available for the restoration of the natural system, no appropriations, except for any pilot project described in subsection (b)(2)(B), shall be made for the construction of a project contained in the Plan until the President and the Governor enter into a binding agreement under which the State shall ensure, by regulation or other appropriate means, that water made available by each project in the Plan shall not be permitted for a consumptive use or otherwise made unavailable by the State until such time as sufficient reservations of water for the restoration of the natural system are made under State law in accordance with the project implementation report for that project and consistent with the Plan.

(B) ENFORCEMENT.—

(i) IN GENERAL.—Any person or entity that is aggrieved by a failure of the United States or any other Federal Government instrumentality or agency, or the Governor or any other officer of a State instrumentality or agency, to comply with any provision of the agreement entered into under subparagraph (A) may bring a civil action in United States district court for an injunction directing the United States or any other Federal Government instrumentality or agency or the Governor or any other officer of a State instrumentality or agency, as the case may be, to comply with the agreement.

(ii) LIMITATIONS ON COMMENCEMENT OF CIVIL ACTION.—No civil action may be commenced under clause (i)—

(I) before the date that is 60 days after the Secretary and the Governor receive written notice of a failure to comply with the agreement; or

(II) if the United States has commenced and is diligently prosecuting an action in a court of the United States or a State to redress a failure to comply with the agreement.

(C) TRUST RESPONSIBILITIES.—In carrying out his responsibilities under this subsection with respect to the restoration of the South Florida ecosystem, the Secretary of the Interior shall fulfill his obligations to the Indian tribes in South Florida under the Indian trust doctrine as well as other applicable legal obligations.

(3) PROGRAMMATIC REGULATIONS.—

(A) ISSUANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall, after notice and opportunity for public comment, with the concurrence of the Governor and the Secretary of the Interior, and in consultation with the Seminole Tribe of Florida, the Miccosukee Tribe of Indians of Florida, the Administrator of the Environmental Protection Agency, the Secretary of Commerce, and other Federal, State, and local agencies, promulgate programmatic regulations to ensure that the goals and purposes of the Plan are achieved.

(B) CONCURRENCY STATEMENT.—The Secretary of the Interior and the Governor shall, not later than 180 days from the end of the public comment period on proposed programmatic regulations, provide the Secretary with a written statement of concurrence or nonconcurrence. A failure to provide a written statement of concurrence or nonconcurrence within such time frame will be deemed as meeting the concurrency requirements of subparagraph (A)(i). A copy of any concurrency or nonconcurrency statements shall be made a part of the administrative record and referenced in the final programmatic regulations. Any nonconcurrency statement shall specifically detail the reason or reasons for the nonconcurrence.

(C) CONTENT OF REGULATIONS.—

(i) IN GENERAL.—Programmatic regulations promulgated under this paragraph shall establish a process—

(I) for the development of project implementation reports, project cooperation agreements,

and operating manuals that ensure that the goals and objectives of the Plan are achieved;

(II) to ensure that new information resulting from changed or unforeseen circumstances, new scientific or technical information or information that is developed through the principles of adaptive management contained in the Plan, or future authorized changes to the Plan are integrated into the implementation of the Plan; and

(III) to ensure the protection of the natural system consistent with the goals and purposes of the Plan, including the establishment of interim goals to provide a means by which the restoration success of the Plan may be evaluated throughout the implementation process.

(ii) LIMITATION ON APPLICABILITY OF PROGRAMMATIC REGULATIONS.—Programmatic regulations promulgated under this paragraph shall expressly prohibit the requirement for concurrence by the Secretary of the Interior or the Governor on project implementation reports, project cooperation agreements, operating manuals for individual projects undertaken in the Plan, and any other documents relating to the development, implementation, and management of individual features of the Plan, unless such concurrence is provided for in other Federal or State laws.

(D) SCHEDULE AND TRANSITION RULE.—

(i) IN GENERAL.—All project implementation reports approved before the date of promulgation of the programmatic regulations shall be consistent with the Plan.

(ii) PREAMBLE.—The preamble of the programmatic regulations shall include a statement concerning the consistency with the programmatic regulations of any project implementation reports that were approved before the date of promulgation of the regulations.

(E) REVIEW OF PROGRAMMATIC REGULATIONS.—Whenever necessary to attain Plan goals and purposes, but not less often than every 5 years, the Secretary, in accordance with subparagraph (A), shall review the programmatic regulations promulgated under this paragraph.

(4) PROJECT-SPECIFIC ASSURANCES.—

(A) PROJECT IMPLEMENTATION REPORTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop project implementation reports in accordance with section 10.3.1 of the Plan.

(ii) COORDINATION.—In developing a project implementation report, the Secretary and the non-Federal sponsor shall coordinate with appropriate Federal, State, tribal, and local governments.

(iii) REQUIREMENTS.—A project implementation report shall—

(I) be consistent with the Plan and the programmatic regulations promulgated under paragraph (3);

(II) describe how each of the requirements stated in paragraph (3)(B) is satisfied;

(III) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(IV) identify the appropriate quantity, timing, and distribution of water dedicated and managed for the natural system;

(V) identify the amount of water to be reserved or allocated for the natural system necessary to implement, under State law, subclauses (IV) and (VI);

(VI) comply with applicable water quality standards and applicable water quality permitting requirements under subsection (b)(2)(A)(ii);

(VII) be based on the best available science; and

(VIII) include an analysis concerning the cost-effectiveness and engineering feasibility of the project.

(B) PROJECT COOPERATION AGREEMENTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall execute project cooperation agreements in accordance with section 10 of the Plan.

(ii) CONDITION.—The Secretary shall not execute a project cooperation agreement until any reservation or allocation of water for the natural system identified in the project implementation report is executed under State law.

(C) OPERATING MANUALS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop and issue, for each project or group of projects, an operating manual that is consistent with the water reservation or allocation for the natural system described in the project implementation report and the project cooperation agreement for the project or group of projects.

(ii) MODIFICATIONS.—Any significant modification by the Secretary and the non-Federal sponsor to an operating manual after the operating manual is issued shall only be carried out subject to notice and opportunity for public comment.

(5) SAVINGS CLAUSE.—

(A) NO ELIMINATION OR TRANSFER.—Until a new source of water supply of comparable quantity and quality as that available on the date of enactment of this Act is available to replace the water to be lost as a result of implementation of the Plan, the Secretary and the non-Federal sponsor shall not eliminate or transfer existing legal sources of water, including those for—

(i) an agricultural or urban water supply;

(ii) allocation or entitlement to the Seminole Indian Tribe of Florida under section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e);

(iii) the Miccosukee Tribe of Indians of Florida;

(iv) water supply for Everglades National Park; or

(v) water supply for fish and wildlife.

(B) MAINTENANCE OF FLOOD PROTECTION.—Implementation of the Plan shall not reduce levels of service for flood protection that are—

(i) in existence on the date of enactment of this Act; and

(ii) in accordance with applicable law.

(C) NO EFFECT ON TRIBAL COMPACT.—Nothing in this section amends, alters, prevents, or otherwise abrogates rights of the Seminole Indian Tribe of Florida under the compact among the Seminole Tribe of Florida, the State, and the South Florida Water Management District, defining the scope and use of water rights of the Seminole Tribe of Florida, as codified by section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e).

(i) DISPUTE RESOLUTION.—

(1) IN GENERAL.—The Secretary and the Governor shall within 180 days from the date of enactment of this Act develop an agreement for resolving disputes between the Corps of Engineers and the State associated with the implementation of the Plan. Such agreement shall establish a mechanism for the timely and efficient resolution of disputes, including—

(A) a preference for the resolution of disputes between the Jacksonville District of the Corps of Engineers and the South Florida Water Management District;

(B) a mechanism for the Jacksonville District of the Corps of Engineers or the South Florida Water Management District to initiate the dispute resolution process for unresolved issues;

(C) the establishment of appropriate timeframes and intermediate steps for the elevation of disputes to the Governor and the Secretary; and

(D) a mechanism for the final resolution of disputes, within 180 days from the date that the dispute resolution process is initiated under subparagraph (B).

(2) CONDITION FOR REPORT APPROVAL.—The Secretary shall not approve a project implementation report under this section until the agreement established under this subsection has been executed.

(3) NO EFFECT ON LAW.—Nothing in the agreement established under this subsection shall alter or amend any existing Federal or State law, or the responsibility of any party to the agreement to comply with any Federal or State law.

(j) INDEPENDENT SCIENTIFIC REVIEW.—

(1) IN GENERAL.—The Secretary, the Secretary of the Interior, and the Governor, in consultation with the South Florida Ecosystem Restoration Task Force, shall establish an independent scientific review panel convened by a body, such as the National Academy of Sciences, to review the Plan's progress toward achieving the natural system restoration goals of the Plan.

(2) REPORT.—The panel described in paragraph (1) shall produce a biennial report to Congress, the Secretary, the Secretary of the Interior, and the Governor that includes an assessment of ecological indicators and other measures of progress in restoring the ecology of the natural system, based on the Plan.

(k) OUTREACH AND ASSISTANCE.—

(1) SMALL BUSINESS CONCERNS OWNED AND OPERATED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—In executing the Plan, the Secretary shall ensure that small business concerns owned and controlled by socially and economically disadvantaged individuals are provided opportunities to participate under section 15(g) of the Small Business Act (15 U.S.C. 644(g)).

(2) COMMUNITY OUTREACH AND EDUCATION.—

(A) IN GENERAL.—The Secretary shall ensure that impacts on socially and economically disadvantaged individuals, including individuals with limited English proficiency, and communities are considered during implementation of the Plan, and that such individuals have opportunities to review and comment on its implementation.

(B) PROVISION OF OPPORTUNITIES.—The Secretary shall ensure, to the maximum extent practicable, that public outreach and educational opportunities are provided, during implementation of the Plan, to the individuals of South Florida, including individuals with limited English proficiency, and in particular for socially and economically disadvantaged communities.

(l) REPORT TO CONGRESS.—Beginning on October 1, 2005, and periodically thereafter until October 1, 2036, the Secretary and the Secretary of the Interior, in consultation with the Environmental Protection Agency, the Department of Commerce, and the State of Florida, shall jointly submit to Congress a report on the implementation of the Plan. Such reports shall be completed not less often than every 5 years. Such reports shall include a description of planning, design, and construction work completed, the amount of funds expended during the period covered by the report (including a detailed analysis of the funds expended for adaptive assessment under subsection (b)(2)(C)(xi)), and the work anticipated over the next 5-year period. In addition, each report shall include—

(1) the determination of each Secretary, and the Administrator of the Environmental Protection Agency, concerning the benefits to the natural system and the human environment achieved as of the date of the report and whether the completed projects of the Plan are being operated in a manner that is consistent with the requirements of subsection (h);

(2) progress toward interim goals established in accordance with subsection (h)(3)(B); and

(3) a review of the activities performed by the Secretary under subsection (k) as they relate to socially and economically disadvantaged individuals and individuals with limited English proficiency.

(m) REPORT ON AQUIFER STORAGE AND RECOVERY PROJECT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing a determination as to whether the ongoing Biscayne Aquifer Storage and Recovery Program located in Miami-Dade County has a substantial benefit to the restoration, preservation, and protection of the South Florida ecosystem.

(n) FULL DISCLOSURE OF PROPOSED FUNDING.—

(1) FUNDING FROM ALL SOURCES.—The President, as part of the annual budget of the United States Government, shall display under the

heading ''Everglades Restoration'' all proposed funding for the Plan for all agency programs.

(2) FUNDING FROM CORPS OF ENGINEERS CIVIL WORKS PROGRAM.—The President, as part of the annual budget of the United States Government, shall display under the accounts ''Construction, General'' and ''Operation and Maintenance, General'' of the title ''Department of Defense—Civil, Department of the Army, Corps of Engineers—Civil'', the total proposed funding level for each account for the Plan and the percentage such level represents of the overall levels in such accounts. The President shall also include an assessment of the impact such funding levels for the Plan would have on the budget year and long-term funding levels for the overall Corps of Engineers civil works program.

(o) SURPLUS FEDERAL LANDS.—Section 390(f)(2)(A)(i) of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1023) is amended by inserting after ''on or after the date of enactment of this Act'' the following: ''and before the date of enactment of the Water Resources Development Act of 2000''.

(p) SEVERABILITY.—If any provision or remedy provided by this section is found to be unconstitutional or unenforceable by any court of competent jurisdiction, any remaining provisions in this section shall remain valid and enforceable.

SEC. 602. SENSE OF CONGRESS CONCERNING HOMESTEAD AIR FORCE BASE.

(a) FINDINGS.—Congress finds that—

(1) the Everglades is an American treasure and includes uniquely-important and diverse wildlife resources and recreational opportunities;

(2) the preservation of the pristine and natural character of the South Florida ecosystem is critical to the regional economy;

(3) as this legislation demonstrates, Congress believes it to be a vital national mission to restore and preserve this ecosystem and accordingly is authorizing a significant Federal investment to do so;

(4) Congress seeks to have the remaining property at the former Homestead Air Base conveyed and reused as expeditiously as possible, and several options for base reuse are being considered, including as a commercial airport; and

(5) Congress is aware that the Homestead site is located in a sensitive environmental location, and that Biscayne National Park is only approximately 1.5 miles to the east, Everglades National Park approximately 8 miles to the west, and the Florida Keys National Marine Sanctuary approximately 10 miles to the south.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) development at the Homestead site could potentially cause significant air, water, and noise pollution and result in the degradation of adjacent national parks and other protected Federal resources;

(2) in their decisionmaking, the Federal agencies charged with determining the reuse of the remaining property at the Homestead base should carefully consider and weigh all available information concerning potential environmental impacts of various reuse options;

(3) the redevelopment of the former base should be consistent with restoration goals, provide desirable numbers of jobs and economic redevelopment for the community, and be consistent with other applicable laws;

(4) consistent with applicable laws, the Secretary of the Air Force should proceed as quickly as practicable to issue a final SEIS and Record of Decision so that reuse of the former air base can proceed expeditiously;

(5) following conveyance of the remaining surplus property, the Secretary, as part of his oversight for Everglades restoration, should cooperate with the entities to which the various parcels of surplus property were conveyed so that the planned use of those properties is implemented in such a manner as to remain consistent with the goals of the Everglades restoration plan; and

(6) not later than August 1, 2002, the Secretary should submit a report to the appropriate committees of Congress on actions taken and make any recommendations for consideration by Congress.

TITLE VII—MISSOURI RIVER RESTORATION, NORTH DAKOTA

SEC. 701. SHORT TITLE.

This title may be cited as the ''Missouri River Protection and Improvement Act of 2000''.

SEC. 702. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Missouri River is—

(A) an invaluable economic, environmental, recreational, and cultural resource to the people of the United States; and

(B) a critical source of water for drinking and irrigation;

(2) millions of people fish, hunt, and camp along the Missouri River each year;

(3) thousands of sites of spiritual importance to Native Americans line the shores of the Missouri River;

(4) the Missouri River provides critical wildlife habitat for threatened and endangered species;

(5) in 1944, Congress approved the Pick-Sloan program—

(A) to promote the general economic development of the United States;

(B) to provide for irrigation above Sioux City, Iowa;

(C) to protect urban and rural areas from devastating floods of the Missouri River; and

(D) for other purposes;

(6) the Garrison Dam was constructed on the Missouri River in North Dakota and the Oahe Dam was constructed in South Dakota under the Pick-Sloan program;

(7) the dams referred to in paragraph (6)—

(A) generate low-cost electricity for millions of people in the United States;

(B) provide revenue to the Treasury; and

(C) provide flood control that has prevented billions of dollars of damage;

(8) the Garrison and Oahe Dams have reduced the ability of the Missouri River to carry sediment downstream, resulting in the accumulation of sediment in the reservoirs known as Lake Sakakawea and Lake Oahe;

(9) the sediment depositions—

(A) cause shoreline flooding;

(B) destroy wildlife habitat;

(C) limit recreational opportunities;

(D) threaten the long-term ability of dams to provide hydropower and flood control under the Pick-Sloan program;

(E) reduce water quality; and

(F) threaten intakes for drinking water and irrigation; and

(10) to meet the objectives established by Congress for the Pick-Sloan program, it is necessary to establish a Missouri River Restoration Program—

(A) to improve conservation;

(B) to reduce the deposition of sediment; and

(C) to take other steps necessary for proper management of the Missouri River.

(b) PURPOSES.—The purposes of this title are—

(1) to reduce the siltation of the Missouri River in the State of North Dakota;

(2) to meet the objectives of the Pick-Sloan program by developing and implementing a long-term strategy—

(A) to improve conservation in the Missouri River watershed;

(B) to protect recreation on the Missouri River from sedimentation;

(C) to improve water quality in the Missouri River;

(D) to improve erosion control along the Missouri River; and

(E) to protect Indian and non-Indian historical and cultural sites along the Missouri River from erosion; and

(3) to meet the objectives described in paragraphs (1) and (2) by developing and financing new programs in accordance with the plan.

SEC. 703. DEFINITIONS.

In this title, the following definitions apply:

(1) PICK-SLOAN PROGRAM.—The term ''Pick-Sloan program'' means the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Flood Control Act of December 22, 1944 (58 Stat. 891).

(2) PLAN.—The term ''plan'' means the plan for the use of funds made available by this title that is required to be prepared under section 705(e).

(3) STATE.—The term ''State'' means the State of North Dakota.

(4) TASK FORCE.—The term ''Task Force'' means the North Dakota Missouri River Task Force established by section 705(a).

(5) TRUST.—The term ''Trust'' means the North Dakota Missouri River Trust established by section 704(a).

SEC. 704. MISSOURI RIVER TRUST.

(a) ESTABLISHMENT.—There is established a committee to be known as the North Dakota Missouri River Trust.

(b) MEMBERSHIP.—The Trust shall be composed of 16 members to be appointed by the Secretary, including—

(1) 12 members recommended by the Governor of North Dakota that—

(A) represent equally the various interests of the public; and

(B) include representatives of—

(i) the North Dakota Department of Health;

(ii) the North Dakota Department of Parks and Recreation;

(iii) the North Dakota Department of Game and Fish;

(iv) the North Dakota State Water Commission;

(v) the North Dakota Indian Affairs Commission;

(vi) agriculture groups;

(vii) environmental or conservation organizations;

(viii) the hydroelectric power industry;

(ix) recreation user groups;

(x) local governments; and

(xi) other appropriate interests;

(2) 4 members representing each of the 4 Indian tribes in the State of North Dakota.

SEC. 705. MISSOURI RIVER TASK FORCE.

(a) ESTABLISHMENT.—There is established the Missouri River Task Force.

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) the Secretary (or a designee), who shall serve as Chairperson;

(2) the Secretary of Agriculture (or a designee);

(3) the Secretary of Energy (or a designee);

(4) the Secretary of the Interior (or a designee); and

(5) the Trust.

(c) DUTIES.—The Task Force shall—

(1) meet at least twice each year;

(2) vote on approval of the plan, with approval requiring votes in favor of the plan by a majority of the members;

(3) review projects to meet the goals of the plan; and

(4) recommend to the Secretary critical projects for implementation.

(d) ASSESSMENT.—

(1) IN GENERAL.—Not later than 18 months after the date on which funding authorized under this title becomes available, the Secretary shall transmit to the other members of the Task Force a report on—

(A) the impact of the siltation of the Missouri River in the State, including the impact on—

(i) the Federal, State, and regional economies;

(ii) recreation;

(iii) hydropower generation;

(iv) fish and wildlife; and

(v) flood control;

(B) the status of Indian and non-Indian historical and cultural sites along the Missouri River;

(C) the extent of erosion along the Missouri River (including tributaries of the Missouri River) in the State; and

(D) other issues, as requested by the Task Force.

(2) CONSULTATION.—In preparing the report under paragraph (1), the Secretary shall consult with—

(A) the Secretary of Energy;

(B) the Secretary of the Interior;

(C) the Secretary of Agriculture;

(D) the State; and

(E) Indian tribes in the State.

(e) PLAN FOR USE OF FUNDS MADE AVAILABLE BY THIS TITLE.—

(1) IN GENERAL.—Not later than 3 years after the date on which funding authorized under this title becomes available, the Task Force shall prepare a plan for the use of funds made available under this title.

(2) CONTENTS OF PLAN.—The plan shall provide for the manner in which the Task Force shall develop and recommend critical restoration projects to promote—

(A) conservation practices in the Missouri River watershed;

(B) the general control and removal of sediment from the Missouri River;

(C) the protection of recreation on the Missouri River from sedimentation;

(D) the protection of Indian and non-Indian historical and cultural sites along the Missouri River from erosion;

(E) erosion control along the Missouri River; or

(F) any combination of the activities described in subparagraphs (A) through (E).

(3) PLAN REVIEW AND REVISION.—

(A) IN GENERAL.—The Task Force shall make a copy of the plan available for public review and comment before the plan becomes final in accordance with procedures established by the Task Force.

(B) REVISION OF PLAN.—

(i) IN GENERAL.—The Task Force may, on an annual basis, revise the plan.

(ii) PUBLIC REVIEW AND COMMENT.—In revising the plan, the Task Force shall provide the public the opportunity to review and comment on any proposed revision to the plan.

(f) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—After the plan is approved by the Task Force under subsection (c)(2), the Secretary, in coordination with the Task Force, shall identify critical restoration projects to carry out the plan.

(2) AGREEMENT.—The Secretary may carry out a critical restoration project after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(3) INDIAN PROJECTS.—To the maximum extent practicable, the Secretary shall ensure that not less than 30 percent of the funds made available for critical restoration projects under this title shall be used exclusively for projects that are—

(A) within the boundary of an Indian reservation; or

(B) administered by an Indian tribe.

(g) COST SHARING.—

(1) ASSESSMENT.—

(A) FEDERAL SHARE.—The Federal share of the cost of carrying out the assessment under subsection (d) shall be 75 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out the assessment may be provided in the form of services, materials, or other in-kind contributions.

(2) PLAN.—

(A) FEDERAL SHARE.—The Federal share of the cost of preparing the plan shall be 75 percent.

(B) NON-FEDERAL SHARE.—Not more than 50 percent of the non-Federal share of the cost of preparing the plan may be provided in the form of services, materials, or other in-kind contributions.

(3) CRITICAL RESTORATION PROJECTS.—

(A) IN GENERAL.—A non-Federal cost share shall be required to carry out any project under subsection (f) that does not primarily benefit the Federal Government, as determined by the Task Force.

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out a project under subsection (f) for which the Task Force requires a non-Federal cost share under subparagraph (A) shall be 65 percent, not to exceed $5,000,000 for any project.

(C) NON-FEDERAL SHARE.—

(i) IN GENERAL.—Not more than 50 percent of the non-Federal share of the cost of carrying out a project described in subparagraph (B) may be provided in the form of services, materials, or other in-kind contributions.

(ii) REQUIRED NON-FEDERAL CONTRIBUTIONS.—For any project described in subparagraph (B), the non-Federal interest shall—

(I) provide all land, easements, rights-of-way, dredged material disposal areas, and relocations;

(II) pay all operation, maintenance, replacement, repair, and rehabilitation costs; and

(III) hold the United States harmless from all claims arising from the construction, operation, and maintenance of the project.

(iii) CREDIT.—The Secretary shall credit the non-Federal interest for all contributions provided under clause (ii)(I).

SEC. 706. ADMINISTRATION.

(a) IN GENERAL.—Nothing in this title diminishes or affects—

(1) any water right of an Indian tribe;

(2) any other right of an Indian tribe, except as specifically provided in another provision of this title;

(3) any treaty right that is in effect on the date of enactment of this Act;

(4) any external boundary of an Indian reservation of an Indian tribe;

(5) any authority of the State that relates to the protection, regulation, or management of fish, terrestrial wildlife, and cultural and archaeological resources, except as specifically provided in this title; or

(6) any authority of the Secretary, the Secretary of the Interior, or the head of any other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(H) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) FEDERAL LIABILITY FOR DAMAGE.—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan program.

(c) FLOOD CONTROL.—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan program for the purposes of meeting the requirements of the Flood Control Act of December 22, 1944 (33 U.S.C. 701–1 et seq.; 58 Stat. 887).

(d) USE OF FUNDS.—Funds transferred to the Trust may be used to pay the non-Federal share required under Federal programs.

SEC. 707. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this title $5,000,000 for each of fiscal years 2001 through 2005. Such sums shall remain available until expended.

(b) EXISTING PROGRAMS.—The Secretary shall fund programs authorized under the Pick-Sloan program in existence on the date of enactment of this Act at levels that are not less than funding levels for those programs as of that date.

TITLE VIII—WILDLIFE REFUGE ENHANCEMENT

SEC. 801. SHORT TITLE.

This title may be cited as the ''Charles M. Russell National Wildlife Refuge Enhancement Act of 2000''.

SEC. 802. PURPOSE.

The purpose of this title is to direct the Secretary, working with the Secretary of the Interior, to convey cabin sites at Fort Peck Lake, Montana, and to acquire land with greater wildlife and other public value for the Charles M. Russell National Wildlife Refuge, to—

(1) better achieve the wildlife conservation purposes for which the Refuge was established;

(2) protect additional fish and wildlife habitat in and adjacent to the Refuge;

(3) enhance public opportunities for hunting, fishing, and other wildlife-dependent activities;

(4) improve management of the Refuge; and

(5) reduce Federal expenditures associated with the administration of cabin site leases.

SEC. 803. DEFINITIONS.

In this title, the following definitions apply:

(1) ASSOCIATION.—The term ''Association'' means the Fort Peck Lake Association.

(2) CABIN SITE.—

(A) IN GENERAL.—The term ''cabin site'' means a parcel of property within the Fort Peck, Hell Creek, Pines, or Rock Creek Cabin Areas that is—

(i) managed by the Corps of Engineers;

(ii) located in or near the eastern portion of Fort Peck Lake, Montana; and

(iii) leased for single family use or occupancy.

(B) INCLUSIONS.—The term ''cabin site'' includes all right, title, and interest of the United States in and to the property, including—

(i) any permanent easement that is necessary to provide vehicular and utility access to the cabin site;

(ii) the right to reconstruct, operate, and maintain an easement described in clause (i); and

(iii) any adjacent parcel of land that the Secretary determines should be conveyed under section 804(c)(1).

(3) CABIN SITE AREA.—

(A) IN GENERAL.—The term ''cabin site area'' means a portion of the Fort Peck, Hell Creek, Pines, or Rock Creek Cabin Areas referred to in paragraph (2) that is occupied by 1 or more cabin sites.

(B) INCLUSION.—The term ''cabin site area'' includes such immediately adjacent land, if any, as is needed for the cabin site area to exist as a generally contiguous parcel of land and for each cabin site in the cabin site area to meet the requirements of section 804(e)(1), as determined by the Secretary, with the concurrence of the Secretary of the Interior.

(4) LAND.—The term ''land'' means land or an interest in land.

(5) LESSEE.—The term ''lessee'' means a person that is leasing a cabin site.

(6) REFUGE.—The term ''Refuge'' means the Charles M. Russell National Wildlife Refuge in the State of Montana.

SEC. 804. CONVEYANCE OF CABIN SITES.

(a) IN GENERAL.—

(1) PROHIBITION.—As soon as practicable after the date of enactment of this Act, the Secretary and the Secretary of the Interior shall prohibit the issuance of new cabin site leases within the Refuge, except as is necessary to consolidate with, or substitute for, an existing cabin site lease under paragraph (2).

(2) DETERMINATION; NOTICE.—Not later than 1 year after the date of enactment of this Act, and before proceeding with any exchange under this title, the Secretary shall—

(A)(i) with the concurrence of the Secretary of the Interior, determine individual cabin sites

that are not suitable for conveyance to a lessee because the cabin sites are isolated so that conveyance of 1 or more of the cabin sites would create an inholding that would impair management of the Refuge; and

(ii) with the concurrence of the Secretary of the Interior and the lessee, determine individual cabin sites that are not suitable for conveyance to a lessee for any other reason that adversely impacts the future habitability of the cabin sites; and

(B) provide written notice to each lessee that specifies any requirements concerning the form of a notice of interest in acquiring a cabin site that the lessee may submit under subsection (b)(1) and an estimate of the portion of administrative costs that would be required to be reimbursed to the Secretary under section 808(b), to—

(i) determine whether the lessee is interested in acquiring the cabin site area of the lessee; and

(ii) inform each lessee of the rights of the lessee under this title.

(3) OFFER OF COMPARABLE CABIN SITE.—If the Secretary determines that a cabin site is not suitable for conveyance to a lessee under paragraph (2)(A), the Secretary, in consultation with the Secretary of the Interior, shall offer to the lessee the opportunity to acquire a comparable cabin site within the same cabin site area.

(b) RESPONSE.—

(1) NOTICE OF INTEREST.—

(A) IN GENERAL.—Not later than July 1, 2003, a lessee shall notify the Secretary in writing of an interest in acquiring the cabin site of the lessee.

(B) FORM.—The notice under this paragraph shall be submitted in such form as is required by the Secretary under subsection (a)(2)(B).

(2) UNPURCHASED CABIN SITES.—If the Secretary receives no notice of interest or offer to purchase a cabin site from the lessee under paragraph (1) or the lessee declines an opportunity to purchase a comparable cabin site under subsection (a)(3), the cabin site shall be subject to sections 805 and 806.

(c) PROCESS.—After providing notice to a lessee under subsection (a)(2)(B), the Secretary, with the concurrence of the Secretary of the Interior, shall—

(1) determine whether any small parcel of land adjacent to any cabin site (not including shoreline or land needed to provide public access to the shoreline of Fort Peck Lake) should be conveyed as part of the cabin site to—

(A) protect water quality;

(B) eliminate an inholding; or

(C) facilitate administration of the land remaining in Federal ownership;

(2) if the Secretary and the Secretary of the Interior determine that a conveyance should be completed under paragraph (1), provide notice of the intent of the Secretary to complete the conveyance to the lessee of each affected cabin site;

(3) survey each cabin site to determine the acreage and legal description of the cabin site area, including land identified under paragraph (1);

(4) take such actions as are necessary to ensure compliance with all applicable environmental laws;

(5) prepare permanent easements or deed restrictions to be enforceable by the Secretary of the Interior or an acceptable third party, to be placed on a cabin site before conveyance out of Federal ownership in order to—

(A) comply with the Act of May 18, 1938 (16 U.S.C. 833 et seq.);

(B) comply with any other laws (including regulations);

(C) ensure the maintenance of existing and adequate public access to and along Fort Peck Lake;

(D) limit future uses of the cabin site to—

(i) noncommercial, single-family use; and

(ii) the type and intensity of use of the cabin site as of the date of enactment of this Act; and

(E) maintain the values of the Refuge; and

(6) conduct an appraisal of each cabin site (including any expansion of the cabin site under paragraph (1)) that—

(A) is carried out in accordance with the Uniform Appraisal Standards for Federal Land Acquisition;

(B) excludes the value of any private improvement to the cabin site; and

(C) takes into consideration—

(i) any easement or deed restriction determined to be necessary under paragraph (5) and subsection (h); and

(ii) the definition of ''cabin site'' under section 803(2).

(d) CONSULTATION AND PUBLIC INVOLVEMENT.—The Secretary shall—

(1) carry out subsections (b) and (c) in consultation with—

(A) affected lessees;

(B) affected counties in the State of Montana; and

(C) the Association; and

(2) hold public hearings, and provide all interested parties with notice and an opportunity to comment, on the activities carried out under this section.

(e) CONVEYANCE.—Subject to subsections (h) and (i) and section 808(b), the Secretary or, if necessary, the Secretary of the Interior shall convey a cabin site by individual patent or deed to the lessee under this title—

(1) if the cabin site complies with Federal, State, and county septic and water quality laws (including regulations);

(2) if the lessee complies with other requirements of this section; and

(3) after receipt of the payment from the lessee for the cabin site of an amount equal to the sum of—

(A) the appraised fair market value of the cabin site as determined in accordance with subsection (c)(6); and

(B) the administrative costs required to be reimbursed under section 808.

(f) VEHICULAR ACCESS.—

(1) IN GENERAL.—Nothing in this title authorizes any addition to or improvement of vehicular access to a cabin site.

(2) CONSTRUCTION.—The Secretary and the Secretary of the Interior—

(A) shall not construct any road for the sole purpose of providing access to land conveyed under this section; and

(B) shall be under no obligation to service or maintain any existing road used primarily for access to that land (or to a cabin site).

(3) OFFER TO CONVEY.—The Secretary, with the concurrence of the Secretary of the Interior, may offer to convey to the State of Montana, any political subdivision of the State of Montana, or the Association, any road determined by the Secretary to primarily service the land conveyed under this section.

(g) UTILITIES AND INFRASTRUCTURE.—

(1) IN GENERAL.—The purchaser of a cabin site shall be responsible for acquiring or securing the use of all utilities and infrastructure necessary to support the cabin site.

(2) NO FEDERAL ASSISTANCE.—The Secretary and the Secretary of the Interior shall not provide any utilities or infrastructure to the cabin site.

(h) EASEMENTS AND DEED RESTRICTIONS.—

(1) IN GENERAL.—Before conveying any cabin site under subsection (e), the Secretary, with the concurrence of the Secretary of the Interior, shall ensure that the deed of conveyance—

(A) includes such easements and deed restrictions as are determined, under subsection (c), to be necessary; and

(B) makes the easements and deed restrictions binding on all subsequent purchasers of the cabin site.

(2) RESERVATION OF RIGHTS.—The Secretary may reserve the perpetual right, power, privilege, and easement to permanently overflow, flood, submerge, saturate, percolate, or erode a cabin site (or any portion of a cabin site) that the Secretary determines is necessary in the operation of the Fort Peck Dam.

(i) NO CONVEYANCE OF UNSUITABLE CABIN SITES.—A cabin site that is determined to be unsuitable for conveyance under subsection (a)(2)(A) shall not be conveyed by the Secretary or the Secretary of the Interior under this section.

(j) IDENTIFICATION OF LAND FOR EXCHANGE.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall identify land that may be acquired that meets the purposes of this title specified in paragraphs (1) through (4) of section 802 and for which 1 or more willing sellers exist.

(2) APPRAISAL.—On a request by a willing seller, the Secretary of the Interior shall appraise the land identified under paragraph (1).

(3) ACQUISITION.—If the Secretary of the Interior determines that the acquisition of the land would meet the purposes of this title specified in paragraphs (1) through (4) of section 802, the Secretary of the Interior shall cooperate with the willing seller to facilitate the acquisition of the land in accordance with section 807.

(4) PUBLIC PARTICIPATION.—The Secretary of the Interior shall hold public hearings, and provide all interested parties with notice and an opportunity to comment, on the activities carried out under this section.

SEC. 805. RIGHTS OF NONPARTICIPATING LESSEES.

(a) CONTINUATION OF LEASE.—

(1) IN GENERAL.—A lessee that does not provide the Secretary with an offer to acquire the cabin site of the lessee under section 804 (including a lessee who declines an offer of a comparable cabin site under section 804(a)(3)) may elect to continue to lease the cabin site for the remainder of the current term of the lease, which, except as provided in paragraph (2), shall not be renewed or otherwise extended.

(2) EXPIRATION BEFORE 2010.—If the current term of a lessee described in paragraph (1) expires or is scheduled to expire before 2010, the Secretary shall offer to extend or renew the lease through 2010.

(b) IMPROVEMENTS.—Any improvements and personal property of the lessee that are not removed from the cabin site before the termination of the lease shall be considered property of the United States in accordance with the provisions of the lease.

(c) OPTION TO PURCHASE.—Subject to subsections (d) and (e) and section 808(b), if at any time before termination of the lease, a lessee described in subsection (a)(1)—

(1) notifies the Secretary of the intent of the lessee to purchase the cabin site of the lessee; and

(2) pays for an updated appraisal of the cabin site in accordance with section 804(c)(6);

the Secretary or, if necessary, the Secretary of the Interior shall convey the cabin site to the lessee, by individual patent or deed, on receipt of payment from the lessee for the cabin site of an amount equal to the sum of the appraised fair market value of the cabin site, as determined by the updated appraisal, and the administrative costs required to be reimbursed under section 808.

(d) EASEMENTS AND DEED RESTRICTIONS.—Before conveying any cabin site under subsection (c), the Secretary, with the concurrence of the Secretary of the Interior, shall ensure that the deed of conveyance—

(1) includes such easements and deed restrictions as are determined, under section 804(c), to be necessary; and

(2) makes the easements and deed restrictions binding on all subsequent purchasers of the cabin site.

(e) NO CONVEYANCE OF UNSUITABLE CABIN SITES.—A cabin site that is determined to be unsuitable for conveyance under subsection 804(a)(2)(A) shall not be conveyed by the Secretary or the Secretary of the Interior under this section.

(f) REPORT.—Not later than July 1, 2003, the Secretary shall submit to Congress a report that—

(1) describes progress made in implementing this title; and

(2) identifies cabin owners that have filed a notice of interest under section 804(b) and have declined an opportunity to acquire a comparable cabin site under section 804(a)(3).

SEC. 806. CONVEYANCE TO THIRD PARTIES.

(a) CONVEYANCES TO THIRD PARTIES.—As soon as practicable after the expiration or surrender of a lease, the Secretary, with the concurrence of the Secretary of the Interior, may offer for sale, by public auction, written invitation, or other competitive sales procedure, and at the fair market value of the cabin site determined under section 804(c)(6), any cabin site that—

(1) is not conveyed to a lessee under this title; and

(2) has not been determined to be unsuitable for conveyance under section 804(a)(2)(A).

(b) EASEMENTS AND DEED RESTRICTIONS.—Before conveying any cabin site under subsection (a), the Secretary, with the concurrence of the Secretary of the Interior, shall ensure that the deed of conveyance—

(1) includes such easements and deed restrictions as are determined, under section 804(c), to be necessary; and

(2) makes the easements and deed restrictions binding on all subsequent purchasers of the cabin site.

(c) MANAGEMENT OF REMAINING LAND WITHIN CABIN SITE AREAS.—

(1) MANAGEMENT BY THE SECRETARY.—All land within the outer boundaries of a cabin site area that is not conveyed under this Act shall be managed by the Secretary, in consultation with the Secretary of the Interior, in substantially the same manner as that land is managed on the date of enactment of this Act and consistent with the purposes for which the Refuge was established.

(2) CONSTRUCTION AND DEVELOPMENT.—The Secretary shall not initiate or authorize any development or construction on land under paragraph (1) except with the concurrence of the Secretary of the Interior.

SEC. 807. USE OF PROCEEDS.

(a) PROCEEDS.—All payments for the conveyance of cabin sites under this title, except costs reimbursed to the Secretary under section 808(b)—

(1) shall be deposited in a special fund within the Montana Fish and Wildlife Conservation Trust established under section 1007 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–715) (as amended by title IV of H.R. 3425 of the 106th Congress, as enacted by section 1000(a)(5) of Public Law 106–113 (113 Stat. 1536, 1501A–307); and

(2) notwithstanding title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–710), shall be available for use by the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service in the Director's sole discretion and without further Act of appropriation, solely for the acquisition from willing sellers of property that—

(A) is within or adjacent to the Refuge;

(B) would be suitable to carry out the purposes of this title specified in paragraphs (1) through (4) of section 802; and

(C) on acquisition by the Secretary of the Interior, would be accessible to the general public for use in conducting activities consistent with approved uses of the Refuge.

(b) LIMITATIONS.—

(1) IN GENERAL.—To the extent practicable, acquisitions under this title shall be of land within the Refuge.

(2) NO EFFECT ON ACQUISITION.—Nothing in this subsection limits the ability of the Secretary of the Interior to acquire land adjacent to the Refuge from a willing seller in cases in which the Secretary of the Interior also acquires land within the Refuge from the same willing seller.

SEC. 808. ADMINISTRATIVE COSTS.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary shall pay all administrative costs incurred in carrying out this title.

(b) REIMBURSEMENT.—As a condition of the conveyance of any cabin site area under this title, the Secretary or the Secretary of the Interior—

(1) may require the party to whom the property is conveyed to reimburse the Secretary or the Secretary of the Interior for a reasonable portion, as determined by the Secretary or the Secretary of the Interior, of the direct administrative costs (including survey costs) incurred in carrying out conveyance activities under this title, taking into consideration any cost savings achieved as a result of the party's agreeing to purchase its cabin site as part of a single transaction for the conveyance of multiple cabin sites; and

(2) shall require the party to whom the property is conveyed to reimburse the Association for a proportionate share of the costs (including interest) incurred by the Association in carrying out transactions under this title.

SEC. 809. REVOCATION OF WITHDRAWALS.

(a) IN GENERAL.—Upon execution of any patent or deed, by the Secretary or the Secretary of the Interior, conveying land as specifically authorized by this title, any public land withdrawal affecting the land described in the conveyance document as being conveyed shall be revoked with respect to that land.

(b) EXCLUSIONS.—Nothing in this section affects—

(1) the status of any public land withdrawal on land retained by the Secretary or the Secretary of the Interior;

(2) the boundary of the Refuge as established by Executive Order No. 7509 (December 11, 1936); or

(3) enforcement of any right retained by the United States.

(c) REINSTATEMENT.—If, at any time after the date of enactment of this Act, the Secretary or the Secretary of the Interior reacquires land conveyed under this title, any public land withdrawal revoked under this section shall be reinstated with respect to the reacquired land.

SEC. 810. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title.

TITLE IX—MISSOURI RIVER RESTORATION, SOUTH DAKOTA

SEC. 901. SHORT TITLE.

This title may be cited as the ''Missouri River Restoration Act of 2000''.

SEC. 902. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Missouri River is—

(A) an invaluable economic, environmental, recreational, and cultural resource to the people of the United States; and

(B) a critical source of water for drinking and irrigation;

(2) millions of people fish, hunt, and camp along the Missouri River each year;

(3) thousands of sites of spiritual importance to Native Americans line the shores of the Missouri River;

(4) the Missouri River provides critical wildlife habitat for threatened and endangered species;

(5) in 1944, Congress approved the Pick-Sloan program—

(A) to promote the general economic development of the United States;

(B) to provide for irrigation above Sioux City, Iowa;

(C) to protect urban and rural areas from devastating floods of the Missouri River; and

(D) for other purposes;

(6) the Oahe, Big Bend, Fort Randall, and Gavins Point Dams were constructed on the Missouri River in South Dakota under the Pick-Sloan program;

(7) the dams referred to in paragraph (6)—

(A) generate low-cost electricity for millions of people in the United States;

(B) provide revenue to the Treasury; and

(C) provide flood control that has prevented billions of dollars of damage;

(8) the Oahe, Big Bend, Fort Randall, and Gavins Point Dams have reduced the ability of the Missouri River to carry sediment downstream, resulting in the accumulation of sediment in the reservoirs known as Lake Oahe, Lake Sharpe, Lake Francis Case, and Lewis and Clark Lake;

(9) the sediment depositions—

(A) cause shoreline flooding;

(B) destroy wildlife habitat;

(C) limit recreational opportunities;

(D) threaten the long-term ability of dams to provide hydropower and flood control under the Pick-Sloan program;

(E) reduce water quality; and

(F) threaten intakes for drinking water and irrigation; and

(10) to meet the objectives established by Congress for the Pick-Sloan program, it is necessary to establish a Missouri River Restoration Program—

(A) to improve conservation;

(B) to reduce the deposition of sediment; and

(C) to take other steps necessary for proper management of the Missouri River.

(b) PURPOSES.—The purposes of this title are—

(1) to reduce the siltation of the Missouri River in the State of South Dakota;

(2) to meet the objectives of the Pick-Sloan program by developing and implementing a long-term strategy—

(A) to improve conservation in the Missouri River watershed;

(B) to protect recreation on the Missouri River from sedimentation;

(C) to improve water quality in the Missouri River;

(D) to improve erosion control along the Missouri River; and

(E) to protect Indian and non-Indian historical and cultural sites along the Missouri River from erosion; and

(3) to meet the objectives described in paragraphs (1) and (2) by developing and financing new programs in accordance with the plan.

SEC. 903. DEFINITIONS.

In this title, the following definitions apply:

(1) PICK-SLOAN PROGRAM.—The term ''Pick-Sloan program'' means the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Flood Control Act of December 22, 1944 (58 Stat. 891).

(2) PLAN.—The term ''plan'' means the plan for the use of funds made available by this title that is required to be prepared under section 905(e).

(3) STATE.—The term ''State'' means the State of South Dakota.

(4) TASK FORCE.—The term ''Task Force'' means the Missouri River Task Force established by section 905(a).

(5) TRUST.—The term ''Trust'' means the Missouri River Trust established by section 904(a).

SEC. 904. MISSOURI RIVER TRUST.

(a) ESTABLISHMENT.—There is established a committee to be known as the Missouri River Trust.

(b) MEMBERSHIP.—The Trust shall be composed of 25 members to be appointed by the Secretary, including—

(1) 15 members recommended by the Governor of South Dakota that—

(A) represent equally the various interests of the public; and

(B) include representatives of—

(i) the South Dakota Department of Environment and Natural Resources;

(ii) the South Dakota Department of Game, Fish, and Parks;

(iii) environmental groups;

(iv) the hydroelectric power industry;

(v) local governments;

(vi) recreation user groups;

(vii) agricultural groups; and

(viii) other appropriate interests;

(2) 9 members, 1 of each of whom shall be recommended by each of the 9 Indian tribes in the State of South Dakota; and

(3) 1 member recommended by the organization known as the ''Three Affiliated Tribes of North Dakota'' (composed of the Mandan, Hidatsa, and Arikara tribes).

SEC. 905. MISSOURI RIVER TASK FORCE.

(a) ESTABLISHMENT.—There is established the Missouri River Task Force.

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) the Secretary (or a designee), who shall serve as Chairperson;

(2) the Secretary of Agriculture (or a designee);

(3) the Secretary of Energy (or a designee);

(4) the Secretary of the Interior (or a designee); and

(5) the Trust.

(c) DUTIES.—The Task Force shall—

(1) meet at least twice each year;

(2) vote on approval of the plan, with approval requiring votes in favor of the plan by a majority of the members;

(3) review projects to meet the goals of the plan; and

(4) recommend to the Secretary critical projects for implementation.

(d) ASSESSMENT.—

(1) IN GENERAL.—Not later than 18 months after the date on which funding authorized under this title becomes available, the Secretary shall submit to the other members of the Task Force a report on—

(A) the impact of the siltation of the Missouri River in the State, including the impact on—

(i) the Federal, State, and regional economies;

(ii) recreation;

(iii) hydropower generation;

(iv) fish and wildlife; and

(v) flood control;

(B) the status of Indian and non-Indian historical and cultural sites along the Missouri River;

(C) the extent of erosion along the Missouri River (including tributaries of the Missouri River) in the State; and

(D) other issues, as requested by the Task Force.

(2) CONSULTATION.—In preparing the report under paragraph (1), the Secretary shall consult with—

(A) the Secretary of Energy;

(B) the Secretary of the Interior;

(C) the Secretary of Agriculture;

(D) the State; and

(E) Indian tribes in the State.

(e) PLAN FOR USE OF FUNDS MADE AVAILABLE BY THIS TITLE.—

(1) IN GENERAL.—Not later than 3 years after the date on which funding authorized under this title becomes available, the Task Force shall prepare a plan for the use of funds made available under this title.

(2) CONTENTS OF PLAN.—The plan shall provide for the manner in which the Task Force shall develop and recommend critical restoration projects to promote—

(A) conservation practices in the Missouri River watershed;

(B) the general control and removal of sediment from the Missouri River;

(C) the protection of recreation on the Missouri River from sedimentation;

(D) the protection of Indian and non-Indian historical and cultural sites along the Missouri River from erosion;

(E) erosion control along the Missouri River; or

(F) any combination of the activities described in subparagraphs (A) through (E).

(3) PLAN REVIEW AND REVISION.—

(A) IN GENERAL.—The Task Force shall make a copy of the plan available for public review and comment before the plan becomes final, in accordance with procedures established by the Task Force.

(B) REVISION OF PLAN.—

(i) IN GENERAL.—The Task Force may, on an annual basis, revise the plan.

(ii) PUBLIC REVIEW AND COMMENT.—In revising the plan, the Task Force shall provide the public the opportunity to review and comment on any proposed revision to the plan.

(f) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—After the plan is approved by the Task Force under subsection (c)(2), the Secretary, in coordination with the Task Force, shall identify critical restoration projects to carry out the plan.

(2) AGREEMENT.—The Secretary may carry out a critical restoration project after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(3) INDIAN PROJECTS.—To the maximum extent practicable, the Secretary shall ensure that not less than 30 percent of the funds made available for critical restoration projects under this title shall be used exclusively for projects that are—

(A) within the boundary of an Indian reservation; or

(B) administered by an Indian tribe.

(g) COST SHARING.—

(1) ASSESSMENT.—

(A) FEDERAL SHARE.—The Federal share of the cost of carrying out the assessment under subsection (d) shall be 75 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out the assessment may be provided in the form of services, materials, or other in-kind contributions.

(2) PLAN.—

(A) FEDERAL SHARE.—The Federal share of the cost of preparing the plan under subsection (e) shall be 75 percent.

(B) NON-FEDERAL SHARE.—Not more than 50 percent of the non-Federal share of the cost of preparing the plan may be provided in the form of services, materials, or other in-kind contributions.

(3) CRITICAL RESTORATION PROJECTS.—

(A) IN GENERAL.—A non-Federal cost share shall be required to carry out any critical restoration project under subsection (f) that does not primarily benefit the Federal Government, as determined by the Task Force.

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out a project under subsection (f) for which the Task Force requires a non-Federal cost share under subparagraph (A) shall be 65 percent, not to exceed $5,000,000 for any critical restoration project.

(C) NON-FEDERAL SHARE.—

(i) IN GENERAL.—Not more than 50 percent of the non-Federal share of the cost of carrying out a project described in subparagraph (B) may be provided in the form of services, materials, or other in-kind contributions.

(ii) REQUIRED NON-FEDERAL CONTRIBUTIONS.—For any project described in subparagraph (B), the non-Federal interest shall—

(I) provide all land, easements, rights-of-way, dredged material disposal areas, and relocations;

(II) pay all operation, maintenance, replacement, repair, and rehabilitation costs; and

(III) hold the United States harmless from all claims arising from the construction, operation, and maintenance of the project.

(iii) CREDIT.—The Secretary shall credit the non-Federal interest for all contributions provided under clause (ii)(I).

SEC. 906. ADMINISTRATION.

(a) IN GENERAL.—Nothing in this title diminishes or affects—

(1) any water right of an Indian tribe;

(2) any other right of an Indian tribe, except as specifically provided in another provision of this title;

(3) any treaty right that is in effect on the date of enactment of this Act;

(4) any external boundary of an Indian reservation of an Indian tribe;

(5) any authority of the State that relates to the protection, regulation, or management of fish, terrestrial wildlife, and cultural and archaeological resources, except as specifically provided in this title; or

(6) any authority of the Secretary, the Secretary of the Interior, or the head of any other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(H) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) FEDERAL LIABILITY FOR DAMAGE.—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan program.

(c) FLOOD CONTROL.—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan program for the purposes of meeting the requirements of the Flood Control Act of December 22, 1944 (33 U.S.C. 701–1 et seq.; 58 Stat. 887).

(d) USE OF FUNDS.—Funds transferred to the Trust may be used to pay the non-Federal share required under Federal programs.

SEC. 907. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this title $10,000,000 for each of fiscal years 2001 through 2005. Such sums shall remain available until expended.

(b) EXISTING PROGRAMS.—The Secretary shall fund programs authorized under the Pick-Sloan program in existence on the date of enactment of this Act at levels that are not less than funding levels for those programs as of that date.

And the House agree to the same.

BUD SHUSTER,
DON YOUNG,
SHERWOOD BOEHLERT,
CLAY SHAW,
JIM OBERSTAR,
BOB BORSKI,
ROBERT MENENDEZ,
Managers on the Part of the House.

BOB SMITH,
JOHN WARNER,
MAX BAUCUS,
BOB GRAHAM,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. SHUSTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-

fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 312 / Nays 2

¶124.6 [Roll No. 594]

YEAS—312

Abercrombie
Aderholt
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bereuter
Berkley
Berry
Biggert
Bilirakis
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Canady
Cannon
Capuano
Cardin
Castle
Chabot
Coble
Coburn
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kelly
Kildee
Kind (WI)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Moakley
Moore
Moran (KS)
Murtha
Myrick
Nadler
Napolitano
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Weiner
Weldon (PA)
Weller
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Chenoweth-Hage
Sanford

NOT VOTING—119

Ackerman
Allen
Archer
Baird
Ballenger
Becerra
Bentsen
Berman
Bilbray
Bishop
Blumenauer
Boswell
Boucher
Calvert
Campbell
Capps
Carson
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Conyers
Danner
Davis (IL)
DeGette
Delahunt
Dickey
Dicks
Dingell
Dooley
Dunn
Ehlers
Emerson
Ewing
Farr
Fattah
Filner
Forbes
Fowler
Frank (MA)
Franks (NJ)
Ganske
Gejdenson
Gephardt
Granger
Greenwood
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hefley
Hill (MT)
Hutchinson
Jackson-Lee (TX)
Jones (OH)
Kasich
Kennedy
Kilpatrick
King (NY)
Klink
Lantos
Lazio
Lee
Lofgren
Maloney (NY)
McCarthy (MO)
McCollum
McIntosh
McKinney
Meehan
Meek (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moran (VA)
Morella
Neal
Nethercutt
Oberstar
Ose
Owens
Paul
Pelosi
Pickett
Pomeroy
Price (NC)
Reyes
Riley
Rodriguez
Rush
Salmon
Sanchez
Schaffer
Serrano
Shays
Slaughter
Smith (WA)
Spratt
Stark
Stupak
Talent
Tancredo
Taylor (NC)
Thompson (MS)
Tierney
Towns
Turner
Visclosky
Waters
Watts (OK)
Waxman
Weldon (FL)
Wexler
Weygand
Whitfield
Wise

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶124.7 FURTHER CONTINUING APPROPRIATIONS FY 2001 AND CONDITIONAL ADJOURNMENT OR RECESS

On motion of Mr. YOUNG of Florida, by unanimous consent,

Ordered, That the Committee on Appropriations was discharged from further consideration of the joint resolution (H.J. Res. 124) making further continuing appropriations for the fiscal year 2001, and for other purposes; and that said joint resolution was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title and passed.

Ordered further, That the joint resolution (H.J. Res. 84) making further continuing appropriations for the fiscal year 2000, and for other purposes; together with the following amendments of the Senate, was taken from the Speaker's table and said Senate amendments were considered and agreed to:

Strike out all after the resolving clause and insert: *That Public Law 106–275, is further amended by striking the date specified in section 106(c) and inserting ''November 14, 2000''*.

Amend the title so as to read: ''Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.''.

Ordered further, That the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 160) and said concurrent resolution was considered and agreed to:

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, November 2, 2000, or on Monday, November 6, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, November 14, 2000, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Thursday, November 2, 2000, Friday, November 3, 2000, Saturday, November 4, 2000, Sunday, November 5, 2000, Monday, November 6, 2000, Tuesday, November 7, 2000, Wednesday, November 8, 2000, or Thursday, November 9, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, November 13, 2000, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

Ordered further, That the following resolution (H. Res. 666) relating to early organization of the House of Representatives for the One Hundred Seventh Congress was considered and agreed to:

Resolved, That any organizational caucus or conference in the House of Representatives for the One Hundred Seventh Congress may begin on or after November 13, 2000.

SEC. 2. As used in this resolution, the term ''organizational caucus or conference'' means a party caucus or conference authorized to be called under section 202(a) of House Resolution 988, Ninety-third Congress, agreed to on October 8, 1974, and enacted into permanent law by chapter III of title I of the Supplemental Appropriations Act, 1975 (2 U.S.C. 29a(a)).

Ordered further, That motions to reconsider the votes whereby said joint resolution was passed, said Senate amendments to said House joint resolution were agreed to, said Senate concurrent resolution was agreed to, and said House resolution was agreed to were, by unanimous consent, laid on the table.

Ordered further, That the Clerk request the concurrence of the Senate in said joint resolution, that the Clerk

notify the Senate of the concurrence of the House in said Senate amendments to said House joint resolution, and that the Clerk notify the Senate of its concurrence in said Senate concurrent resolution.

¶124.8 HOUR OF MEETING

On motion of Mr. YOUNG of Florida, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 6 o'clock p.m. on Saturday, November 4, 2000, unless it sooner has been informed by the President of the enactment into law of House Joint Resolution 84, in which case the House shall stand adjourned pursuant to Senate Concurrent Resolution 160.

¶124.9 APPOINTMENT OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

WASHINGTON, DC,
November 3, 2000.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through November 13, 2000.

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

By unanimous consent, the appointment was approved.

¶124.10 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, October 5, 2000.

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

DEAR SPEAKER HASTERT: On Wednesday, September 27, 2000, the Committee on Transportation and Infrastructure, pursuant to 40 U.S.C. §606, approved twenty-two resolutions concerning GSA's FY 2001 Capital Investment Program.

Please find enclosed copies of these resolutions.

With warm regards, I remain.

Sincerely,

BUD SHUSTER,
Chairman.

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

¶124.11 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GOSS, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, November 15, 2000, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶124.12 SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. GOSS, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until Monday, November 13, 2000, the Speaker, Majority Leader, and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶124.13 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. CARSON, for today;

To Ms. JACKSON-LEE, for today;

To Ms. KILPATRICK, for today;

To Mrs. MINK of Hawaii, for today; and

To Ms. SLAUGHTER, for today.

And then,

¶124.14 ADJOURNMENT

On motion of Mr. LUCAS of Oklahoma, pursuant to the special order heretofore agreed to, at 12 o'clock and 47 minutes p.m., the House adjourned until 6 o'clock p.m. on Saturday, November 4, 2000, unless it sooner has been informed by the President of the enactment into law of House Joint Resolution 84, in which case the House shall stand adjourned pursuant to Senate Concurrent Resolution 160, until 2 o'clock p.m., Monday, November 13, 2000.

¶124.15 TIME LIMITATION OF REFERRED BILL

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

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 4, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than November 4, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 4, 2000.

H.R. 4144. Referral to the Committee on the Budget extended for a period ending not later than November 4, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 4, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than November 4, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 4, 2000.

H.R. 4857. Referral to the Committees on the Judiciary, Banking and Financial Services, and Commerce for a period ending not later than November 4, 2000.

H.R. 5130. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 4, 2000.

H.R. 5291. Referral to the Committee on Ways and Means extended for a period ending not later than November 4, 2000.

¶124.16 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. COX (for himself and Mr. WU):

H.R. 5625. A bill to amend the Immigration and Nationality Act to establish a pilot program under which an alien may be provided H–1B nonimmigrant status without regard to the numerical limitation applicable to that nonimmigrant category if the United States employer seeking the alien's entry makes a qualifying scholarship contribution to an institution of higher education in the United States; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 5626. A bill to amend the Federal Power Act to provide additional authority to the Federal Energy Regulatory Commission to order refunds of unjust, unreasonable, unduly discriminatory or preferential rates and charges for electricity, and for other purposes; to the Committee on Commerce.

By Mr. LUCAS of Oklahoma:

H.R. 5627. A bill to designate the national aviation center located at 5020 South Meridian Avenue in Oklahoma City, Oklahoma, as the ''Glenn English Customs National Aviation Center''; to the Committee on Transportation and Infrastructure.

By Mr. SHADEGG (for himself, Mr. COBURN, Mr. SALMON, and Mr. ADERHOLT):

H.R. 5628. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to provide for a patients' bill of rights, patient access to information, and accountability of health plans, and to expand access to health care coverage through tax incentives; to the Committee on Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Florida:

H. Res. 666. A resolution relating to early organization of the House of Representatives for the One Hundred Seventh Congress; considered and agreed to.

¶124.17 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. SHAW introduced a bill (H.R. 5629) to permit the Asphalt Commander to be placed under a foreign registry; to the Committee on Armed Services.

¶124.18 ADDITIONAL SPONSORS

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

H.R. 1592: Mr. TRAFICANT.

H.R. 2774: Mr. GONZALEZ.

H.R. 4416: Mr. CONDIT, Mr. PALLONE, Mr. KIND, and Mr. NADLER.

H.R. 4941: Mr. FILNER and Mr. EHRLICH.

H.R. 5091: Ms. HOOLEY of Oregon.

H.R. 5572: Mrs. TAUSCHER and Mr. MCGOVERN.

H.R. 5612: Mrs. MINK of Hawaii, Mr. BISHOP, Mr. HOEFFEL, and Ms. SLAUGHTER.

H.J. Res. 23: Mr. BLAGOJEVICH.

¶124.19 PETITIONS, ETC.

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

117. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 555 of 2000 petitioning the United States Congress to enact the Younger Americans Act; to the Committee on Education and the Workforce.

118. Also, a petition of the Saipan and the Northern Islands Municipal Council, The Mariana Islands, relative to Resolution No. 6SMC–3RS–25 petitioning the Northern Mariana Islands Commonwealth Legislature to enact legislation to hold a referendum on the Federal Take Over in the Commonwealth of

the Northern Mariana Islands; to the Committee on Resources.

MONDAY, NOVEMBER 13, 2000 (125)

¶125.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication:

WASHINGTON, DC,
November 13, 2000.

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

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

¶125.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Friday, November 3, 2000.

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

¶125.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10902. A letter from the Secretary, Department of Agriculture, transmitting the Department's final rule—National Forest System Land and Resource Management Planning (RIN: 0596–AB20) received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10903. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sulfentrazone; Pesticide Tolerances for Emergency Exemptions [OPP–301074; FRL–6751–7] (RIN: 2070–AB78) received November 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10904. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pyriproxyfen; Extension of Tolerance for Emergency Exemptions [OPP–301077; FRL–6753–3] (RIN: 2070–AB78) received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10905. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Copper Sulfate Pentahydrate; Exemption from the Requirement of a Tolerance [OPP–301060; FRL–6747–3] (RIN: 2070–AB78) received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10906. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting Office of Management and Budget Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

10907. A letter from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting the Department's final rule—Fire Protection Engineering Functional Area Qualification Standard; DOE Defense Nuclear Facilities Technical Personnel—received November 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10908. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, Office of Defense Programs, transmitting the Department's final rule—Planning and Conduct of Operational Readiness Reviews (ORR)—received November 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10909. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, Office of Defense Programs, transmitting the Department's final rule—Criteria for Packaging and Storing Uranium-233-Bearing Materials—received November 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10910. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, Office of Environment, Safety, and Health, transmitting the Department's final rule—Industrial Hygiene Functional Area Qualification Standard; DOE Defense Nuclear Facilities Technical Personnel—received November 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10911. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—NESHAPS: Final Standards for Hazardous Air Pollutants for Hazardous Waste Combustors; Final Rule—Interpretive Clarification; Technical Correction [FRL–6898–8] received November 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10912. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; New Hampshire—Nitrogen Oxides Budget and Allowance Trading Program [NH–042–7169a; A–1–FRL–6871–2] received November 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10913. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or Superfund, Section 104 ''Announcement of Proposal Deadline for the Competition for Fiscal Year 2001 Supplemental Assistance to the National Brownfields Assessment Demonstration Pilots'' [FRL–6901–6] received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10914. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Control of Landfill Emissions From Municipal Solid Waste Landfills; State of Missouri [MO 117–1117a; FRL–6900–8] received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10915. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Enhanced Motor Vehicle Inspection and Maintenance Program [MA–014–7195D; A–1–FRL–6882–5] received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10916. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Massachusetts: Interim Authorization of State Hazardous Waste Management Program Revision [FRL–6900–5] received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10917. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or Superfund Section 104; ''Announcement of Proposal Deadline for the Competition for the 2001 National Brownfields Assessment Demonstration Pilots'' [FRL–6901–5] received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10918. A letter from the Assistant Bureau Chief, Management, International Bureau Satellite and Radiocommunications Division, Federal Communications Commission, transmitting the Commission's final rule—Availability of INTELSAT Space Segment Capacity to Users and Service Providers Seeking to Access INTELSAT Directly [IB Docket No. 00–91] received November 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10919. A letter from the Chairman, Securities and Exchange Commission, transmitting a Report on State Reciprocal Subpoena Enforcement Laws pursuant to the requirements of Section 102 of the Securities Litigation Uniform Standards Act of 1998; to the Committee on Commerce.

10920. A communication from the President of the United States, transmitting the President's bimonthly report on progress toward a negotiated settlement of the Cyprus question, covering the period August 1 to September 30, 2000, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

10921. A letter from the Chairman, Commission for the Preservation of America's Heritage Abroad, transmitting the Commission's Consolidated Report for FY 2000, pursuant to 16 U.S.C. 469j(h); to the Committee on Government Reform.

10922. A letter from the Staff Director, Commission on Civil Rights, transmitting Second Annual Commercial Activities Inventory Report for the Commission on Civil Rights; to the Committee on Government Reform.

10923. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received November 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10924. A letter from the Administrator, Office of Independent Counsel, transmitting the annual report on Audit and Investigative Activities in accordance with the Inspector General of 1978, as amended, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

10925. A letter from the Commissioner, Bureau of Reclamation, Department of the Interior, transmitting a modification report on the Horsetooth, Soldier Canyon, Dixon Canyon, and Spring Canyon Dams, Colorado-Big Thompson Project, Colorado, Safety of Dams Program; and the Final Environmental Assessment and Finding of No Significant Impacts on Horsetooth Reservoir, Safety of Dams Activities, pursuant to 43 U.S.C. 509; to the Committee on Resources.

10926. A letter from the Acting Director, Office of Surface Mining, Department of Interior, transmitting the Department's final rule—Maryland Regulatory Program—received November 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10927. A letter from the Program Analyst, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 727–100 and –200 Series Airplanes Equipped With an Engine Nose Cowl for Engine Numbers 1 and 3, Installed in Accordance With Supplemental Type Certificate (STC) SA4363NM [Docket No. 2000–NM–249–AD; Amendment 39–11839, AD 95–19–08 R1] (RIN: 2120–AA64) received November 2, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10928. A letter from the Deputy Chief Counsel, Office of Pipeline Safety, Department of Transportation, Research and Special Pro-

grams Administration, transmitting the Department's final rule—Pipeline Safety: Pipeline Integrity Management in High Consequence Areas (Hazardous Liquid Operators with 500 or more miles of pipeline) [Docket No. RSPA–99–6355; Amendment 195–70] (RIN: 2137–AD45) received November 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10929. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Final Rule to Amend the Final Water Quality Guidance for the Great Lakes System to Prohibit Mixing Zones for Bioaccumulative Chemicals of Concern [FRL–6898–7] (RIN: 2040–AD32) received November 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10930. A letter from the the Executive Secretary, the Disabled American Veterans, transmitting the 2000 National Convention Proceedings of the Disabled American Veterans, pursuant to 36 U.S.C. 90i and 44 U.S.C. 1332; (H. Doc. No. 106–308); to the Committee on Veterans' Affairs and ordered to be printed.

10931. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, Veterans Benefits Administration, transmitting the Department's final rule—Miscellaneous Montgomery GI Bill Eligibility and Entitlement Issues (RIN: 2900–AJ90) received November 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

10932. A letter from the Chief, Regulations Branch, United States Customs Service, Department of the Treasury, transmitting the Department's final rule—United States-Caribbean Basin Trade Partnership Act and Caribbean Basin Initiative (RIN: 1515–AC76) received November 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10933. A letter from the Chief, Regulations Branch, United States Customs Service, Department of the Treasury, transmitting the Department's final rule—African Growth and Opportunity Act and Generalized System of Preferences (RIN: 1515–AC72) received November 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶125.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 3, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 3, 2000 at 12:55 p.m.

That the Senate passed without amendment H.J. Res. 124.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶125.5 COMMUNICATION FROM THE CLERK—ORDER OF THE HOUSE OF NOVEMBER 3, 2000—COMMUNICATION FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 3, 2000.

Hon. J. DENNIS HASTERT,
Speaker,
Washington, DC.

DEAR MR. SPEAKER: This is to advise that on November 4, 2000 at 10:46 a.m., I was notified that the President had signed the Continuing Resolution H.J. Res. 124, making further continuing appropriations for the fiscal year 2001, and for other purposes; and H.J. Res. 84, making further continuing appropriations for the fiscal year 2001, and for other purposes.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶125.6 ENROLLED BILLS, AND JOINT RESOLUTIONS, CONCURRENT RESOLUTIONS SIGNED

The SPEAKER pro tempore, Mr. PEASE, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bills and joint resolutions on Friday, November 3, 2000,:

S. 11. An Act for the relief of Wei Jingsheng.

S. 150. An Act for the relief of Marina Khalina and her son, Albert Miftakhov.

S. 276. An Act for the relief of Sergio Lozano.

S. 768. An Act to amend title 18, United States Code, to establish Federal jurisdiction over offenses committed outside the United States by persons employed by or accompanying the Armed Forces, or by members of the Armed Forces who are released or separated from active duty prior to being identified and prosecuted for the commission of such offenses, and for other purposes.

S. 785. An Act for the relief of Frances Schochenmaier and Mary Hudson.

S. 869. An Act for the relief of Mina Vahedi Notash.

S. 1078. An Act for the relief of Mrs. Elizabeth Eka Bassey, Emmanuel O. Paul Bassey, and Mary Idongesit Paul Bassey.

S. 1513. An Act for the relief of Jacqueline Salinas and her children Gabriela Salinas, Alejandro Salinas, and Omar Salinas.

S. 1670. An Act to revise the boundary of Fort Matanzas National Monument, and for other purposes.

S. 1880. An Act to amend the Public Health Service Act to improve the health of minority individuals.

S. 1936. An Act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes.

S. 2000. An Act for the relief of Guy Taylor.

S. 2002. An Act for the relief of Tony Lara.

S. 2019. An Act for the relief of Malia Miller.

S. 2020. An Act to adjust the boundary of the Natchez Trace Parkway, Mississippi, and for other purposes.

S. 2289. An Act for the relief of Jose Guadalupe Tellez Pinales.

S. 2440. An Act to amend title 49, United States Code, to improve airport security.

S. 2485. An Act to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine.

S. 2547. An Act to provide for the establishment of the Great Sand Dunes National Park and preserve the Baca National Wildlife Refuge in the State of Colorado, and for other purposes.

S. 2712. An Act to amend chapter 35 of title 31, United States Code, to authorize the consolidation of certain financial and performance management reports required of Federal agencies, and for other purposes.

S. 2773. An Act to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes.

S. 2789. An Act to amend the Congressional Award Act to establish a Congressional Recognition for Excellence in Arts Education Board.

S. 2915. An Act to make improvements in the operation and administration of the Federal courts, and for other purposes.

S. 3164. An Act to protect seniors from fraud.

S. 3194. An Act to designate the facility of the United States Postal Service located at 431 North George Street in Millersville, Pennsylvania, as the ''Robert S. Walker Post Office''.

S. 3239. An Act to amend the Immigration and Nationality Act to provide special immigrant status for certain United States international broadcasting employees.

H.J. Res. 84. An Act making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.J. Res. 124. An Act making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶125.7 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. PEASE, laid before the House the following communication from Ms. Dianna Gilbert, District Casework Manager, office of the Honorable Ron Paul:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 3, 2000.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the District Court of Brazoria County, Texas.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and rights of the House.

Sincerely,

DIANNA GILBERT,
District Casework Manager
for Congressman Ron Paul.

¶125.8 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. PEASE, laid before the House the following communication from Ms. Jacqueline Aamot, Financial Counseling Director, Office of Finance, office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, November 7, 2000.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for production

of documents issued by the United States District Court for the Northern District of Ohio.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JACQUELINE AAMOT,
Financial Counseling Director,
Office of Finance.

¶125.9 MANCOS WATER CONSERVANCY DISTRICT

Mr. DOOLITTLE moved to suspend the rules and pass the bill of the Senate (S. 2594) to authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of nonproject water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. DOOLITTLE and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. CHRISTENSEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶125.10 JOE ROWELL PARK, DOLORES, COLORADO

Mr. DOOLITTLE moved to suspend the rules and pass the bill of the Senate (S. 1972) to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. DOOLITTLE and Mrs. CHRISTENSEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. CHRISTENSEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶125.11 RECESS—2:15 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 15 minutes p.m., until approximately 2 o'clock and 25 minutes p.m.

¶125.12 AFTER RECESS—2:33 P.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶125.13 CITIZENS BAND RADIO EQUIPMENT

Mr. TAUZIN moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2346) to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment:

Strike out all after the enacting clause and insert:

SECTION 1. STATE AND LOCAL ENFORCEMENT OF FEDERAL COMMUNICATIONS COMMISSION REGULATIONS ON USE OF CITIZENS BAND RADIO EQUIPMENT.

Section 302 of the Communications Act of 1934 (47 U.S.C. 302a) is amended by adding at the end the following:

''(f)(1) Except as provided in paragraph (2), a State or local government may enact a statute or ordinance that prohibits a violation of the following regulations of the Commission under this section:

''(A) A regulation that prohibits a use of citizens band radio equipment not authorized by the Commission.

''(B) A regulation that prohibits the unauthorized operation of citizens band radio equipment on a frequency between 24 MHz and 35 MHz.

''(2) A station that is licensed by the Commission pursuant to section 301 in any radio service for the operation at issue shall not be subject to action by a State or local government under this subsection. A State or local government statute or ordinance enacted for purposes of this subsection shall identify the exemption available under this paragraph.

''(3) The Commission shall, to the extent practicable, provide technical guidance to State and local governments regarding the detection and determination of violations of the regulations specified in paragraph (1).

''(4)(A) In addition to any other remedy authorized by law, a person affected by the decision of a State or local government agency enforcing a statute or ordinance under paragraph (1) may submit to the Commission an appeal of the decision on the grounds that the State or local government, as the case may be, enacted a statute or ordinance outside the authority provided in this subsection.

''(B) A person shall submit an appeal on a decision of a State or local government agency to the Commission under this paragraph, if at all, not later than 30 days after the date on which the decision by the State or local government agency becomes final, but prior to seeking judicial review of such decision.

''(C) The Commission shall make a determination on an appeal submitted under subparagraph (B) not later than 180 days after its submittal.

''(D) If the Commission determines under subparagraph (C) that a State or local government agency has acted outside its authority in enforcing a statute or ordinance, the Commission shall preempt the decision enforcing the statute or ordinance.

''(5) The enforcement of statute or ordinance that prohibits a violation of a regulation by a State or local government under paragraph (1) in a particular case shall not preclude the Commission from enforcing the regulation in that case concurrently.

''(6) Nothing in this subsection shall be construed to diminish or otherwise affect the jurisdiction of the Commission under this section over devices capable of interfering with radio communications.

''(7) The enforcement of a statute or ordinance by a State or local government under paragraph (1) with regard to citizens band radio equipment on board a 'commercial motor vehicle', as defined in section 31101 of title 49, United States Code, shall require probable cause to find that the commercial motor vehicle or the individual operating the vehicle is in violation of the regulations described in paragraph (1).''.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. TAUZIN and Mr. WYNN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶125.14 RECESS—2:44 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 44 minutes p.m., subject to the call of the Chair.

¶125.15 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶125.16 FURTHER CONTINUING APPROPRIATIONS FY 2001

On motion of Mr. YOUNG of Florida, by unanimous consent, the Committee on Appropriations was discharged from further consideration of the joint resolution (H. J. Res. 125) making further continuing appropriations for the fiscal year 2001, and for other purposes; and the joint resolution was considered, engrossed, read a third time by title, and passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶125.17 S. 2594—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2594) to authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of nonproject water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 201 / Nays 151

¶125.18 [Roll No. 595]

YEAS—201

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

NAYS—151

Abercrombie
Allen
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bentsen
Berkley
Berman
Berry
Blagojevich
Blumenauer
Bonior
Boucher
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Fattah
Ford
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Gutierrez
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Luther
Maloney (CT)
Markey
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McIntyre
McKinney
Meek (FL)
Meeks (NY)
Menendez
Miller, George
Minge
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne
Pelosi
Phelps
Pomeroy
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Slaughter
Snyder
Spratt
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Visclosky
Waters
Watt (NC)
Waxman
Woolsey
Wu
Wynn

NOT VOTING—80

Ackerman
Aderholt
Andrews
Ballenger
Becerra
Bishop
Borski
Boswell
Boyd
Brown (FL)
Burr
Carson
Clay
Coburn
Cooksey
Coyne
Danner
DeFazio
Deutsch
Diaz-Balart
Dickey
Dunn
Ehrlich
Farr
Filner
Forbes
Fossella
Frank (MA)
Frelinghuysen
Ganske
Gilchrest
Goodlatte
Green (TX)
Hall (OH)
Hansen
Hefley
Hoeffel
Holden
Hulshof
Jefferson
John
Kaptur
Kasich
Kennedy
Klink
Largent
Latham
Lowey
Maloney (NY)
McCarthy (NY)
McIntosh
McNulty
Meehan
Millender-McDonald
Miller (FL)
Moakley
Neal
Pascrell
Peterson (MN)
Peterson (PA)
Pitts
Price (NC)
Rogan
Rothman
Rush
Smith (WA)
Souder
Stark
Stenholm
Strickland
Talent
Taylor (NC)
Velazquez
Walsh
Wamp
Weiner
Wexler
Weygand
Wilson
Wise

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not passed.

¶125.19 S. 1972—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1972) to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 201 / Nays 145

¶125.20 [Roll No. 596]

YEAS—201

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

NAYS—145

Abercrombie
Allen
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bentsen
Berkley
Berman
Berry
Blumenauer
Bonior
Boucher
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Cramer
Crowley
Davis (FL)
Davis (IL)
Delahunt
DeLauro
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Engel
Eshoo
Etheridge
Evans
Fattah
Ford
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Gutierrez
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Lewis (GA)
Lipinski
Lofgren
Luther
Maloney (CT)
Markey
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McIntyre
McKinney
Meek (FL)
Meeks (NY)
Menendez
Miller, George
Minge
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne

Pelosi	Sandlin	Thompson (MS)
Phelps	Sawyer	Thurman
Pomeroy	Schakowsky	Tierney
Rahall	Scott	Towns
Rangel	Serrano	Turner
Reyes	Sherman	Udall (NM)
Rivers	Slaughter	Visclosky
Rodriguez	Snyder	Waters
Roemer	Spratt	Watt (NC)
Roybal-Allard	Stupak	Waxman
Sabo	Tanner	Woolsey
Sanchez	Tauscher	Wynn
Sanders	Thompson (CA)	

NOT VOTING—86

Ackerman	Frank (MA)	Moakley
Aderholt	Frelinghuysen	Neal
Andrews	Ganske	Pascrell
Armey	Gilchrest	Peterson (MN)
Ballenger	Goodlatte	Peterson (PA)
Becerra	Green (TX)	Pitts
Bishop	Hall (OH)	Price (NC)
Borski	Hansen	Rogan
Boswell	Hefley	Rothman
Boyd	Hoeffel	Rush
Brown (FL)	Holden	Sisisky
Burr	Hulshof	Smith (WA)
Carson	Jefferson	Souder
Clay	John	Stark
Coburn	Kaptur	Stenholm
Cooksey	Kasich	Strickland
Coyne	Kennedy	Talent
Cubin	Klink	Taylor (NC)
Danner	Largent	Velazquez
DeFazio	Latham	Wamp
Deutsch	Lowey	Weiner
Diaz-Balart	Maloney (NY)	Weldon (FL)
Dickey	McCarthy (NY)	Wexler
Dunn	McCrery	Weygand
Edwards	McIntosh	Whitfield
Ehrlich	McNulty	Wilson
Farr	Meehan	Wise
Filner	Millender-McDonald	
Forbes	Miller (FL)	
Fossella		

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not passed.

¶125.21 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 6, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope from the White House on Saturday, November 4, 2000 at 3:55 p.m., and said to contain a message from the President whereby he returns without his approval, H.R. 4392, the ''Intelligence Authorization Act for Fiscal Year 2001''.

Sincerely yours,

JEFF TRANDAHL,
Clerk of the House.

¶125.22 MESSAGE FROM THE PRESIDENT—VETO OF H.R. 4392

The Clerk then read the veto message from the President, as follows:

To the House of Representatives:

Today, I am disapproving H.R. 4392, the ''Intelligence Authorization Act for Fiscal Year 2001,'' because of one badly flawed provision that would have made a felony of unauthorized disclosures of classified information. Although well intentioned, that provision is overbroad and may unnecessarily chill legitimate activities that are at the heart of a democracy.

I agree that unauthorized disclosures can be extraordinarily harmful to United States national security interests and that far too many such disclosures occur. I have been particularly concerned about their potential effects on the sometimes irreplaceable intelligence sources and methods on which we rely to acquire accurate and timely information I need in order to make the most appropriate decisions on matters of national security. Unauthorized disclosures damage our intelligence relationships abroad, compromise intelligence gathering, jeopardize lives, and increase the threat of terrorism. As Justice Steward stated in the Pentagon Papers case, ''it is elementary that the successful conduct of international diplomacy and the maintenance of an effective national defense require both confidentiality and secrecy. Other nations can hardly deal with this Nation in an atmosphere of mutual trust unless they can be assured that their confidences will be kept . . . and the development of considered and intelligent international policies would be impossible if those charged with their formulation could not communicate with each other freely.'' Those who disclose classified information inappropriately thus commit a gross breach of the public trust and may recklessly put our national security at risk. To the extent that existing sanctions have proven insufficient to address and deter unauthorized disclosures, they should be strengthened. What is in dispute is not the gravity of the problem, but the best way to respond to it.

In addressing this issue, we must never forget that the free flow of information is essential to a democratic society. Justice Stewart also wrote in the Pentagon Papers case that ''the only effective restraint upon executive policy in the areas of national defense and international affairs may lie in an enlightened citizenry—in an informed and critical public opinion which alone can here protect the values of democratic government.''

Justice Brandeis reminded us that ''those who won our independence believed . . . that public discussion is a political duty; and that this should be a fundamental principle of the American government,'' His words caution that we must always tread carefully when considering measures that may limit public discussion—even when those measures are intended to achieve laudable, indeed necessary, goals.

As President, therefore, it is my obligation to protect not only our Government's vital information from improper disclosure, but also to protect the rights of citizens to receive the information necessary for democracy to work. Furthering these two goals requires a careful balancing, which must be assessed in light of our system of classifying information over a range of categories. This legislation does not achieve the proper balance. For example, there is a serious risk that this legislation would tend to have a chilling effect on those who engage in legitimate activities. A desire to avoid the risk that their good faith choice of words—their exercise of judgment—could become the subject of a criminal referral for prosecution might discourage Government officials from engaging even in appropriate public discussion, press briefings, or other legitimate official activities. Similarly, the legislation may unduly restrain the ability of former Government officials to teach, write, or engage in any activity aimed at building public understanding of complex issues. Incurring such risks is unnecessary and inappropriate in a society built on freedom of expression and the consent of the governed and is particularly inadvisable in a context in which the range of classified materials is so extensive. In such circumstances, this criminal provision would, in my view, create an undue chilling effect.

The problem is compounded because this provision was passed without benefit of public hearings—a particular concern given that is is the public that this law seeks ultimately to protect. The Administration shares the process burden since its deliberations lacked the thoroughness this provision warranted, which in turn led to a failure to apprise the Congress of the concerns I am expressing today.

I deeply appreciate the sincere efforts of Members of Congress to address the problem of unauthorized disclosures and I fully share their commitment. When the Congress returns, I encourage it to send me this bill with this provision deleted and I encourage the Congress as soon as possible to pursue a more narrowly drawn provision tested in public hearings so that those they represent can also be heard on this important issue.

Since the adjournment of the congress has prevented my return of H.R. 4392 within the meaning of Article I, section 7, clause 2 of the Constitution, my withholding of approval from the bill precludes its becoming law. The Pocket Veto Case, 279 U.S. 655 (1929). In addition to withholding my signature and thereby invoking my constitutional power to ''pocket veto'' bills during an adjournment of the Congress, to avoid litigation, I am also sending H.R. 4392 to the House of Representatives with my objections, to leave no possible doubt that I have vetoed the measure.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *November 4, 2000.*

The SPEAKER pro tempore, Mr. PEASE, by unanimous consent, ordered that the veto message, together with the accompanying bill, be printed (H. Doc. 106–309) and spread upon the pages of the Journal of the House.

The SPEAKER pro tempore, Mr. PEASE, announced that on September 19, 2000, the SPEAKER inserted in the extensions of remarks portion of the record the following copy of a letter dated September 7, 2000, signed jointly by him and the democratic leader and

addressed to the President of the United States, expressing their views on the limits of the ''pocket-veto'' power and including the following similar letter from Speaker Foley and Republican Leader Michel sent to President Bush on November 21, 1989.

By unanimous consent, that correspondence was ordered reinserted at this point in the record, since no response has been received to the September 7, 2000 letter and the same assertion by the president ''pocket veto'' power during an intrasession adjournment of Congress to a day certain is contained in the veto message just read to the House:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 7, 2000.

Hon. WILLIAM J. CLINTON,
The President, The White House, Washington, DC.

DEAR MR. PRESIDENT: This is in response to your action on H.R. 4810, the Marriage Tax Relief Reconciliation Act of 2000, and H.R. 8, the Death Tax Elimination Act of 2000. On August 5, 2000, you returned H.R. 4810 to the House of Representatives without your approval and with a message stating your objections to its enactment. On August 31, 2000, you returned H.R. 8 to the House of Representatives without your approval and with a message stating your objections to its enactment, In addition, however, in both cases you included near the end of your message the following:

Since the adjournment of the Congress has prevented my return of [the respective bill] within the meaning of Article I, section 7, clause 2 of the Constitution, my withholding of approval from the bill precludes its becoming law. The Pocket Veto Case, 279 U.S. 655 (1929). In addition to withholding my signature power to ''pocket veto'' bills during an adjournment of the Congress, to avoid litigation, I am also sending [the respective bill] to the House of Representatives with my objections, to leave no possible doubt that I have vetoed the measure.

President Bush similarly asserted a pocket-veto authority during an intersession adjournment with respect to H.R. 2712 of the 101st Congress but, by nevertheless returning the enrollment, similarly permitted the Congress to reconsider it in light of his objections, as contemplated by the Constitution. Your allusion to the existence of a pocket-veto power during even an intrasession adjournment contunues to be most troubling. We find that assertion to be inconsistent with the return-veto that it accompanies. We also find that assertion to be inconsistent with your previous use of the return-veto under similar circumstances but without similar dictum concerning the pocket-veto. On January 9, 1996, you stated your disapproval of H.R. 4 of the 104th Congress and, on January 10, 1996—the tenth Constitutional day after its presentment—returned the bill to the Clerk of the House. At the time, the House stood adjourned to a date certain 12 days hence. Your message included no dictum concerning the pocket-veto.We enclose a copy of a letter dated November 21, 1989, from Speaker Foley and Minority Leader Michel to President Bush. That letter expressed the profound concern of the bipartisan leaderships over the assertion of a pocket veto during an intrasession adjournment. That letter states in pertinent part that ''[s]uccessive Presidential administrations since 1974 have, in accommodation of Kennedy v. Sampson, exercised the veto power during intrasession adjournments only by messages returning measures to the Congress.'' It also states our belief that it is not ''constructive to resurrect constitutional controversies long considered as settled, especially without notice or consultation.'' The Congress, on numerous occasions, has reinforced the stance taken in that letter by including in certain resolutions of adjournment language affirming to the President the adsence of ''pocket veto'' authority during adjournments between its first and second sessions. The House and the Senate continue to designate the Clerk of the House and the Secretary of the Senate, respectively, as their agents to receive messages from the Presient during periods of adjournment. Clause 29(h) of rule II, Rules of the House of Representatives; House Resolution 5, 106th Congress, January 6, 1999; the standing order of the Senate of January 6, 1999. In Kennedy v. Sampson, 511 F.2d 430 (D.C. Cir. 1974), the court held that the ''pocket veto'' is not constitutionally available during an intrasession adjournment of the Congress if a congressional agent is appointed to receive veto messages from the President during such adjournment.

On these premises we find your assertion of a pocket veto power during an intrasession adjournment extremely troublesome. Such assertions should be avoided, in appropriate deference to such judicial resolution of the question as has been possible within the bounds of justifiability.

Meanwhile, citing the precedent of January 23, 1990, relating to H.R. 2712 of the 101st Congress, the House yesterday treated both H.R. 4810 and H.R. 8 as having been returned to the originating House, their respective returns not having been prevented by an adjournment within the meaning of article I, section 7, clause 2 of the Constitution.

Sincerely,

J. DENNIS HASTER,
Speaker.
RICHARD A. GEPHARDT,
Democratic Leader.

CONGRESS OF THE UNITED STATES,
WASHINGTON, DC, NOVEMBER 21, 1989.

Hon. GEORGE BUSH,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: This is in response to your action on House Joint Resolution 390. On August 16, 1989, you issued a memorandum of disapproval asserting that you would ''prevent H.J. Res. 390 from becoming a law by withholding (your) signature from it.'' You did not return the bill to the House of Representatives.

House Joint Resolution 390 authorized a ''hand enrollment'' of H.R. 1278, the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, by waiving the requirement that the bill be printed on parchment. The hand enrollment option was requested by the Department of the Treasury to insure that the mounting daily costs of the savings-and -loan crisis could be stemmed by the earliest practicable enactment of H.R. 1278. In the end, and hand enrollment was not necessary since the bill was printed on parchment in time to be presented to you in that form.

We appreciate your judgment that House Joint Resolution 390 was, in the end, unnecessary. We believe, however, that you should communicate any such veto by a message returning the resolution to the Congress since the intrasession pocket veto is constitutionally infirm.

In Kennedy v. Sampson, the United States Court of Appeals held that ''pocket veto'' is not constitutionally available during an intrasession adjournment of the Congress if a congressional agent is appointed to receive veto messages from the President during such adjournment. 511 F.2d 430 (D.C. Cir. 1974). In the standing rules of the House, the Clerk is duly authorized to receive messages from the President at any time that the House is not in session. (Clause 5,-Rule III. Rules of the House of Representatives; House Resolution 5, 101st Congress, January 3, 1989).

Successive Presidential administrations since 1974 have, in accommodation of Kennedy v. Sampson, exercised the veto power during intrasession adjournments only by messages returning measures to the Congress.

We therefore find your assertion of a pocket veto power during an intrasession adjournment extremely troublesome. We do not think it constructive to resurrect constitutional controversies long considered as settled, especially without notice of consultation. It is our hope that you might join us in urging the Archivist to assign a public law number to House Joint Resolution 390, and that you might eschew the notion of an intrasession pocket veto power, in appropriate deference to the judicial resolution of that question.

Sincerely,

THOMAS S. FOLEY,
Speaker.
ROBERT H. MICHEL,
Republican Leader.

On motion of Mr. GOSS, by unanimous consent, the veto message and accompanying bill were referred to the Permanent Select Committee on Intelligence.

¶125.23 INTELLIGENCE AUTHORIZATION FY 2001

On motion of Mr. GOSS, by unanimous consent, the Permanent Select Committee on Intelligence was discharged from further consideration of the bill (H.R. 5630) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; and the bill was considered, engrossed, read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶125.24 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. GOSS, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to make such technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

¶125.25 LAWRENCE COUNTY AIRPORT, COURTLAND, ALABAMA

Mr. DUNCAN moved to suspend the rules and pass the bill (H.R. 5111) to direct the Administrator of the Federal Aviation Administration to treat certain property boundaries as the boundaries of the Lawrence County Airport, Courtland, Alabama, and for other purposes.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. DUNCAN and Mr. MCGOVERN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶125.26 BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

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

On October 31, 2000:

H.J. Res. 121. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

On November 1, 2000:

H.R. 4864. To amend title 38, United States Code, to reaffirm and clarify the duty of the Secretary of Veterans Affairs to assist claimants for benefits under laws administered by the Secretary, and for other purposes.

H.R. 782. To amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

H.R. 2498. To amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices.

H.R. 4788. To amend the United States Grain Standards Act to extend the authority of the Secretary of Agriculture to collect fees to cover the cost of services performed under that Act, extend the authorization of appropriations for that Act, and improve the administration of that Act, to reenact the United States Warehouse Act to require the licensing and inspection of warehouses used to store agricultural products and provide for the issuance of receipts, including electronic receipts, for agricultural products stored or handled in licensed warehouses, and for other purposes.

H.R. 4868. To amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

H.J. Res. 122. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

On November 2, 2000:

H.R. 4312. To direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing an Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes.

H.R. 3621. To provide for the posthumous promotion of William Clark of the Commonwealth of Virginia and the Commonwealth of Kentucky, co-leader of the Lewis and Clark Expedition, to the grade of captain in the Regular Army.

H.R. 3388. To promote environmental restoration around the Lake Tahoe basin.

H.R. 1444. To authorize the Secretary of the Interior to establish a program to plan, design, and construct fish screens, fish passage devices, and related features to mitigate impacts on fisheries associated with irrigation system water diversions by local governmental entities in the Pacific Ocean drainage of the States of Oregon, Washington, Montana, and Idaho.

H.R. 660. For the private relief of Ruth Hairston by waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity.

H.R. 848. For the relief of Sepandan Farnia and Farbod Farnia.

H.R. 3184. For the relief of Zohreh Farhang Ghahfarokhi.

H.R. 3414. For the relief of Luis A. Leon-Molina, Ligia Padron, Juan Leon Padron, Rendy Leon Padron, Manuel Leon Padron, and Luis Leon Padron.

H.R. 5239. To provide for increased penalties for violations of the Export Administration Act of 1979, and for other purposes.

H.R. 5266. For the relief of Saeed Rezai.

H.R. 1235. To authorize the Secretary of the Interior to enter into contracts with the Solano County Water Agency, California, to use Solano Project facilities for impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

H.R. 1550. To authorize appropriations for the United states Fire Administration, and for carrying out the Earthquake Hazards Reduction Act of 1977, for fiscal years 2001, 2002, and 2003, and for other purposes.

H.R. 2462. To amend the Organic Act of Guam, and for other purposes.

H.R. 4846. To establish the National Recording Registry in the Library of Congress to maintain and preserve sound recordings that are culturally, historically, or aesthetically significant, and for other purposes.

H.R. 5110. To designate the United States courthouse located at 3470 12th Street in Riverside, California, as the ''George E. Brown, Jr. United States Courthouse''.

H.R. 5302. To designate the United States courthouse located at 1010 Fifth Avenue in Seattle, Washington, as the ''William Kenzo Nakamura United States Courthouse''.

H.R. 5388. To designate a building proposed to be located within the boundaries of the Chincoteague National Wildlife Refuge, as the ''Herbert H. Batesman Education and Administrative Center''.

H.J. Res. 102. Recognizing that the Birmingham Pledge has made a significant contribution in fostering racial harmony and reconciliation in the United States and around the world, and for other purposes.

H.R. 5478. To authorize the Secretary of the Interior to acquire by donation suitable land to serve as the new location for the home of Alexander Hamilton, commonly known as the Hamilton Grange, and to authorize the relocation of the Hamilton Grange to the acquired land.

H.R. 5410. To establish revolving funds for the operation of certain programs and activities of the Library of Congress, and for other purposes.

H.R. 4794. To require the Secretary of the interior to complete a resource study of the 600 mile route through Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia, used by George Washington and General Rochambeau during the American Revolutionary War.

H.R. 4646. To designate certain National Forest System lands within the boundaries of the State of Virginia as wilderness areas.

H.J. Res. 123. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

On November 3, 2000:

H.J. Res. 124. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.J. Res. 84. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶125.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DEUTSCH, for today;

To Mr. HEFLEY, for today and balanc of the week;

To Mr. JEFFERSON, for today; and

To Mr. MCNULTY, for today.

And then,

¶125.28 ADJOURNMENT

On motion of Mr. SHERMAN, at 8 o'clock and 46 minutes p.m., the House adjourned.

¶125.29 TIME LIMITATION OF REFERRED BILL

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

[The following action occurred on November 4, 2000]

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 14, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 14, 2000.

H.R. 1882 Referral to the committee on Ways and Means extended for a period ending not later than November 14, 2000.

H.R. 4144. Referral to the Committee on the Budget extended for a period ending not later than November 14, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 14, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than November 14, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than November 14, 2000.

H.R. 4857. Referral to the Committees on the Judiciary, Banking and Financial Services, and Commerce for a period ending not later than November 14, 2000.

H.R. 5130. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 14, 2000.

H.R. 5291. Referral to the Committee on Ways and Means extended for a period ending not later than November 14, 2000.

¶125.30 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GOSS (for himself, Mr. DIXON, and Mr. LEWIS of California):

H.R. 5630. A bill to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. YOUNG of Florida:

H.J. Res. 125. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; considered and agreed to.

By Mr. RILEY:

H. Con. Res. 441. Concurrent resolution expressing the sense of Congress concerning the investigation into the terrorist attack on the U.S.S. *Cole* on October 12, 2000; to the Committee on International Relations.

¶125.31 ADDITIONAL SPONSORS

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

H.R. 655: Mr. COYNE.
H.R. 3650: Mr. LARSON and Mr. OWENS.
H.R. 4434: Mr. OXLEY.
H.R. 4606: Mr. SANDERS and Mr. WEXLER.
H.R. 4874: Ms. SCHAKOWSKY.
H.R. 5151: Mr. HUTCHINSON.
H.R. 5271: Mr. OBERSTAR.
H.R. 5500: Mr. LAZIO.
H.R. 5585: Mr. CARDIN, Mr. PASCRELL, Mr. THOMPSON of California, and Ms. MILLENDER-MCDONALD.
H.R. 5612: Mr. ACKERMAN, Mr. BARRETT of Wisconsin, Mr. HINOJOSA, Mr. WEINER, Mr. ROMERO-BARCELO, Mr. OWENS, Mr. UNDERWOOD, Mr. GUTIERREZ, Mr. BLUMENAUER, Mr. MENENDEZ, Mr. PASCRELL, and Mr. ETHERIDGE.
H.R. 5613: Mr. BURTON of Indiana, Mr. SMITH of Michigan, Mr. NETHERCUTT, Mr. SHADEGG, Mr. LEWIS of Kentucky, Mr. SCHAFFER, Mr. SANFORD, and Mr. TOOMEY.
H.J. Res. 48: Ms. SLAUGHTER.
H.J. Res. 56: Mr. MCGOVERN.
H.J. Res. 107: Mr. STRICKLAND.
H. Con. Res. 401: Mr. CARDIN.
H. Con. Res. 420: Mr. REYES.

¶125.32 PETITIONS, ETC.

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

119. The SPEAKER presented a petition of a Citizen of Austin, Texas, relative to petitioning the United States Congress To Propose For Ratification An Amendment To The United States Constitution That Would Abolish The Electoral College And Provide That The President And Vice-President, As A Ticket, Be Directly Elected By The Voters Of The United States; Further Providing for A Run-Off During The Month After The General Election If No Ticket Receives At Least 45% Of The Total Votes Cast Nationwide During The General Election; to the Committee on the Judiciary.

120. Also, a petition of a Citizen of Austin, Texas, relative to a petition to the United States Congress to support H.R. 2355 the ''Employment Non-Discrimination Act''; jointly to the Committees on Education and the Workforce, House Administration, Government Reform, and the Judiciary.

TUESDAY, NOVEMBER 14, 2000 (126)

The House was called to order at 9 o'clock a.m. by the SPEAKER, when, pursuant to the order of the House of Tuesday, January 19, 1999, Members were recognized for ''morning-hour debate''.

¶126.1 RECESS—9:02 A.M.

The SPEAKER, pursuant to clause 12 of rule I, declared the House in recess until 10 o'clock a.m.

¶126.2 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶126.3 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SIMPSON, announced he had examined and approved the Journal of the proceedings of Monday, November 13, 2000.

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

¶126.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10934. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Brucellosis in Cattle; State and Area Classifications; Louisiana [Docket No. 99–052–2] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10935. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Importation of Horses, Ruminants, Swine, and Dogs; Inspection and Treatment for Screwworm [Docket No. 00–028–1] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10936. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Spanish Pure Breed Horses from Spain [Docket No. 00–109–1] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10937. A letter from the Executive Vice President, Commodity Credit Corporation, Department of Agriculture, Warehouse and Inventory Division, transmitting the Department's final rule—Bioenergy Program (RIN: 0560–AG16) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10938. A letter from the Associate Administrator, Department of Agriculture, Agricultural Marketing Service, Fruit and Vegetable Programs, transmitting the Department's final rule—Irish Potatoes Grown in Modoc and Siskiyou Counties, California, and in all Counties in Oregon, Except Malheur County; Suspension of Handling, Reporting, and Assessment Collection Regulations [Docket No. FV00–947–1 FIR] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10939. A communication from the President of the United States, transmitting his requests for emergency FY 2001 supplemental appropriations totaling $750 million in total grant assistance to the Governments in Israel, Egypt, and Jordan pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; (H. Doc. No. 106—313); to the Committee on Appropriations and ordered to be printed.

10940. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Section 8 Housing Assistance Payments Program; Contract Rent Annual Adjustment Factors, Fiscal Year 2001 [Docket No. FR–4626–N–01] received November 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10941. A letter from the Secretary, Department of Education, transmitting the Department's final rule—Student Assistance General Provisions, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, and Federal Pell Grant Program (RIN: 1845–AA17) received November 14, 20000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10942. A letter from the Assistant Secretary, Occupational Safety and Health Administration, transmitting the Administration's final rule—Ergonomics Program [Docket No. S–777] (RIN: 1218–AB36) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10943. A letter from the Regulations Officer, NIH, Department of Health and Human Services, transmitting the Department's final rule—Traineeships (RIN: 0925–AA11) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10944. A letter from the Administrator, NHTSA, Department of Transportation, transmitting the Department's final rule—Civil Penalties, Registered Importers of Vehicles Not Originally Manufactured to Conform to the Federal Motor Vehicle Safety Standards [Docket No. NHTSA 2000–8253] (RIN: 2127–AI18) received November 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10945. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Rate-of-Progress Emission Reduction Plans [MA–25–7197a; A–1–FRL–6882–7] received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10946. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [FRL–6899–7] received November 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10947. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Michigan [MI74–02–7282a; FRL–6896–3] received November 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10948. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Florida [FL–86–200028(a); FRL–6902–4] received November 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10949. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Wisconsin Designation of Areas for Air Quality Planning Purposes; Wisconsin [WI96–01–7327a; FRL–6901–3] received November 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10950. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Enhanced Motor Vehicle Inspection and Maintenance Program [MA–081–7211a; A–1–FRL–6897–4] received November 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10951. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Asbestos Worker Protection [OPPTS–

62125B; FRL–6751–3] (RIN: 2070–AC66) received November 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10952. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Revision of Annual Charges Assessed to Public Utilities [Docket No. RM00–7–000; Order No. 641] received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10953. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, transmitting the Commission's final rule—Guidance on Managing Quality Assurance Records in Electronic Media—received November 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10954. A communication from the President of the United States, transmitting notification that the Iran emergency is to continue in effect beyond November 14, 2000, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 106–310); to the Committee on International Relations and ordered to be printed.

10955. A communication from the President of the United States, transmitting notification that the national emergency with respect to the proliferation of nuclear, biological, and chemical weapons (weapons of mass destruction) and the means of delivering such weapons is to continue in effect beyond November 14, 2000, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 106–311); to the Committee on International Relations and ordered to be printed.

10956. A communication from the President of the United States, transmitting a report on developments concerning the national emergency with respect to Iran that was declared by Executive Order No. 12170 of November 14, 1979, pursuant to 50 U.S.C. 1641(c); (H. Doc. No. 106–312); to the Committee on International Relations and ordered to be printed.

10957. A letter from the Ambassador, Republic of Slovenia, transmitting a report from the International Trust Fund for Demining and Mine Victim Assistance, Intermediate Activity Report 2000; to the Committee on International Relations.

10958. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on the Inventory of Commercial Activities; to the Committee on Government Reform.

10959. A letter from the Deputy Assistant Administrator, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Sitka Pinnacles Marine Reserve [Docket No. 000616184–0290–02; I.D. 050500A] (RIN: 0648–AK74) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10960. A letter from the Attorney-Advisor, Federal Register, Certifying Officer, Department of the Treasury, Financial Management Service, transmitting the Department's final rule—Federal Claims Collection Standards (RIN: 1510–AA57 and 1105–AA31) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10961. A letter from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting the Department's final rule—Inmate Discipline: Prohibited Acts [BOP–1083–F] (RIN: 1120–AA78) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10962. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule— Rules of Practice and Procedure (RIN: 3064–AC45) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10963. A letter from the Under Secretary of Commerce for Intellectual Property and Director, Patent and Trademark Office, transmitting the Office's final rule—Treatment of Unlocatable Patent Application and Patent Files (RIN: 0651–AB19) received November 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10964. A letter from the Chief, Office of Regulations and Administrative Law, Department of Transporatation, USCG, transmitting the Department's final rule—Regulated Navigation Area; San Pedro Bay, California [CGD11–00–007] (RIN: 2115–AE84) received November 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10965. A letter from the Chief, Office of Regulations and Administrative Law, Department of Transportation, USCG, transmitting the Department's final rule—Safety Zone: Weekly Fireworks, Dockside Restaurant, Port Jefferson Harbor, NY [CGD01–00–217] (RIN: 2115–AA97) received November 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10966. A letter from the Chief, Office of Regulations and Administrative Law, Department of Transportation, USCG, transmitting the Department's final rule—Noxious Liquid Substances, Obsolete Hazardous Materials in Bulk, and Current Hazardous Materials in Bulk [USCG 2000–7079] (RIN: 2115–AF96) received November 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10967. A letter from the Chief, Regulations Branch, Customs Service, Department of Treasury, transmitting the Department's final rule—Technical Amendments to the Customs Regulations—received November 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10968. A letter from the Chairman, Trade Deficit Review Commission, transmitting a report on ''The U.S. Trade Deficit: Causes, Consequences and Recommendations for Action''; to the Committee on Ways and Means.

¶126.5 FSC REPEAL AND EXTRATERRITORIAL INCOME EXCLUSION

Mr. ARCHER moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 4986) to amend the Internal Revenue Code of 1986 to repeal the provisions relating to foreign sales corporations (FSCs) and to exclude extraterritorial income from gross income:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the ''FSC Repeal and Extraterritorial Income Exclusion Act of 2000''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. REPEAL OF FOREIGN SALES CORPORATION RULES.

Subpart C of part III of subchapter N of chapter 1 (relating to taxation of foreign sales corporations) is hereby repealed.

SEC. 3. TREATMENT OF EXTRATERRITORIAL INCOME.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 (relating to items specifically excluded from gross income) is amended by inserting before section 115 the following new section:

''SEC. 114. EXTRATERRITORIAL INCOME.

''(a) EXCLUSION.—Gross income does not include extraterritorial income.

''(b) EXCEPTION.—Subsection (a) shall not apply to extraterritorial income which is not qualifying foreign trade income as determined under subpart E of part III of subchapter N.

''(c) DISALLOWANCE OF DEDUCTIONS.—

''(1) IN GENERAL.—Any deduction of a taxpayer allocated under paragraph (2) to extraterritorial income of the taxpayer excluded from gross income under subsection (a) shall not be allowed.

''(2) ALLOCATION.—Any deduction of the taxpayer properly apportioned and allocated to the extraterritorial income derived by the taxpayer from any transaction shall be allocated on a proportionate basis between—

''(A) the extraterritorial income derived from such transaction which is excluded from gross income under subsection (a), and

''(B) the extraterritorial income derived from such transaction which is not so excluded.

''(d) DENIAL OF CREDITS FOR CERTAIN FOREIGN TAXES.—Notwithstanding any other provision of this chapter, no credit shall be allowed under this chapter for any income, war profits, and excess profits taxes paid or accrued to any foreign country or possession of the United States with respect to extraterritorial income which is excluded from gross income under subsection (a).

''(e) EXTRATERRITORIAL INCOME.—For purposes of this section, the term 'extraterritorial income' means the gross income of the taxpayer attributable to foreign trading gross receipts (as defined in section 942) of the taxpayer.''.

(b) QUALIFYING FOREIGN TRADE INCOME.—Part III of subchapter N of chapter 1 is amended by inserting after subpart D the following new subpart:

''Subpart E—Qualifying Foreign Trade Income

''Sec. 941. Qualifying foreign trade income.

''Sec. 942. Foreign trading gross receipts.

''Sec. 943. Other definitions and special rules.

''SEC. 941. QUALIFYING FOREIGN TRADE INCOME.

''(a) QUALIFYING FOREIGN TRADE INCOME.—For purposes of this subpart and section 114—

''(1) IN GENERAL.—The term 'qualifying foreign trade income' means, with respect to any transaction, the amount of gross income which, if excluded, will result in a reduction of the taxable income of the taxpayer from such transaction equal to the greatest of—

''(A) 30 percent of the foreign sale and leasing income derived by the taxpayer from such transaction,

''(B) 1.2 percent of the foreign trading gross receipts derived by the taxpayer from the transaction, or

''(C) 15 percent of the foreign trade income derived by the taxpayer from the transaction.

In no event shall the amount determined under subparagraph (B) exceed 200 percent of the amount determined under subparagraph (C).

''(2) ALTERNATIVE COMPUTATION.—A taxpayer may compute its qualifying foreign trade income under a subparagraph of paragraph (1) other than the subparagraph which results in the greatest amount of such income.

''(3) LIMITATION ON USE OF FOREIGN TRADING GROSS RECEIPTS METHOD.—If any person computes its qualifying foreign trade income from any transaction with respect to any property under paragraph (1)(B), the qualifying foreign trade income of such person (or any related person) with respect to any other transaction involving such property shall be zero.

''(4) RULES FOR MARGINAL COSTING.—The Secretary shall prescribe regulations setting forth rules for the allocation of expenditures in computing foreign trade income under paragraph (1)(C) in those cases where a taxpayer is seeking to establish or maintain a market for qualifying foreign trade property.

''(5) PARTICIPATION IN INTERNATIONAL BOYCOTTS, ETC.—Under regulations prescribed by

the Secretary, the qualifying foreign trade income of a taxpayer for any taxable year shall be reduced (but not below zero) by the sum of—

''(A) an amount equal to such income multiplied by the international boycott factor determined under section 999, and

''(B) any illegal bribe, kickback, or other payment (within the meaning of section 162(c)) paid by or on behalf of the taxpayer directly or indirectly to an official, employee, or agent in fact of a government.

''(b) FOREIGN TRADE INCOME.—For purposes of this subpart—

''(1) IN GENERAL.—The term 'foreign trade income' means the taxable income of the taxpayer attributable to foreign trading gross receipts of the taxpayer.

''(2) SPECIAL RULE FOR COOPERATIVES.—In any case in which an organization to which part I of subchapter T applies which is engaged in the marketing of agricultural or horticultural products sells qualifying foreign trade property, in computing the taxable income of such cooperative, there shall not be taken into account any deduction allowable under subsection (b) or (c) of section 1382 (relating to patronage dividends, per-unit retain allocations, and nonpatronage distributions).

''(c) FOREIGN SALE AND LEASING INCOME.—For purposes of this section—

''(1) IN GENERAL.—The term 'foreign sale and leasing income' means, with respect to any transaction—

''(A) foreign trade income properly allocable to activities which—

''(i) are described in paragraph (2)(A)(i) or (3) of section 942(b), and

''(ii) are performed by the taxpayer (or any person acting under a contract with such taxpayer) outside the United States, or

''(B) foreign trade income derived by the taxpayer in connection with the lease or rental of qualifying foreign trade property for use by the lessee outside the United States.

''(2) SPECIAL RULES FOR LEASED PROPERTY.—

''(A) SALES INCOME.—The term 'foreign sale and leasing income' includes any foreign trade income derived by the taxpayer from the sale of property described in paragraph (1)(B).

''(B) LIMITATION IN CERTAIN CASES.—Except as provided in regulations, in the case of property which—

''(i) was manufactured, produced, grown, or extracted by the taxpayer, or

''(ii) was acquired by the taxpayer from a related person for a price which was not determined in accordance with the rules of section 482,

the amount of foreign trade income which may be treated as foreign sale and leasing income under paragraph (1)(B) or subparagraph (A) of this paragraph with respect to any transaction involving such property shall not exceed the amount which would have been determined if the taxpayer had acquired such property for the price determined in accordance with the rules of section 482.

''(3) SPECIAL RULES.—

''(A) EXCLUDED PROPERTY.—Foreign sale and leasing income shall not include any income properly allocable to excluded property described in subparagraph (B) of section 943(a)(3) (relating to intangibles).

''(B) ONLY DIRECT EXPENSES TAKEN INTO ACCOUNT.—For purposes of this subsection, any expense other than a directly allocable expense shall not be taken into account in computing foreign trade income.

"SEC. 942. FOREIGN TRADING GROSS RECEIPTS.

''(a) FOREIGN TRADING GROSS RECEIPTS.—

''(1) IN GENERAL.—Except as otherwise provided in this section, for purposes of this subpart, the term 'foreign trading gross receipts' means the gross receipts of the taxpayer which are—

''(A) from the sale, exchange, or other disposition of qualifying foreign trade property,

''(B) from the lease or rental of qualifying foreign trade property for use by the lessee outside the United States,

''(C) for services which are related and subsidiary to—

''(i) any sale, exchange, or other disposition of qualifying foreign trade property by such taxpayer, or

''(ii) any lease or rental of qualifying foreign trade property described in subparagraph (B) by such taxpayer,

''(D) for engineering or architectural services for construction projects located (or proposed for location) outside the United States, or

''(E) for the performance of managerial services for a person other than a related person in furtherance of the production of foreign trading gross receipts described in subparagraph (A), (B), or (C).

Subparagraph (E) shall not apply to a taxpayer for any taxable year unless at least 50 percent of its foreign trading gross receipts (determined without regard to this sentence) for such taxable year is derived from activities described in subparagraph (A), (B), or (C).

''(2) CERTAIN RECEIPTS EXCLUDED ON BASIS OF USE; SUBSIDIZED RECEIPTS EXCLUDED.—The term 'foreign trading gross receipts' shall not include receipts of a taxpayer from a transaction if—

''(A) the qualifying foreign trade property or services—

''(i) are for ultimate use in the United States, or

''(ii) are for use by the United States or any instrumentality thereof and such use of qualifying foreign trade property or services is required by law or regulation, or

''(B) such transaction is accomplished by a subsidy granted by the government (or any instrumentality thereof) of the country or possession in which the property is manufactured, produced, grown, or extracted.

''(3) ELECTION TO EXCLUDE CERTAIN RECEIPTS.—The term 'foreign trading gross receipts' shall not include gross receipts of a taxpayer from a transaction if the taxpayer elects not to have such receipts taken into account for purposes of this subpart.

''(b) FOREIGN ECONOMIC PROCESS REQUIREMENTS.—

''(1) IN GENERAL.—Except as provided in subsection (c), a taxpayer shall be treated as having foreign trading gross receipts from any transaction only if economic processes with respect to such transaction take place outside the United States as required by paragraph (2).

''(2) REQUIREMENT.—

''(A) IN GENERAL.—The requirements of this paragraph are met with respect to the gross receipts of a taxpayer derived from any transaction if—

''(i) such taxpayer (or any person acting under a contract with such taxpayer) has participated outside the United States in the solicitation (other than advertising), the negotiation, or the making of the contract relating to such transaction, and

''(ii) the foreign direct costs incurred by the taxpayer attributable to the transaction equal or exceed 50 percent of the total direct costs attributable to the transaction.

''(B) ALTERNATIVE 85-PERCENT TEST.—A taxpayer shall be treated as satisfying the requirements of subparagraph (A)(ii) with respect to any transaction if, with respect to each of at least 2 subparagraphs of paragraph (3), the foreign direct costs incurred by such taxpayer attributable to activities described in such subparagraph equal or exceed 85 percent of the total direct costs attributable to activities described in such subparagraph.

''(C) DEFINITIONS.—For purposes of this paragraph—

''(i) TOTAL DIRECT COSTS.—The term 'total direct costs' means, with respect to any transaction, the total direct costs incurred by the taxpayer attributable to activities described in paragraph (3) performed at any location by the taxpayer or any person acting under a contract with such taxpayer.

''(ii) FOREIGN DIRECT COSTS.—The term 'foreign direct costs' means, with respect to any transaction, the portion of the total direct costs which are attributable to activities performed outside the United States.

''(3) ACTIVITIES RELATING TO QUALIFYING FOREIGN TRADE PROPERTY.—The activities described in this paragraph are any of the following with respect to qualifying foreign trade property—

''(A) advertising and sales promotion,

''(B) the processing of customer orders and the arranging for delivery,

''(C) transportation outside the United States in connection with delivery to the customer,

''(D) the determination and transmittal of a final invoice or statement of account or the receipt of payment, and

''(E) the assumption of credit risk.

''(4) ECONOMIC PROCESSES PERFORMED BY RELATED PERSONS.—A taxpayer shall be treated as meeting the requirements of this subsection with respect to any sales transaction involving any property if any related person has met such requirements in such transaction or any other sales transaction involving such property.

''(c) EXCEPTION FROM FOREIGN ECONOMIC PROCESS REQUIREMENT.—

''(1) IN GENERAL.—The requirements of subsection (b) shall be treated as met for any taxable year if the foreign trading gross receipts of the taxpayer for such year do not exceed $5,000,000.

''(2) RECEIPTS OF RELATED PERSONS AGGREGATED.—All related persons shall be treated as one person for purposes of paragraph (1), and the limitation under paragraph (1) shall be allocated among such persons in a manner provided in regulations prescribed by the Secretary.

''(3) SPECIAL RULE FOR PASS-THRU ENTITIES.—In the case of a partnership, S corporation, or other pass-thru entity, the limitation under paragraph (1) shall apply with respect to the partnership, S corporation, or entity and with respect to each partner, shareholder, or other owner.

"SEC. 943. OTHER DEFINITIONS AND SPECIAL RULES.

''(a) QUALIFYING FOREIGN TRADE PROPERTY.—For purposes of this subpart—

''(1) IN GENERAL.—The term 'qualifying foreign trade property' means property—

''(A) manufactured, produced, grown, or extracted within or outside the United States,

''(B) held primarily for sale, lease, or rental, in the ordinary course of trade or business for direct use, consumption, or disposition outside the United States, and

''(C) not more than 50 percent of the fair market value of which is attributable to—

''(i) articles manufactured, produced, grown, or extracted outside the United States, and

''(ii) direct costs for labor (determined under the principles of section 263A) performed outside the United States.

For purposes of subparagraph (C), the fair market value of any article imported into the United States shall be its appraised value, as determined by the Secretary under section 402 of the Tariff Act of 1930 (19 U.S.C. 1401a) in connection with its importation, and the direct costs for labor under clause (ii) do not include costs that would be treated under the principles of section 263A as direct labor costs attributable to articles described in clause (i).

''(2) U.S. TAXATION TO ENSURE CONSISTENT TREATMENT.—Property which (without regard to this paragraph) is qualifying foreign trade property and which is manufactured, produced, grown, or extracted outside the United States shall be treated as qualifying foreign trade property only if it is manufactured, produced, grown, or extracted by—

''(A) a domestic corporation,

''(B) an individual who is a citizen or resident of the United States,

''(C) a foreign corporation with respect to which an election under subsection (e) (relating to foreign corporations electing to be subject to United States taxation) is in effect, or

''(D) a partnership or other pass-thru entity all of the partners or owners of which are described in subparagraph (A), (B), or (C).

Except as otherwise provided by the Secretary, tiered partnerships or pass-thru entities shall be treated as described in subparagraph (D) if each of the partnerships or entities is directly or indirectly wholly owned by persons described in subparagraph (A), (B), or (C).

''(3) EXCLUDED PROPERTY.—The term 'qualifying foreign trade property' shall not include—

''(A) property leased or rented by the taxpayer for use by any related person,

''(B) patents, inventions, models, designs, formulas, or processes whether or not patented, copyrights (other than films, tapes, records, or similar reproductions, and other than computer software (whether or not patented), for commercial or home use), goodwill, trademarks, trade brands, franchises, or other like property,

''(C) oil or gas (or any primary product thereof),

''(D) products the transfer of which is prohibited or curtailed to effectuate the policy set forth in paragraph (2)(C) of section 3 of Public Law 96–72, or

''(E) any unprocessed timber which is a softwood.

For purposes of subparagraph (E), the term 'unprocessed timber' means any log, cant, or similar form of timber.

''(4) PROPERTY IN SHORT SUPPLY.—If the President determines that the supply of any property described in paragraph (1) is insufficient to meet the requirements of the domestic economy, the President may by Executive order designate the property as in short supply. Any property so designated shall not be treated as qualifying foreign trade property during the period beginning with the date specified in the Executive order and ending with the date specified in an Executive order setting forth the President's determination that the property is no longer in short supply.

''(b) OTHER DEFINITIONS AND RULES.—For purposes of this subpart—

''(1) TRANSACTION.—

''(A) IN GENERAL.—The term 'transaction' means—

''(i) any sale, exchange, or other disposition,

''(ii) any lease or rental, and

''(iii) any furnishing of services.

''(B) GROUPING OF TRANSACTIONS.—To the extent provided in regulations, any provision of this subpart which, but for this subparagraph, would be applied on a transaction-by-transaction basis may be applied by the taxpayer on the basis of groups of transactions based on product lines or recognized industry or trade usage. Such regulations may permit different groupings for different purposes.

''(2) UNITED STATES DEFINED.—The term 'United States' includes the Commonwealth of Puerto Rico. The preceding sentence shall not apply for purposes of determining whether a corporation is a domestic corporation.

''(3) RELATED PERSON.—A person shall be related to another person if such persons are treated as a single employer under subsection (a) or (b) of section 52 or subsection (m) or (o) of section 414, except that determinations under subsections (a) and (b) of section 52 shall be made without regard to section 1563(b).

''(4) GROSS AND TAXABLE INCOME.—Section 114 shall not be taken into account in determining the amount of gross income or foreign trade income from any transaction.

''(c) SOURCE RULE.—Under regulations, in the case of qualifying foreign trade property manufactured, produced, grown, or extracted within the United States, the amount of income of a taxpayer from any sales transaction with respect to such property which is treated as from sources without the United States shall not exceed—

''(1) in the case of a taxpayer computing its qualifying foreign trade income under section 941(a)(1)(B), the amount of the taxpayer's foreign trade income which would (but for this subsection) be treated as from sources without the United States if the foreign trade income were reduced by an amount equal to 4 percent of the foreign trading gross receipts with respect to the transaction, and

''(2) in the case of a taxpayer computing its qualifying foreign trade income under section 941(a)(1)(C), 50 percent of the amount of the taxpayer's foreign trade income which would (but for this subsection) be treated as from sources without the United States.

''(d) TREATMENT OF WITHHOLDING TAXES.—

''(1) IN GENERAL.—For purposes of section 114(d), any withholding tax shall not be treated as paid or accrued with respect to extraterritorial income which is excluded from gross income under section 114(a). For purposes of this paragraph, the term 'withholding tax' means any tax which is imposed on a basis other than residence and for which credit is allowable under section 901 or 903.

''(2) EXCEPTION.—Paragraph (1) shall not apply to any taxpayer with respect to extraterritorial income from any transaction if the taxpayer computes its qualifying foreign trade income with respect to the transaction under section 941(a)(1)(A).

''(e) ELECTION TO BE TREATED AS DOMESTIC CORPORATION.—

''(1) IN GENERAL.—An applicable foreign corporation may elect to be treated as a domestic corporation for all purposes of this title if such corporation waives all benefits to such corporation granted by the United States under any treaty. No election under section 1362(a) may be made with respect to such corporation.

''(2) APPLICABLE FOREIGN CORPORATION.—For purposes of paragraph (1), the term 'applicable foreign corporation' means any foreign corporation if—

''(A) such corporation manufactures, produces, grows, or extracts property in the ordinary course of such corporation's trade or business, or

''(B) substantially all of the gross receipts of such corporation are foreign trading gross receipts.

''(3) PERIOD OF ELECTION.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, an election under paragraph (1) shall apply to the taxable year for which made and all subsequent taxable years unless revoked by the taxpayer. Any revocation of such election shall apply to taxable years beginning after such revocation.

''(B) TERMINATION.—If a corporation which made an election under paragraph (1) for any taxable year fails to meet the requirements of subparagraph (A) or (B) of paragraph (2) for any subsequent taxable year, such election shall not apply to any taxable year beginning after such subsequent taxable year.

''(C) EFFECT OF REVOCATION OR TERMINATION.—If a corporation which made an election under paragraph (1) revokes such election or such election is terminated under subparagraph (B), such corporation (and any successor corporation) may not make such election for any of the 5 taxable years beginning with the first taxable year for which such election is not in effect as a result of such revocation or termination.

''(4) SPECIAL RULES.—

''(A) REQUIREMENTS.—This subsection shall not apply to an applicable foreign corporation if such corporation fails to meet the requirements (if any) which the Secretary may prescribe to ensure that the taxes imposed by this chapter on such corporation are paid.

''(B) EFFECT OF ELECTION, REVOCATION, AND TERMINATION.—

''(i) ELECTION.—For purposes of section 367, a foreign corporation making an election under this subsection shall be treated as transferring (as of the first day of the first taxable year to which the election applies) all of its assets to a domestic corporation in connection with an exchange to which section 354 applies.

''(ii) REVOCATION AND TERMINATION.—For purposes of section 367, if—

''(I) an election is made by a corporation under paragraph (1) for any taxable year, and

''(II) such election ceases to apply for any subsequent taxable year,

such corporation shall be treated as a domestic corporation transferring (as of the 1st day of the first such subsequent taxable year to which such election ceases to apply) all of its property to a foreign corporation in connection with an exchange to which section 354 applies.

''(C) ELIGIBILITY FOR ELECTION.—The Secretary may by regulation designate one or more classes of corporations which may not make the election under this subsection.

''(f) RULES RELATING TO ALLOCATIONS OF QUALIFYING FOREIGN TRADE INCOME FROM SHARED PARTNERSHIPS.—

''(1) IN GENERAL.—If—

''(A) a partnership maintains a separate account for transactions (to which this subpart applies) with each partner,

''(B) distributions to each partner with respect to such transactions are based on the amounts in the separate account maintained with respect to such partner, and

''(C) such partnership meets such other requirements as the Secretary may by regulations prescribe,

then such partnership shall allocate to each partner items of income, gain, loss, and deduction (including qualifying foreign trade income) from any transaction to which this subpart applies on the basis of such separate account.

''(2) SPECIAL RULES.—For purposes of this subpart, in the case of a partnership to which paragraph (1) applies—

''(A) any partner's interest in the partnership shall not be taken into account in determining whether such partner is a related person with respect to any other partner, and

''(B) the election under section 942(a)(3) shall be made separately by each partner with respect to any transaction for which the partnership maintains separate accounts for each partner.

''(g) EXCLUSION FOR PATRONS OF AGRICULTURAL AND HORTICULTURAL COOPERATIVES.—Any amount described in paragraph (1) or (3) of section 1385(a)—

''(1) which is received by a person from an organization to which part I of subchapter T applies which is engaged in the marketing of agricultural or horticultural products, and

''(2) which is allocable to qualifying foreign trade income and designated as such by the organization in a written notice mailed to its patrons during the payment period described in section 1382(d),

shall be treated as qualifying foreign trade income of such person for purposes of section 114. The taxable income of the organization shall not be reduced under section 1382 by reason of any amount to which the preceding sentence applies.

''(h) SPECIAL RULE FOR DISCS.—Section 114 shall not apply to any taxpayer for any taxable year if, at any time during the taxable year, the taxpayer is a member of any controlled group of corporations (as defined in section 927(d)(4), as in effect before the date of the enactment of this subsection) of which a DISC is a member.''

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.

(1) The second sentence of section 56(g)(4)(B)(i) is amended by inserting before the period ''or under section 114''.

(2) Section 275(a) is amended—

(A) by striking ''or'' at the end of paragraph (4)(A), by striking the period at the end of paragraph (4)(B) and inserting '', or'', and by adding at the end of paragraph (4) the following new subparagraph:

''(C) such taxes are paid or accrued with respect to qualifying foreign trade income (as defined in section 941).''; and

(B) by adding at the end the following the following new sentence: ''A rule similar to the rule of section 943(d) shall apply for purposes of paragraph (4)(C).''.

(3) Paragraph (3) of section 864(e) is amended—

(A) by striking ''For purposes of'' and inserting:

''(A) IN GENERAL.—For purposes of''; and

(B) by adding at the end the following new subparagraph:

''(B) ASSETS PRODUCING EXEMPT EXTRATERRITORIAL INCOME.—For purposes of allocating and apportioning any interest expense, there shall not be taken into account any qualifying foreign trade property (as defined in section 943(a)) which is held by the taxpayer for lease or rental in the ordinary course of trade or business for use by the lessee outside the United States (as defined in section 943(b)(2)).''.

(4) Section 903 is amended by striking ''164(a)'' and inserting ''114, 164(a),''.

(5) Section 999(c)(1) is amended by inserting ''941(a)(5),'' after ''908(a),''.

(6) The table of sections for part III of subchapter B of chapter 1 is amended by inserting before the item relating to section 115 the following new item:

''Sec. 114. Extraterritorial income.''.

(7) The table of subparts for part III of subchapter N of chapter 1 is amended by striking the item relating to subpart E and inserting the following new item:

''Subpart E. Qualifying foreign trade income.''.

(8) The table of subparts for part III of subchapter N of chapter 1 is amended by striking the item relating to subpart C.

SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall apply to transactions after September 30, 2000.

(b) NO NEW FSCS; TERMINATION OF INACTIVE FSCS.—

(1) NO NEW FSCS.—No corporation may elect after September 30, 2000, to be a FSC (as defined in section 922 of the Internal Revenue Code of 1986, as in effect before the amendments made by this Act).

(2) TERMINATION OF INACTIVE FSCS.—If a FSC has no foreign trade income (as defined in section 923(b) of such Code, as so in effect) for any period of 5 consecutive taxable years beginning after December 31, 2001, such FSC shall cease to be treated as a FSC for purposes of such Code for any taxable year beginning after such period.

(c) TRANSITION PERIOD FOR EXISTING FOREIGN SALES CORPORATIONS.—

(1) IN GENERAL.—In the case of a FSC (as so defined) in existence on September 30, 2000, and at all times thereafter, the amendments made by this Act shall not apply to any transaction in the ordinary course of trade or business involving a FSC which occurs—

(A) before January 1, 2002; or

(B) after December 31, 2001, pursuant to a binding contract—

(i) which is between the FSC (or any related person) and any person which is not a related person; and

(ii) which is in effect on September 30, 2000, and at all times thereafter.

For purposes of this paragraph, a binding contract shall include a purchase option, renewal option, or replacement option which is included in such contract and which is enforceable against the seller or lessor.

(2) ELECTION TO HAVE AMENDMENTS APPLY EARLIER.—A taxpayer may elect to have the amendments made by this Act apply to any transaction by a FSC or any related person to which such amendments would apply but for the application of paragraph (1). Such election shall be effective for the taxable year for which made and all subsequent taxable years, and, once made, may be revoked only with the consent of the Secretary of the Treasury.

(3) EXCEPTION FOR OLD EARNINGS AND PROFITS OF CERTAIN CORPORATIONS.—

(A) IN GENERAL.—In the case of a foreign corporation to which this paragraph applies—

(i) earnings and profits of such corporation accumulated in taxable years ending before October 1, 2000, shall not be included in the gross income of the persons holding stock in such corporation by reason of section 943(e)(4)(B)(i), and

(ii) rules similar to the rules of clauses (ii), (iii), and (iv) of section 953(d)(4)(B) shall apply with respect to such earnings and profits.

The preceding sentence shall not apply to earnings and profits acquired in a transaction after September 30, 2000, to which section 381 applies unless the distributor or transferor corporation was immediately before the transaction a foreign corporation to which this paragraph applies.

(B) EXISTING FSCS.—This paragraph shall apply to any controlled foreign corporation (as defined in section 957) if—

(i) such corporation is a FSC (as so defined) in existence on September 30, 2000,

(ii) such corporation is eligible to make the election under section 943(e) by reason of being described in paragraph (2)(B) of such section, and

(iii) such corporation makes such election not later than for its first taxable year beginning after December 31, 2001.

(C) OTHER CORPORATIONS.—This paragraph shall apply to any controlled foreign corporation (as defined in section 957), and such corporation shall (notwithstanding any provision of section 943(e)) be treated as an applicable foreign corporation for purposes of section 943(e), if—

(i) such corporation is in existence on September 30, 2000,

(ii) as of such date, such corporation is wholly owned (directly or indirectly) by a domestic corporation (determined without regard to any election under section 943(e)),

(iii) for each of the 3 taxable years preceding the first taxable year to which the election under section 943(e) by such controlled foreign corporation applies—

(I) all of the gross income of such corporation is subpart F income (as defined in section 952), including by reason of section 954(b)(3)(B), and

(II) in the ordinary course of such corporation's trade or business, such corporation regularly sold (or paid commissions) to a FSC which on September 30, 2000, was a related person to such corporation,

(iv) such corporation has never made an election under section 922(a)(2) (as in effect before the date of the enactment of this paragraph) to be treated as a FSC, and

(v) such corporation makes the election under section 943(e) not later than for its first taxable year beginning after December 31, 2001.

The preceding sentence shall cease to apply as of the date that the domestic corporation referred to in clause (ii) ceases to wholly own (directly or indirectly) such controlled foreign corporation.

(4) RELATED PERSON.—For purposes of this subsection, the term ''related person'' has the meaning given to such term by section 943(b)(3).

(5) SECTION REFERENCES.—Except as otherwise expressly provided, any reference in this subsection to a section or other provision shall be considered to be a reference to a section or other provision of the Internal Revenue Code of 1986, as amended by this Act.

(d) SPECIAL RULES RELATING TO LEASING TRANSACTIONS.—

(1) SALES INCOME.—If foreign trade income in connection with the lease or rental of property described in section 927(a)(1)(B) of such Code (as in effect before the amendments made by this Act) is treated as exempt foreign trade income for purposes of section 921(a) of such Code (as so in effect), such property shall be treated as property described in section 941(c)(1)(B) of such Code (as added by this Act) for purposes of applying section 941(c)(2) of such Code (as so added) to any subsequent transaction involving such property to which the amendments made by this Act apply.

(2) LIMITATION ON USE OF GROSS RECEIPTS METHOD.—If any person computed its foreign trade income from any transaction with respect to any property on the basis of a transfer price determined under the method described in section 925(a)(1) of such Code (as in effect before the amendments made by this Act), then the qualifying foreign trade income (as defined in section 941(a) of such Code, as in effect after such amendment) of such person (or any related person) with respect to any other transaction involving such property (and to which the amendments made by this Act apply) shall be zero.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ARCHER and Mr. STARK, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. STARK demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶126.6 PROHIBIT GAMING ON CERTAIN INDIAN TRUST LANDS IN CALIFORNIA

Mr. GILCHREST moved to suspend the rules and pass the bill (H.R. 5477) to provide that gaming shall not be allowed on certain Indian trust lands in California that were purchased with certain Federal grant funds; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GILCHREST and Mr. UDALL of Colorado, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to establish a moratorium on approval by the Secretary of the Interior of relinquishment of a lease of certain tribal lands in California.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶126.7 AMENDMENT TO THE SENATE TO H.R. 4986—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 4986) to amend the Internal Revenue Code of 1986 to repeal the provisions relating to foreign

sales corporations (FSCs) and to exclude extraterritorial income from gross income.

The question being put,

Will the House suspend the rules and agree to said Senate amendment?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 316; Nays ..... 72; Answered present 1

¶126.8 [Roll No. 597]

YEAS—316

Abercrombie
Aderholt
Allen
Archer
Armey
Baca
Bachus
Baird
Baker
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Cannon
Capps
Cardin
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Ewing
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Hooley
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kelly
Kildee
Kind (WI)
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Owens
Oxley
Packard
Pastor
Pease
Pelosi
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Scarborough
Schaffer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Toomey
Towns
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—72

Andrews
Baldacci
Baldwin
Bonior
Brady (PA)
Brown (OH)
Capuano
Carson
Chabot
Chenoweth-Hage
Condit
Conyers
Cook
Costello
Davis (IL)
DeFazio
DeGette
Dingell
Doggett
Evans
Gutierrez
Hinchey
Holt
Hostettler
Jackson (IL)
Jones (OH)
Kilpatrick
Kucinich
LaFalce
Lee
Lewis (GA)
Lipinski
LoBiondo
Luther
Maloney (CT)
Markey
McGovern
McKinney
Menendez
Miller, George
Nadler
Oberstar
Obey
Olver
Pallone
Payne
Peterson (MN)
Rahall
Rivers
Rothman
Roybal-Allard
Rush
Sanders
Saxton
Schakowsky
Serrano
Shows
Slaughter
Stark
Strickland
Stupak
Taylor (MS)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Woolsey

ANSWERED ''PRESENT''—1

Paul

NOT VOTING—43

Ackerman
Ballenger
Becerra
Brown (FL)
Burr
Canady
Coburn
Coyne
Danner
Dickey
Farr
Fattah
Filner
Forbes
Ganske
Gejdenson
Goodlatte
Hefley
Holden
Hulshof
Jefferson
Kaptur
Kasich
Kennedy
Kleczka
Klink
Largent
Maloney (NY)
McCarthy (NY)
McIntosh
Meehan
Millender-McDonald
Moakley
Pascrell
Peterson (PA)
Porter
Riley
Stenholm
Talent
Taylor (NC)
Weiner
Weygand
Wise

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said Senate amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶126.9 ADJOURNMENT OF THE TWO HOUSES

Mr. ARMEY submitted the following privileged concurrent resolution (H. Con. Res. 442):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Tuesday, November 14, 2000, or Wednesday, November 15, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, December 4, 2000, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Tuesday, November 14, 2000, or Wednesday, November 15, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, December 5, 2000, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

By unanimous consent, the concurrent resolution was agreed to.

A motion to reconsider the votes whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶126.10 RECESS—11:25 A.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 25 minutes a.m., subject to the call of the Chair.

¶126.11 AFTER RECESS—5:35 P.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶126.12 DC APPROPRIATIONS FY 2001

On motion of Mr. ISTOOK, by unanimous consent, the Committee on Appropriations was discharged from consideration of the bill (H.R. 5633) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes; and said bill was considered, engrossed, read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid upon the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶126.13 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 14, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representa-

tives, the Clerk received the following message from the Secretary of the Senate on November 14, 2000 at 1:35 p.m.

That the Senate passed without amendment H.J. Res. 125

That the Senate passed without amendment H. Con. Res. 442

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶126.14 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER pro tempore, Mr. PEASE, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bills and joint resolution during the recess today:

H.R. 2346. An Act to authorize the enforcement by state and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment.

H.R. 4986. An Act to amend the Internal Revenue Code of 1986 to repeal the provisions relating to foreign sales corporations (FSCs) and to exclude extraterritorial income from gross income.

H.J. Res. 125. An Act making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶126.15 APPOINTMENT OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

WASHINGTON, DC,
November 14, 2000.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through December 4, 2000.

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

By unanimous consent, the appointment was approved.

¶126.16 SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. MCCOLLUM, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until Monday, December 4, 2000, the Speaker, Majority Leader, and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶126.17 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. MCCOLLUM, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, December 6, 2000, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶126.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HILL of Montana, for today until 12 noon; and

To Mr. FARR, for today.

And then,

¶126.19 ADJOURNMENT

On motion of Mr. SHERMAN, pursuant to the provisions of House Concurrent Resolution 442, at 6 o'clock and 47 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, December 4, 2000.

¶126.20 TIME LIMITATION OF REFERRED BILL

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

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than December 5, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than December 5, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than December 5, 2000.

H.R. 4144. Referral to the Committee on the Budget extended for a period ending not later than December 5, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than December 5, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than December 5, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than December 5, 2000.

H.R. 4857. Referral to the Committees on the Judiciary, Commerce, and Banking and Financial Services for a period ending not later than December 5, 2000.

H.R. 5130. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than December 5, 2000.

H.R. 5291. Referral to the Committee on Ways and Means extended for a period ending not later than December 5, 2000.

¶126.21 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DEFAZIO (for himself and Mr. LEACH):

H.R. 5631. A bill to establish a commission to study and make recommendations with respect to the Federal electoral process; to the Committee on House Administration.

By Mr. SCOTT:

H.R. 5632. A bill to amend the Higher Education Act of 1965 to permit Pell Grants to incarcerated students under limited conditions; to the Committee on Education and the Workforce.

By Mr. ISTOOK:

H.R. 5633. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations. considered and passed.

By Mr. HOUGHTON (for himself and Mr. RANGEL):

H.R. 5634. A bill to amend the Internal Revenue Code of 1986 to provide a rehabilitation credit for certain expenditures to rehabilitate historic performing arts facilities; to the Committee on Ways and Means.

By Mr. HUTCHINSON:

H.R. 5635. A bill to amend the National Labor Relations Act; to the Committee on Education and the Workforce.

By Mr. ROHRABACHER:

H.R. 5636. A bill to provide compensation for injury and property damages suffered by persons as a result of the bombing attack by the United States on August 28, 1988 in Khartoum, Sudan, and for other purposes; to the Committee on the Judiciary.

By Mr. ARMEY:

H. Con. Res. 442. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. PRICE of North Carolina:

H. Res. 667. A resolution requesting the President to furnish to the House of Representatives certain information held by the Archivist of the United States concerning the transmission of electoral information under section 6 of title 3, United States Code, by the States and the District of Columbia; to the Committee on House Administration.

By Mr. ROHRABACHER:

H. Res. 668. A resolution to provide for the consideration by the United States Court of Claims of a bill for compensation, and for other purposes; to the Committee on the Judiciary.

¶126.22 ADDITIONAL SPONSORS

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

H.R. 40: Mr. PASCRELL.
H.R. 2635: Mr. COX.
H.R. 3249: Mr. PAYNE.
H.R. 3433: Mr. GONZALEZ.
H.R. 3698: Mr. GIBBONS.
H.R. 3710: Mr. GOODLATTE and Mr. SERRANO.
H.R. 3872: Mr. MCNULTY.
H.R. 4434: Mr. SCOTT.
H.R. 4481: Mr. GUTIERREZ.
H.R. 4506: Mr. MASCARA.
H.R. 4971: Mrs. CLAYTON.
H.R. 5065: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5208: Mr. GONZALEZ.
H.R. 5250: Mr. CLEMENT.
H.R. 5499: Mrs. MEEK of Florida.
H.R. 5585: Ms. DELAURO, Mr. FILNER, Ms. PELOSI, and Mr. PHELPS.
H.R. 5612: Mr. ABERCROMBIE, Mr. BRADY of Pennsylvania, and Mr. LAFALCE.
H.R. 5613: Mr. STEARNS.
H. Con. Res. 341: Mr. SHAW and Ms. ROS-LEHTINEN.
H. Con. Res. 412: Mr. GONZALEZ.
H. Con. Res. 430: Mr. DIAZ-BALART.
H. Con. Res. 431: Mr. PORTER and Mr. FILNER.
H. Res. 622: Mr. FARR of California.
H. Res. 635: Mr. HANSEN.

MONDAY, DECEMBER 4, 2000 (127)

The House was called to order by the SPEAKER.

¶127.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, November 14, 2000.

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

¶127.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

10969. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Depart-

ment's final rule—Tomatoes Grown in Florida; Change in Size Designation [Docket No. FV00–966–1 IFR] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10970. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule—Cranberries Grown in States of Massachusetts, et al.; Increased Assessment Rate [Docket No. FV00–929–4 FIR] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10971. A letter from the Associate Administrator, Agricultural Marketing Service Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Processed Fruits and Vegetables [FV–00–326] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10972. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida and Imported Grapefruit; Relaxation of the Minimum Size Requirements for Red Seedless Grapefruit [Docket No. FV00–905–2 FR] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10973. A letter from the Under Secretary for Food, Nutrition and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Food Stamp Program: Non-citizen Eligibility and Certification Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended by Public Laws 104–208, 105–33, and 105–185 (RIN: 0584–AC40) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10974. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Limiting the Volume of Small Red Seedless Grapefruit [Docket No. FV00–905–4 FIR] November 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10975. A letter from the Associate Administrator, Agricultural Marketing Service, Cotton Programs, Department of Agriculture, transmitting the Department's final rule—Amendment to Cotton Board Rules and Regulations Regarding Import Assessment Exemptions [CN–00–009] received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10976. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Papayas Grown in Hawaii; Removal of Suspension Regarding Grade, Inspection, and Related Reporting Requirements [Docket No. FV00–928–1 FR] received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10977. A letter from the Congressional Review Coordinator, Policy and Program Development, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Tuberculosis in Cattle, Bison, and Captive Cervids; State and Zone Designations [Docket No. 99–092–1] received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10978. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fenhexamid; Pesticide Tolerances for Emergency Exemptions [OPP–301075; FRL–6752–4] (RIN: 2070–AB78) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10979. A communication from the President of the United States, transmitting a request to make available previously appropriated emergency funds for the Departments of Agriculture and Transportation, International Assistance Programs, and the Appalachian Regional Commission pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; (H. Doc. No. 106–317); to the Committee on Appropriations and ordered to be printed.

10980. A letter from the Acting Assistant Secretary for Health Affairs, Department of Defense, transmitting a report on the Third Party Collection Program Annual Report to Congress for FY 1999; to the Committee on Armed Services.

10981. A letter from the Chief of Naval Operations and Secretary, United States Navy, Department of Defense, transmitting a letter on the Navy Marine Corps Intranet contract; to the Committee on Armed Services.

10982. A letter from the Deputy Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, Department of the Air Force, transmitting a report by the Commander of Cheyenne Mountain Air Force Station, Colorado, of a cost comparison to reduce the cost of the Civil Engineering functions; to the Committee on Armed Services.

10983. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Truth in Lending [Regulation Z; Docket No. R–1089] received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10984. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Consumer Protections for Depository Institution Sales of Insurance [Docket No. R–1079] received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10985. A letter from the Associate General for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting the Department's final rule—CDBG Program Regulations on Pre-Award Costs and New Housing Construction [Docket No. FR–4559–F–01] (RIN: 2506–AC06) received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10986. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Ireland, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

10987. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's semiannual report on the activities and efforts relating to utilization of the private sector, pursuant to 12 U.S.C. 1827; to the Committee on Banking and Financial Services.

10988. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-B–7403] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10989. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-B–7402] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10990. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-B–7400] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10991. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10992. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10993. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-B–7328] received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10994. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Organization and Operations of Federal Credit Unions—received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10995. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate for Pay-As-You-Go Calculations; to the Committee on the Budget.

10996. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate for Pay-As-You-Go Calculations; to the Committee on the Budget.

10997. A letter from the Secretary, Department of Education, transmitting Final Regulations—Federal Perkins Loan Program, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

10998. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, Office of Postsecondary Education, transmitting the Department's final rule—Institutional Eligibility; Student Assistance General Provisions; Federal Work-Study Programs; and the Federal Pell Grant Program (RIN: 1845–AA19) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10999. A letter from the Secretary, Department of Health and Human Services, transmitting the annual report for the Fiscal Year 1996 of projects funded under Section 681(b)(A) of the Community Services Block Grant Act; to the Committee on Education and the Workforce.

11000. A letter from the Acting Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Employee Retirement Income Security Act of 1974; Rules and Regulations for Administration and Enforcement; Claims Procedure (RIN: 1210–AA61) received November 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11001. A letter from the Acting Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Amendments to Summary Plan Description Regulations (RIN: 1210–AA69; 1210–AA55) received

November 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11002. A letter from the Director, Office of Wage Determinations, Wage and Hour Division, Employment Standards Administration, Department of Labor, transmitting the Department's final rule—Procedures for Predetermination of Wage Rates; Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction and to Certain Nonconstruction Contracts (RIN: 1215–AA94) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11003. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11004. A letter from the Secretary, Department of Agriculture, transmitting a report entitled ''Horse Protection Enforcement'' for FY 1999, pursuant to 15 U.S.C. 1830; to the Committee on Commerce.

11005. A letter from the Acting Administrator, Energy Information Administration, Department of Energy, transmitting a report entitled, ''Emissions of Greenhouse Gases in the United States, 1999''; to the Committee on Commerce.

11006. A letter from the Secretary, Department of Health and Human Services, transmitting a draft bill entitled the ''National Health Service Corps Amendments of 2000''; to the Committee on Commerce.

11007. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule—Exemption From Federal Preemption of State and Local Cigarette and Smokeless Tobacco Requirements; Revocation [Docket No. 00N–1561] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11008. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Biological Products: Reporting of Biological Product Deviations in Manufacturing [Docket No. 97N–0242] received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11009. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Polymers [Docket No. 93F–0319] received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11010. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Uniform Compliance Date for Food Labeling Regulations [Docket No. 00N–1596] received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11011. A letter from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Compressed Natural Gas Fuel Container Integrity [Docket No. NHTSA–00–8191] (RIN: 2127–AH94) November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11012. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units [AD-FRL–6905–1] (RIN: 2060–AF91) received November 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11013. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans and Designations of Areas for Air Quality Planning Purposes; State of New Hampshire; Revision to the Carbon Monoxide State Implementation Plan, City of Nashua; Carbon Monoxide Redesignation Request, Maintenance Plan, Transportation Conformity Budget, and Emissions Inventory for the City of Nashua; Carbon Monoxide Redesignation Request, Maintenance Plan, Transportation Conformity Budget, and Emissions Inventory for the City of Manchester [NH–45–7172a; A–1–FRL–6906–2] Received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11014. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Emission Guidelines for Existing Small Municipal Waste Combustion Units [AD-FRL–6899–5] (RIN: 2060–AI51) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11015. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—New Source Performance Standards for New Small Municipal Waste Combustion Units [AD-FRL–6899–6] (RIN: 2060–AI51) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11016. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone; Incorporation of Clean Air Act Amendments for Reductions in Class I, Group VI Controlled Substances [FRL–6906–4] (RIN: 2060–AI41) received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11017. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Michigan [MI75–7284a; FRL–6907–1] received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11018. A letter from the Associate Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of the Commission's Rules Regarding the 37.0–38.6 GHz and 38.6–40.0 GHz Bands [ET Docket No. 95–183; RM–8553] Implementation of Section 309(j) of the Communications Act—Competitive Bidding, 37.0–38.6 GHz and 38.6–40.0 GHz Bands [PP Docket No. 93–253] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11019. A letter from the Acting Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Satellite Home Viewer Improvement Act of 1999; Application of Network Non-Duplication, Syndicated Exclusivity, and Sports Blackout Rules To Satellite Retransmissions of Broadcast Signals [CS Docket No. 00–2] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11020. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Rantoul and Gilman, Illinois) [MM Docket No. 98–214; RM–9353; RM–9568] received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11021. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Greenwood and Mauldin, South Carolina) [MM Docket No. 99–313; RM–9753] received Novemebr 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11022. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Susquehanna, Pennsylvania and Conklin, New York) [MM Docket No. 99–278; RM–9424] received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11023. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (New Richmond, Wisconsin, Coon Rapids, and Moose Lake, Minnesota) [MM Docket No. 00–37; RM–9749] received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11024. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Promotion of Competitive Networks in Local Telecommunications Markets [WT Docket No. 99–217] Wireless Communications Association International, Inc. Petition for Rulemaking to Amend Section 1.4000 of the Commission's Rules to Preempt Restrictions on Subscriber Premises Reception or Transmission Antennas Designed to Provide Fixed Wireless Services; Implementation of the Local Competition Provisions in the Telecommunications Act of 1996 [CC Docket No. 96–98] Review of Sections 68.104, and 68.213 of the Commission's Rules Concerning Connection of Simple Inside Wiring to the Telephone Network [CC Docket No. 88–57] to the Committee on Commerce.

11025. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Detroit, Howe, and Jacksboro, Texas, Antlers and Hugo, Oklahoma) [MM Docket No. 97–26; RM–8968; RM–9089; RM–9090] Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Lewisville, Gainesville, Robinson, Corsicana, Jacksboro and Mineral Wells, Texas) [MM Docket No. 97–91; RM–8854; RM–9221] received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11026. A letter from the Special Assistant, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Extension of the Filing Requirement For Children's Television Programming Reports (FCC Form 398) [MM Docket No. 00–44] received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11027. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—The Development of Operational, Technical and Spectrum Requirements For Meeting Fed-

eral, State and Local Public Safety Agency Communication Requirements Through the Year 2010; Establishment of Rules and Requirements For Priority Access Service [WT Docket No. 96–86] received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11028. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Revised Filing Requirements Under Part 33 of the Commission's Regulations [Docket No. RM98–4–000; Order No. 642] received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11029. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Collaborative Procedures for Energy Facility Applications [Docket No. RM98–16–001; Order No. 608–A] received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11030. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—NRC Regulatory Issue Summary 2000–21 Changes To The Unplanned Scram And Unplanned Scram With Loss Of Normal Heat Removal Performance Indicators—received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11031. A letter from the Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule—Disclosure of Order Execution and Routing Practices [Release No. 34–43590; File No. S7–16–00] (RIN: 3235–AH95) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11032. A letter from the Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's final rule—Firm Quote and Trade-Through Disclosure Rules for Options [Release No. 34–43591; File No. S7–17–00] (RIN: 3235–AH96) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11033. A letter from the Secretary, Office of the Chief Accountant, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule—Revision of the Commission's Auditor Independence Requirements [Release Nos. 33–7919; 34–43602; 35–27279; IC–24744; IA–1911; FR–56; File No. S7–13–00] (RIN: 3235–AH91) received November 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11034. A communication from the President of the United States, transmitting a report on developments concerning the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997, and matters relating to the measures in that order, pursuant to 50 U.S.C. 1641(c); (H. Doc. No. 106—314); to the Committee on International Relations and ordered to be printed.

11035. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency declared by Executive Order 12924 of August 19, 1994, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 106–315); to the Committee on International Relations and ordered to be printed.

11036. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

11037. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

11038. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective November 5, 2000, the 20% danger pay allowance for Albania will be terminated, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

11039. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

11040. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a semi-annual report on progress toward regional non-proliferation in South Asia, pursuant to Section 620F(c) of the Foreign Assistance Act of 1961 April 1, 2000 through September 30, 2000; to the Committee on International Relations.

11041. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report entitled ''The Annual Report,'' produced by the Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training; to the Committee on International Relations.

11042. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the assessment of the cost effectiveness of using refurbished A–10 aircraft for the Department of State's coca eradication mission in Colombia; to the Committee on International Relations.

11043. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum Of Justification For Use Of Economic Support Funds (ESF); To Support Assistance To The Sudanese National Democratic Alliance (NDA); to the Committee on International Relations.

11044. A communication from the President of the United States, transmitting his report on the implementation of an alternative plan for Federal employee locality-based comparability payments (locality pay) for 2001, pursuant to 5 U.S.C. 5305(a)(3); (H. Doc. No. 106—316); to the Committee on Government Reform and ordered to be printed.

11045. A letter from the Secretary, Department of Energy, transmitting the semiannual report of the Inspector General for the period April 1 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11046. A letter from the Secretary, Department of Labor, transmitting the Semiannual Report of the Inspector General of the Department of Labor covering the period April 1, 2000 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11047. A letter from the Comptroller General, General Accounting Office, transmitting List of all reports issued or released by the GAO in September 2000, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

11048. A letter from the Secretary, American Battle Monuments Commission, transmitting the Fiscal Year 2000 annual report in compliance with the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

11049. A letter from the Chair, Architectural and Transportation Barriers Compliance Board, transmitting the consolidated report in accordance with the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 5 app; to the Committee on Government Reform.

11050. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the semiannual report of the Office of Inspector General covering the period April 1 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11051. A letter from the Executive Director, Committee For Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletion from the Procurement List—received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11052. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received November 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11053. A letter from the Director, Division of Policy, Planning and Program Development, Office of Federal Contract Compliance Programs, Department of Labor, transmitting the Department's final rule—Government Contractors, Affirmative Action Requirements (RIN: 1215–AA01) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11054. A letter from the United States Trade Representative, Executive Office of the President, transmitting a report on the Strategic Plan FY 2000—FY 2005; to the Committee on Government Reform.

11055. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the semiannual report prepared by the Office of Inspector General for the period of April 1, 2000, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

11056. A letter from the Chairman, Federal Maritime Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11057. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting a consolidated report on audit and investigative coverage required by the Inspector General Act of 1978, as amended, and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11058. A letter from the President, James Madison Memorial Fellowship Foundation, transmitting the 1998 annual report of the Foundation, pursuant to 20 U.S.C. 4513; to the Committee on Government Reform.

11059. A letter from the Executive Director, Marine Mammal Commission, transmitting the Marine Mammal Commission's Commercial Activities Inventory Report, as required by the Federal Activities Inventory Reform Act of 1998 and detailed in OMB Circular No. A–76 (revised); to the Committee on Government Reform.

11060. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule—Technical Updating Amendments and Correction to Certain Executive Branch Regulations of the Office of Government Ethics (RIN: 3209–AA00; 3209–AA04) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11061. A letter from the Special Counsel, Office of Special Counsel, transmitting the consolidated annual report for FY 2000 in compliance with the Inspector General Act; to the Committee on Government Reform.

11062. A letter from the Chairman, Postal Rate Commission, transmitting a report submitted in accordance with the Inspector General Act of 1978, as amended, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11063. A letter from the Chairman, Securities and Exchange Commission, transmitting a copy of the annual report of the Securities and Exchange Commission for calendar year 1999, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

11064. A letter from the Executive Director, State Justice Institute, transmitting a annual report in accordance with the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

11065. A letter from the Director, The Peace Corps, transmitting a report on the Year 2000 Inventory of Commercial Activities and Annual Management Report in accordance with the Federal Activities Inventory Reform Act of 1998; to the Committee on Government Reform.

11066. A letter from the Director, The Woodrow Wilson Center, transmitting a consolidated annual report on audit and investigative coverage required by the Inspector General Act of 1978, as amended, and the Federal Managers' Financial Integrity Act for fiscal year 1999; to the Committee on Government Reform.

11067. A letter from the Acting Director, Fish and Wildlife Service, Division of Endangered Species, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Tidewater Goby (RIN: 1018–AF73) received November 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11068. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants: Establishment of a Nonessential Experimental Population of Grizzly Bears in the Bitterroot Area of Idaho and Montana (RIN: 1018–AE00) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11069. A letter from the Assistant Secretary of the Interior, Bureau of Land Management, Department of the Interior, transmitting the Department's final rule—Mining Claims Under the General Mining Laws; Surface Management [WO–300–1990–00] (RIN: 1004–AD22) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11070. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Colorado Regulatory Program [CO–032–FOR] received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11071. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Texas Regulatory Program [SPATS No. TX–047–FOR] received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11072. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Pennsylvania Regulatory Program [PA–126–FOR] received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11073. A letter from the Deputy Chief for National Forest System, Department of Agriculture, transmitting a report of detailed boundary maps for the following rivers added to the National Wild and Scenic Rivers System by the Omnibus Oregon Wild and Scenic Rivers Act of 1988: McKenzie and North Fork of the Middle Fork of the Willamette on the Willamette National Forest, and the North Umpqua on the Umpqua National Forest; to the Committee on Resources.

11074. A letter from the Director, Fish and Wildlife Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Endangered and Threatened Species; Final Endangered Status for a Distinct Population Segment of Anadromous Atlantic Salmon (Salmo salar) in the Gulf of Maine [Docket No. 991108299–0313–02; I.D. 102299A] (RIN: 0648–XA39) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11075. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; Hawaii-based Pelagic Longline Area Closure [Docket No. 000822244–0291–02; I.D. 082100B] (RIN: 0648–AO66) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11076. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Black Sea Bass Fishery; Commercial Quota Harvested for Quarter 4 Period [Docket No. 000119014–0137–02; I.D. 091800G] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11077. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Quota Harvested for Period 2 [Docket No. 000426114–0114–01; I.D. 101700E] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11078. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Spiny Dogfish Fishery; 2000 Specifications; Extension of an Interim Rule [Docket No. 000426114–0114–01; I.D. 101700E] (RIN: 0648–AN53) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11079. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Closure of Directed Fishery for Pacific MACKerel [Docket No. 000831250–0250–01; 102500C] received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11080. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Recreational Fishery Closure [Docket No. 991223347–9347; I.D. 102600C] received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11081. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Western Alaska Community Development Quota Program [Docket No. 000714206–0307–02; I.D. 061400A] (RIN: 0648–AM53) received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11082. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Maine Mahogany Quahog Fishery; Commercial Quota Harvested [Docket No. 991228355–0140–02; I.D. 110700C] received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11083. A letter from the Acting Assistant Administrator, National Ocean Service Coastal Services Center, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Coastal Services Center Broad Area Announcement [Docket No. 000927276–0276–01; I.D. No. 101000CH] (RIN: 0648–ZA94) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11084. A letter from the Assistant Attorney General, Department of Justice, transmitting a report of activities under the Civil Rights of Institutionalized Persons Act during Fiscal Year 1998, pursuant to 42 U.S.C. 1997f; to the Committee on the Judiciary.

11085. A letter from the Under Secretary of Commerce for Intellectual Property, and Director, Patent and Trademark Office, transmitting the Office's final rule—Simplification of certain requirements in patent interference practice (RIN: 0651–AB15) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11086. A letter from the Under Secretary of Commerce for Intellectual Property, and Director, Patent and Trademark Office, transmitting the Office's final rule—Rules to Implement Optional Inter Partes Reexamination Proceedings (RIN: 0651–AB04) received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11087. A letter from the Administrator, Federal Highway Administration, transmitting the Administration's status report entitled, ''Fundamental Properties of Asphalts and Modified Asphalts-II,'' is submitted in accordance with Section 6016(e) of the Intermodal Surface Transportation Act of 1991(ISTEA), Public Law 102–240, and Section 5117 of the Transportation Equity Act of the 21st Century (TEA–21), pursuant to 23 U.S.C. 307nt; to the Committee on Transportation and Infrastructure.

11088. A letter from the Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting a report entitled ''Roosevelt Inlet-Lewes Beach, DE, Interim Feasibility Study; Final Feasibility Report and Environmental Assessment''; to the Committee on Transportation and Infrastructure.

11089. A letter from the Administrator, FAA, Department of Transportation, transmitting a report on the ''Application of New Standards or Technologies to Reduce Aircraft Noise Levels''; to the Committee on Transportation and Infrastructure.

11090. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L–1011–385 Series Airplanes [Docket No. 98–NM–35–AD; Amendment 39–11933; AD 2000–21–01] (RIN: 2120–AA64) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11091. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 2000–NM–325–AD; Amendment 39–11948; AD 2000–22–02] (RIN: 2120–AA64) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11092. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0100 Series Airplanes [Docket No. 2000–NM–17–AD; Amendment 39–11944; AD 2000–21–12] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11093. A letter from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting the Department's final rule—Physical Qualification of Drivers; Medical Examination; Certificate [FMCSA Docket No. 98–3542 (formerly FHWA Docket No. 98–3542)] (RIN: 2126–AA06 (formerly 2125–AC63)) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11094. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120 Series Airplanes [Docket No. 2000–NM–121–AD; Amendment 39–11958; AD 2000–22–12] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11095. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 and A300–600 Series Airplanes [Docket No. 2000–NM–114–AD; Amendment 39–11978; AD 2000–23–08] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11096. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Realignment of Federal Airways; IL [Airspace Docket No. 00–AGL–22] received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11097. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Spey 555–15, –15H, –15N, and –15P Turbofan Engines [Docket No. 2000–NE–03–AD; Amendment 39–11981; AD 2000–23–11] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11098. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFE Company Model CFE738–1–1B Turbofan Engines [Docket No. 98–ANE–69–AD; Amendment 39–11982; AD 2000–23–12] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11099. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR42–500 Series Aiplanes [Docket No. 2000–NM–26–AD; Amendment 39–11974; AD 2000–23–04] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11100. A letter from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting the Department's final rule—Transportation of Household Goods in Interstate or Foreign Commerce; Rules of Practice for Motor Carrier Safety and Hazardous Materials Proceedings (RIN: 2126–AA56) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11101. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B16 (CL–604) Series Airplanes [Docket No. 2000–NM–315–AD; Amendment 39–11972; AD 2000–23–02] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11102. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model SA330F, G, and J Helicopters [Docket No. 2000–SW–14–AD; Amendment 39–11967; AD 2000–22–19] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11103. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Model DH.125, Model HS.125, Model BH.125, Model BAe.125 Series 800A (Including Major Variants C–29A and U1–25), Model Hawker 800, Model Hawker 800XP, and Model Hawker 1000 Series Airplanes [Docket No. 99–NM–376–AD; Amendment 39–11949; AD 2000–22–03] (RIN: 2120–AA64) received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11104. A letter from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting the Department's final rule—Guidelines for Development of Functional Specifications for Performance-Based Brake Testers Used to Inspect Commercial Motor Vehicles [FMCSA Docket No. FMCSA–98–3611] received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11105. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –9–20, –9–30, –9–40, and –9–50 Series Airplanes and C–9 (Military) Airplanes [Docket No. 2000–NM–344–AD; Amendment 39–11968; AD 2000–22–20] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11106. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA—Groupe AEROSPATIALE Models MS 880B, MS 885, MS 892A–150, MS 892E–150, MS 893A, MS 893E, MS 894A, MS 894E, Rallye 100S, Rallye 150T, Rallye 150ST, Rallye 235C, and Rallye 235E Airplanes [Docket No. 2000–CE–34–AD; Amendment 39–11964; AD 2000–22–17] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11107. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120 Series Airplanes [Docket No. 2000–NM–130–AD; Amendment 39–11954; AD 2000–22–08] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11108. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Oak Grove, NC [Airspace Docket No. 00–ASO–33] received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11109. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D and Class E4 Airspace; New Bern, NC [Airspace Docket No. 00–ASO–29] received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11110. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E3 Airspace; Tallahassee, FL, and Class E4 Airspace; Dothan, AL; Vero Beach, FL; Athens, GA; Columbus Lawson AAF, GA; Meridian Key Field, MS; Meridian NAS-McCAIN Field, MS; and Florence, SC [Airspace Docket No. 00–ASO–38] received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11111. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D Airspace; Kissimmee, FL [Airspace Docket No. 00–ASO–36] received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11112. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30211; Amdt. No. 2018] received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11113. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30210; Amdt. No. 2017] received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11114. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Atlanta, TX [Airspace Docket No. 2000–ASW–19] received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11115. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D and Class E4 Airspace; Gainesville, FL [Airspace Docket No. 00–ASO–35] received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11116. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Willits, CA [Airspace Docket No. 00–AWP–8] received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11117. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class D Airspace, Robert Gray Army Airfield, TX; and Revocation of Class D Airspace, Hood Army Airfield, TX [Airspace Docket No. 2000–ASW–18] received No-

vember 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11118. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; International Aero Engines AG (IAE) V2500–A5 and -D5 Series Turbofan Engines [Docket No. 2000–NE–21–AD; Amendment 39–11953; AD 2000–22–07] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11119. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–100, –200B, –200C, –200F, and –300 Series Airplanes Delivered In or Modified Into the Stretched Upper Deck Configuration [Docket No. 2000–NM–136–AD; Amendment 39–11962; AD 2000–22–15] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11120. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives Final Rule; Correction [Docket No. 98–ANE–43; Amendment 39–11939; AD 2000–21–07] (RIN: 2120–AA64) received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11121. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Robinson Helicopter Company Model R22 Helicopters [Docket No. 2000–SW–51–AD; Amendment 39–11960; AD 2000–20–51] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11122. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW2000 Series Turbofan Engines, Correction [Docket No. 98–ANE–61–AD; Amendment 39–11941; AD 2000–21–09] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11123. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives Final Rule; Correction [Docket No. 98–ANE–48; Amendment 39–11939; AD 2000–21–08] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11124. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes [Docket No. 99–NM–69–AD; Amendment 39–11906; AD 2000–19–05] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11125. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes [Docket No. 2000–NM–152–AD; Amendment 39–11963; AD 2000–22–16] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11126. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 Series Airplanes and C–9 (Military) Airplanes [Docket No. 2000–NM–04–AD; Amendment 39–11961; AD 2000–22–14] (RIN: 2120–AA64) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11127. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule—Annual Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents—Calendar Year 2001 [FRA–98–4898, Notice No. 3] (RIN: 2130–AB30) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11128. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Coastal Waters Adjacent to Florida [CGD 07–00–091] (RIN: 2115–AA97) received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11129. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulation; Charleston Christmas Parade of Boats, Charleston Harbor, SC [CGD–07–00–107] (RIN: 2115–AE46) received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11130. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Wrangell Narrows, Petersburg, AK [COTP Southeast Alaska; 00–016] (RIN: 2115–AA97) received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11131. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Atlantic Intracoastal Waterway, Key Largo, Monroe County, FL [CGD07–00–105] (RIN: 2115–AE47) received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11132. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Licensing and Manning for Officers of Towing Vessels [USCG 1999–6224] (RIN: 2115–AF23) received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11133. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR–42 and ATR–72 Series Airplanes [Docket No. 98–NM–259–AD; Amendment 39–11989; AD 98–09–16 R1] (RIN: 2120–AA64) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11134. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries, Ltd., Model 1121, 1121A, 1121B, 1123, 1124, and 1124A Series Airplanes [Docket No. 2000–NM–364–AD; Amendment 39–11985; AD 2000–23–13] (RIN: 2120–AA64) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11135. A letter from the Paralegal Specialist, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT9D Series Turbofan Engines [Docket No. 99–NE–25–AD; Amendment 39–11986; AD 2000–23–14] (RIN: 2120–AA64) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11136. A letter from the Paralegal Specialist, Department of Transportation, FAA, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 2000–NM–325–AD; Amendment 39–11948; AD 2000–22–02] (RIN: 2120–AA64) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11137. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Supplemental Guidelines for the Award of Section 319 Nonpoint Source Grants in FY 2001 [FRL–6908–9] received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11138. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Risk Management—received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

11139. A letter from the Director, Office of Science and Technology Policy, transmitting a report entitled ''Climate Change Impacts on the United States: The Potential Consequences of Climate Variability and Change''; to the Committee on Science.

11140. A letter from the Administrator, Small Business Administration, transmitting a draft of proposed legislation to amend the Small Business Act to increase the Sole Source Authority to adjust for inflation; to the Committee on Small Business.

11141. A letter from the Administrator, Office of Workforce Security, Employment and Training Administration, Department of Labor, transmitting the Department's final rule—Payment of Compensation and Timeliness of Determinations During a Continued Claims Series—received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11142. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action on Decision; Weisbart v. United States Department of Treasury and Internal Revenue Service—received November 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11143. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2000–54] received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11144. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—2000 Base Period Concerning T-Bill Rate—received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11145. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update—received November 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11146. A letter from the Assistant Secretary for Economic Development, Department of Commerce, transmitting the Department's final rule—Implementation of the Economic Development Administration Reform Act of 1998 including Economic Adjustment Grants-Revolving Loan Funds [Docket No. 001024292–0292–01] (RIN: 0610–AA62) received November 28, 2000, pursuant to 5

U.S.C. 801(a)(1)(A); jointly to the Committees on Transportation and Infrastructure and Banking and Financial Services.

¶127.3 MESSAGE FROM THE SENATE

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

S. 3205. An Act to enhance the capability of the United States to deter, prevent, thwart, and respond to international acts of terrorism against United States nationals and interests.

¶127.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 15, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted by Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 14, 2000 at 7:14 p.m.

That the Senate passed without amendment H.R. 5633.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶127.5 ENROLLED BILLS, AND JOINT RESOLUTIONS, CONCURRENT RESOLUTIONS SIGNED

The SPEAKER announced that pursuant to clause 4, rule I, he signed the following enrolled bill on Wednesday, November 15, 2000:

H.R. 5633. An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

¶127.6 COMMUNICATION REGARDING SUBPOENA

The SPEAKER laid before the House the following communication from Mr. ARCHER:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 14, 2000.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the United States District for the Southern District of Texas.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

BILL ARCHER,
Member of Congress.

¶127.7 COMMUNICATION REGARDING SUBPOENA

The SPEAKER laid before the House the following communication from Ms. Jacqueline Aamot, Financial Counseling Director, Office of Finance, office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, November 15, 2000.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House that the Custodian of Records, Office of Financial Counseling has received a subpoena for documents issued by the United States District Court for the District of New Jersey.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JACQUELINE AAMOT,
Financial Counseling Director,
Office of Finance.

¶127.8 COMMUNICATION REGARDING SUBPOENA

The SPEAKER laid before the House the following communication from Mr. J. Michael Dorsey, Acting Associate Administrator, office of Human Resources, office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, November 15, 2000.

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

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that the Custodian of Records, Office of Human Resources has received a subpoena for documents issued by the United States District Court for the District of New Jersey.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

J. MICHAEL DORSEY,
Acting Associate Administrator,
Office of Human Resources.

¶127.9 COMMUNICATION REGARDING SUBPOENA

The SPEAKER laid before the House the following communication from Mr. TIAHRT:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 17, 2000.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Municipal Court for the City of Wichita, Kansas.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and rights of the House.

Sincerely,

TODD TIAHRT,
Member of Congress.

¶127.10 COMMUNICATION REGARDING SUBPOENA

The SPEAKER laid before the House the following communication from Mr. Robert Noland, District Director, office of the Honorable Todd Tiahrt:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 17, 2000.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Municipal Court for the City of Wichita, Kansas.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and rights of the House.

Sincerely,

ROBERT NOLAND,
District Director.

¶127.11 COMMUNICATION REGARDING SUBPOENA

The SPEAKER laid before the House the following communication from Mr. BOEHLERT:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 29, 2000.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the Supreme Court of New York, County of Onondaga.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

SHERWOOD L. BOEHLERT,
Member of Congress.

¶127.12 JAMES MADISON COMMEMORATION COMMISSION

Mrs. BIGGERT moved to suspend the rules and pass the bill of the Senate (S. 3137) to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

The SPEAKER pro tempore, Mr. PEASE, recognized Mrs. BIGGERT and Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. BIGGERT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶127.13 LOWER RIO GRANDE VALLEY WATER SUPPLIES

Mr. GIBBONS moved to suspend the rules and pass the bill of the Senate (S. 1761) to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GIBBONS and

Mr. George MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GIBBONS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶127.14 MANCOS WATER CONSERVANCY DISTRICT

On motion of Mr. GIBBONS, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill of the Senate (S. 2594) to authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of nonproject water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶127.15 MANCOS WATER CONSERVANCY DISTRICT

On motion of Mr. GIBBONS, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill of the Senate (S. 1972) to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶127.16 COAST GUARD RESTORATION PROJECTS

Mr. PETRI moved to suspend the rules and pass the bill (H.R. 5637) to provide that an amount available for fiscal year 2001 for the Department of Transportation shall be available to reimburse certain costs incurred for clean-up of former Coast Guard facilities at Cape May, New Jersey, and to authorize the Coast Guard to transfer funds and authority for demolition and removal of a structure at former Coast Guard property in Traverse City, Michigan.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. PETRI and Mr. OBERSTAR, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶127.17 RECESS—2:42 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 42 minutes p.m., until approximately 6 o'clock p.m.

¶127.18 AFTER RECESS—6 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶127.19 S. 3137—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3137) to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 359 / Nays 3

¶127.20 [Roll No. 598]

YEAS—359

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Minge
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Napolitano
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Paul
Royce
Sanford

NOT VOTING—70

Armey
Barrett (NE)
Becerra
Bilbray
Bonior
Boyd
Brady (TX)
Calvert
Carson
Castle
Chenoweth-Hage
Clay
Coburn
Cooksey
Cox
Deal
DeFazio
Delahunt
Dickey
Dixon
Doolittle

Fattah
Forbes
Fowler
Gejdenson
Gephardt
Graham
Granger
Gutknecht
Hilliard
Hinchey
Hulshof
Jefferson
Johnson (CT)
Jones (NC)
Klink
Lantos
Largent
Linder
Lipinski
Martinez
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Murtha
Nadler
Northup
Owens
Pelosi
Peterson (PA)
Pryce (OH)
Quinn
Radanovich
Reynolds
Ryan (WI)
Sessions
Stabenow
Stark
Talent
Vitter
Wamp
Watkins
Watts (OK)
Wexler
Whitfield
Wise
Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶127.21 S. 1761—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8, rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1761) to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 348 / Nays 6

¶127.22 [Roll No. 599]

YEAS—348

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Canady
Cannon
Capps
Capuano
Cardin
Chabot
Chambliss
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Minge
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Napolitano
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Payne
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Waters
Watt (NC)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—6

Campbell
Coble
Hostettler
Paul
Royce
Sanford

NOT VOTING—78

Armey
Barrett (NE)
Becerra
Bilbray
Bliley
Boyd
Brady (TX)
Calvert
Carson
Castle
Chenoweth-Hage
Clay
Coburn
Cooksey
Cox
Davis (FL)
Deal
DeFazio
Delahunt
Dickey
Dixon
Doolittle
Duncan
Fattah
Forbes
Fowler
Gejdenson
Gephardt
Granger
Gutierrez
Gutknecht
Hilliard
Hinchey
Hulshof
Jefferson
Johnson (CT)
Jones (NC)
Klink
LaFalce
Lantos
Largent
Lewis (CA)
Linder
Lipinski
Maloney (CT)
Martinez
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Murtha
Nadler
Northup
Owens
Pastor
Pelosi
Peterson (PA)
Pryce (OH)
Quinn
Radanovich
Reynolds
Rogan
Ryan (WI)
Sessions
Stabenow
Stark
Talent
Vitter
Wamp
Watkins
Watts (OK)
Waxman
Wexler
Whitfield
Wise
Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶127.23 RECESS—6:55 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12 of rule I, declared the House in recess at 6 o'clock and 55 minutes p.m., subject to the call of the Chair.

¶127.24 AFTER RECESS—8:30 P.M.

The SPEAKER pro tempore, Mr. BARR, called the House to order.

¶127.25 ORDER OF BUSINESS—CONSIDERATION OF H.J. RES. 126

On motion of Mr. SIMPSON, by unanimous consent,

Ordered, That it may be in order at any time without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 126) making further continuing appropriations for the fiscal year 2001, and for other purposes; that the joint resolution be considered as read for amendment; that the joint resolution be debatable for one hour, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit.

¶127.26 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2796. An Act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

¶127.27 BILLS AND JOINT RESOLUTIONS APPROVED

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

September 19, 2000:

H.R. 4040. An Act to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees, members of the uniformed services, and civilian and military retirees, provide for the correction of retirement coverage errors under chapters 83 and 84 of such title, and for other purposes.

September 22, 2000:

H.R. 1729. An Act to designate the Federal facility located at 1301 Emmet Street in

Charlottsville, Virginia, as the ''Pamela S. Gwin Hall.''

H.R. 1901. An Act to designate the United States border station located in Pharr, Texas, as the ''Kika de la Garza United States Border Station.''

H.R. 1959. An Act to designate the Federal building located at 643 East Durango Boulevard in San Antonio, Texas, as the ''Adrian A. Spears Judicial Training Center.''

H.R. 4608. An Act to designate the United States courthouse located at 220 West Depot Street in Greenville, Tennessee, as the ''James H. Quillen United States Courthouse.''

September 29, 2000:

H.J. Res. 109. Joint resolution making continuing appropriations for the fiscal year 2001, and for other purposes.

October 6, 2000:

H.R. Res. 110. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.R. 940. An Act to designate the Lackawanna Valley and the Schuylkill River National Heritage Areas, and for other purposes.

H.R. 2909. An Act to provide for implementation by the United States of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes.

H.R. 4919. An Act to amend the Foreign Assistance Act of 1961 and the Arms Exports Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes.

H.R. 5193. An Act to amend the National Housing Act to temporarily extend the applicability of the downpayment simplification provisions for the FHA single family housing mortgage insurance program.

October 10, 2000:

H.J. Res. 72. Joint resolution granting the consent of the Congress to the Red River Boundary Compact.

H.R. 999. An Act to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes.

H.R. 2647. An Act to amend the Act entitled ''An Act relating to the water rights of the Ak-Chin Indian Community'' to clarify certain provisions concerning the leasing of such water rights, and for other purposes.

H.R. 3363. An Act for the relief of Akal Security, Incorporated.

H.R. 4444. An Act to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.

H.R. 4700. An Act to grant the consent of the Congress to the Kansas and Missouri Metropolitan Culture District Compact.

October 11, 2000:

H.R. 4578. An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

October 12, 2000:

H.R. 4115. An Act to authorize appropriations for the United States Holocaust Memorial Museum, and for other purposes.

H.R. 4931. An Act to provide for the training or orientation of individuals, during a Presidential transition, who the President's intends to appoint to certain key positions, to provide for a study and report on improving the financial disclosure process for certain Presidential nominees, and for other purposes.

October 13, 2000:

H.J. Res. 111. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.R. 1162. An Act to designate the bridge on United States Route 231 that crosses the Ohio River between Maceo, Kentucky, and Rockport, Indiana, as the ''William H. Natcher Bridge.''

H.R. 1605. An Act to designate the Federal building and United States Courthouse located at 402 North Walnut Street in Harrison, Arkansas, as the ''J. Smith Henley Federal Building and United States Courthouse.''

H.R. 1800. An Act to amend the Violent Crime Control and Law Enforcement Act of 1994 to ensure that certain information regarding prisoners is reported to the Attorney General.

H.R. 2752. An Act to direct the Secretary of the Interior to sell certain public land in Lincoln County through a competitive process.

H.R. 2773. An Act to amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.

H.R. 4318. An Act to establish the Red River National Wildlife Refuge.

H.R. 4579. An Act to provide for the exchange of certain lands within the State of Utah.

H.R. 4583. An Act to extend the authorization for the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

H.R. 4642. An Act to make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes.

H.R. 4806. An Act to designate the Federal Building located at 1710 Alabama Avenue in Jasper, Alabama, as the ''Carl Elliott Federal Building.''

H.R. 5284. An Act to designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Customhouse.

October 17, 2000:

H.R. 1143. An Act to establish a program to provide assistance for programs to credit and other financial services for microenterprise in developing countries, and for other purposes.

H.R. 4365. An Act to amend the Public Health Service Act with respect to children's health.

H.R. 5362. An Act to increase the amount of fees charged to employers who are petitioners for the employment of H–1B non-immigrant workers, and for other purposes.

October 29, 2000:

H.R. 2302. An Act to designate the building of the United States Postal Service located at 307 Main Street in Johnson City, New York, as the ''James W. McCabe, Sr. Post Office Building.''

H.R. 2496. An Act to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

H.R. 2641. An Act to make technical corrections to title X of the Energy Policy Act of 1992.

H.R. 2778. An Act to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 2833. An Act to establish the Yuma Crossing National Heritage Area.

H.R. 2938. An Act to designate the facility of the United States Postal Service located at 424 South Michigan Street in South Bend, Indiana, as the ''John Brademas Post Office.''

H.R. 3030. An Act to designate the facility of the United States Postal Service located at 757 Warren Road in Ithaca, New York, as the ''Matthew F. McHugh Post Office.''

H.R. 3454. An Act to designate the United States post office located at 451 College Street in Macon, Georgia, as the ''Henry McNeal Turner Post Office.''

H.R. 3745. An Act to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa.

H.R. 3817. A act to dedicate the Big South Trail in the Commanche Peak Wilderness Area of Roosevelt National Forest in Colorado to the legacy of Jaryd Atadero.

H.R. 3909. An Act to designate the facility of the United States Postal Service located at 4601 South Cottage Grove Avenue, Chicago, Illinois, as the ''Henry W. McGee Post Office Building.''

H.R. 3985. An Act to redesignate the facility of the United States Postal Service located at 14900 Southwest 30th Street in Miramar, Florida, as the ''Vicki Coceano Post Office Building.''

H.R. 4157. An Act to designate the facility of the United States Postal Service located at 600 Lincoln Avenue in Pasadena, California, as the ''Matthew 'Mack' Robinson, Post Office Building.''

H.R. 4169. An Act to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building.''

H.R. 4226. An Act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest.

H.R. 4285. An Act to authorize the Secretary of Agriculture to convey certain administrative sites for National Forest System lands in the State of Texas, to convey certain National Forest System land to the New Waverly Gulf Coast Trades Center, and for other purposes.

H.R. 4286. An Act to provide for the establishment of the Cahaba River National Wildlife Refuge in Bibb County, Alabama.

H.R. 4435. An Act to clarify certain boundaries on the map relating to Unit NC–01 of the Coastal Barrier Resources System.

H.R. 4447. An Act to designate the facility of the United States Postal Service located at 919 West 34th Street in Baltimore, Maryland, as the ''Samuel H. Lacy, Sr. Post Office Building.''

H.R. 4448. An Act to designate the facility of the United States Postal Service located at 3500 Dolfield Avenue in Baltimore, Maryland, as the ''Judge Robert Bernard Watts, Sr. Post Office Building.''

H.R. 4449. An Act to designate the facility of the United States Postal Service located at 1908 North Ellamont Street in Baltimore, Maryland, as the ''Dr. Flossie McClain Dedmond Post Office Building.''

H.R. 4484. An Act to designate the facility of the United States Postal Service located at 500 North Washington Street in Rockville, Maryland, as the ''Everett Alvarez, Jr. Post Office Building.''

H.R. 4517. An Act to designate the facility of the United States Postal Service located at 24 Tsienneto Road in Derry, New Hampshire, as the ''Alan B. Shepard, Jr. Post Office Building.''

H.R. 4534. An Act to redesignate the facility of the United States Postal Service located at 114 Ridge Street, N.W. in Lenoir, North Carolina, as the ''James T. Broyhill Post Office Building.''

H.R. 4554. An Act to redesignate the facility of the United States Postal Service located at 1602 Frankford Avenue in Philadelphia, Pennsylvania, at the ''Joseph F. Smith Post Office Building.''

H.R. 4615. An Act to redesignate the facility of the United States Postal Service lo-

cated at 3030 Meredith Avenue in Omaha, Nebraska, as the ''Reverend J.C. Wade Post Office.''

H.R. 4658. An Act to designate the facility of the United States Postal Service located at 301 Green Street in Fayetteville, North Carolina, as the ''J.L. Dawkins Post Office Building.''

H.R. 4884. An Act to redesignate the facility of the United States Postal Service located at 200 West 2nd Street in Royal Oak, Michigan, as the ''William S. Broomfield Post Office Building.''

October 20, 2000:

H.J. Res. 114. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

October 23, 2000:

H.R. 4475. An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4975. An Act to designate the post office and courthouse located at 2 Federal Square, Newark, New Jersey, as the ''Frank R. Lautenberg Post Office and Courthouse.''

October 24, 2000:

H.R. 1509. An Act to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

H.R. 3201. An Act to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Carter G. Woodson Home in the District of Columbia as a National Historic Site, and for other purposes.

H.R. 3632. An Act to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes.

H.R. 3676. An Act to establish the Santa Rosa and San Jacinto Mountains National Monument in the State of California.

H.R. 4063. An Act to establish the Rosie the Riveter/World War II Home Front National Historical Park in the State of California, and for other purposes.

H.R. 4275. An Act to establish the Colorado Canyons National Conservation Area and the Black Ridge Canyons Wilderness, and for other purposes.

H.R. 4386. An Act to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes.

H.R. 4613. An Act to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program.

H.R. 5036. An Act to amend the Dayton Aviation Heritage Preservation Act of 1992 to clarify the areas included in the Dayton Aviation Heritage National Historical Park and to authorize appropriations for that park.

October 26, 2000:

H.J. Res. 115. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.J. Res. 116. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

October 27, 2000:

H.J. Res. 117. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.R. 34. An Act to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

H.R. 208. An Act to amend title 5, United States Code, to allow for the contribution of certain rollover distributions to accounts in the Thrift Savings Plan, to eliminate certain waiting-period requirements for participating in the Thrift Savings Plan, and for other purposes.

H.R. 1695. An Act to provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes.

H.R. 1715. An Act to extend and reauthorize the Defense Production Act of 1950.

H.R. 2296. An Act to amend the Revised Organic Act of the Virgin Islands to provide that the number of members on the legislative of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands, and for other purposes.

H.R. 2879. An Act to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have a Dream'' speech.

H.R. 2984. An Act to direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farewell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska.

H.R. 3235. An Act to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during nonschool hours.

H.R. 3236. An Act to authorize the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District, Utah, to use Weber Basin Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

H.R. 3292. An Act to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana.

H.R. 3468. An Act to direct the Secretary of the Interior to convey to certain water rights to Duchesne City, Utah.

H.R. 3577. An Act to increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho.

H.R. 3986. An Act to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington.

H.R. 4002. An Act to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger.

H.R. 4132. An Act to authorize grants for water resources research and technology institutes established under the Water Resources Research Act of 1984.

H.R. 4259. An Act to require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

H.R. 4389. An Act to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

H.R. 4635. An Act making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4681. An Act to provide for the adjustment of status of certain Syrian nationals.

H.R. 5107. An Act to make certain corrections in copyright law.

H.R. 5212. An Act to direct the American Folklife Center at the Library of Congress to establish a program to collect video and audio recordings of personal histories and testimonials of American war veterans, and for other purposes.

October 28, 2000:

H.J. Res. 118. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.R. 3244. An Act to combat trafficking in persons, especially into the sex trade, slavery, and involuntary servitude, to reauthorize certain Federal programs to prevent violence against women, and for other purposes.

H.R. 4461. An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

October 29, 2000:

H.J. Res. 119. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

October 30, 2000:

H.J. Res. 120. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.R. 707. An Act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes.

H.R. 1654. An Act to authorize appropriations for the national Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes.

H.R. 2348. An Act to authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins.

H.R. 2389. An Act to restore stability and predictability to the annual payments made to States and countries containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and for other purposes.

H.R. 2842. An Act to amend chapter 89 of title 5, United States Code, concerning the Federal Employees Health Benefits (FEHB) Program to enable the Federal Government to enroll an employee and his or her family in the FEHB Program when a State court orders the employee to provide health insurance coverage for a child of the employee but the employee fails to provide the coverage, and for other purposes.

H.R. 2883. An Act to amend the Immigration and Nationality Act to modify the provisions governing acquisition of citizenship by children born outside of the United States, and for other purposes.

H.R. 3767. An Act to amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under section 217 of such Act.

H.R. 3995. An Act to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government.

H.R. 4205. An Act to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

H.R. 4828. An Act to designate the Steens Mountain Wilderness Area and the Steens Mountain Cooperative Management and Pro-

tection Area in Harney County, Oregon, and for other purposes.

H.R. 5417. An Act to rename the Stewart B. McKinney Homeless Assistance Act as the ''McKinney-Vento Homeless Assistance Act.''

November 1, 2000:

H.J. Res. 121. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.J. Res. 122. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.R. 209. An Act to improve the ability of Federal agencies to license federally owned inventions.

H.R. 2607. An Act to promote the development of the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, to authorize appropriations for the Office of Space Commercialization, and for other purposes.

H.R. 2961. An Act to amend the Immigration and Nationality Act to authorize a 3-year pilot program under which the Attorney General may extend the period for voluntary departure in the case of certain nonimmigrant aliens who require medical treatment in the United States and were admitted under the visa waiver pilot program, and for other purposes.

H.R. 3069. An Act to authorize the Administrator of General Services to provide for redevelopment of the Southeast Federal Center in the District of Columbia.

H.R. 3671. An Act to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act to commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes.

H.R. 4068. An Act to amend the Immigration and Nationality Act to extend for an additional 3 years the special immigrant religious worker program.

H.R. 4110. An Act to amend title 44, United States Code, to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 2002 through 2005.

H.R. 4320. An Act to assist in the conservation of great apes by supporting and providing financial resources for the conservation programs of countries within the range of great apes and projects of persons with demonstrated expertise in the conservation of great apes.

H.R. 4835. An Act to authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, and for other purposes.

H.R. 4850. An Act to increase, effective as of December 1, 2000, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

H.R. 5164. An Act to amend title 49, United States Code, to require reports concerning defects in motor vehicle or tires or other motor vehicle equipment in foreign countries, and for other purposes.

H.R. 5234. An Act to amend the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of that Act to certain former spouses of deceased Hmong veterans.

November 3, 2000:

H.J. Res. 123. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

November 4, 2000:

H.J. Res. 84. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.J. Res. 124. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

November 6, 2000:

H.R. 468. An Act to establish the Saint Helena Island National Scenic Area.

H.R. 1725. An Act to provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

H.R. 3218. An Act to amend title 31, United States Code, to prohibit the appearance of Social Security account numbers on or through unopened mailings of checks or other drafts issued on public money in the Treasury.

H.R. 3657. An Act to provide for the conveyance of a small parcel of public domain land in the San Bernardino National Forest in the State of California, and for other purposes.

H.R. 3679. An Act to provide for the minting of commemorative coins to support the 2002 Salt Lake Olympic Winter Games and the programs of the United States Olympic Committee.

H.R. 4315. An Act to designate the facility of the United States Postal Service located at 3695 Green Road in Beachwood, Ohio, as the ''Larry Small Post Office Building.''

H.R. 4404. An Act to permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Service, to allow for waiver and indemnification in mutual law enforcement agreements between the National Park Service and a State or political subdivision when required by State law, and for other purposes.

H.R. 4450. An Act to designate the facility of the United States Postal Service located at 900 East Fayette Street in Baltimore, Maryland as the ''Judge Harry Augustus Cole Post Office Building.''

H.R. 4451. An Act to designate the facility of the United States Postal Service located at 1001 Frederick Road in Baltimore, Maryland, as the ''Frederick L. Dewberry, Jr. Post Office Building.''

H.R. 4625. An Act to designate the facility of the United States Postal Service located at 2108 East 38th Street in Erie, Pennsylvania, as the ''Gertrude A. Barber Post Office Building.''

H.R. 4786. An Act to designate the facility of the United States Postal Service located at 110 Postal Way in Carrollton, Georgia, as the ''Samuel P. Roberts Post Office Building.''

H.R. 4811. An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4957. An Act to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work.

H.R. 5083. An Act to extend the authority of the Los Angeles Unified School District to use certain park lands in the City of South Gate, California, which were acquired with amounts provided from the land and water conservation fund, for elementary school purposes.

H.R. 5157. An Act to amend title 44, United States Code, to ensure preservation of the records of the Freedmen's Bureau.

H.R. 5178. An Act to require changes in the bloodborne pathogens standard in effect under the Occupational Safety and Health Act of 1970.

H.R. 5273. An Act to clarify the intention of the Congress with regard to the authority of the United States Mint to produce numismatic coins, and for the other purposes.

H.R. 5314. An Act to amend title 10, United States Code, to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs.

November 7, 2000:

H.R. 1651. An Act to amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country, and for other purposes.

H.R. 2442. An Act to provide for the preparation of a Government report detailing injustices suffered by Italian Americans during World War II, and a formal acknowledgment of such injustices by the President.

H.R. 3646. An Act for the relief of certain Persian Gulf evacuees.

H.R. 4831. An Act to redesignate the facility of the United States Postal Service located at 2339 North California Avenue in Chicago, Illinois, as the ''Roberto Clemente Post Office.''

H.R. 4853. An Act to redesignate the facility of the United States Postal Service located at 1568 South Green Road in South Euclid, Ohio, as the ''Arnold C. D'Amico Station.''

H.R. 5229. An Act to designate the facility of the United States Postal Service located at 219 South Church Street in Odum, Georgia, as the ''Ruth Harris Coleman Post Office Building.''

November 9, 2000:

H.J. Res. 102. Joint resolution recognizing that the Birmingham Pledge has made a significant contribution in fostering racial harmony and reconciliation in the United States and around the world, and for other purposes.

H.R. 660. An Act for the private relief of Ruth Hairston by waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity.

H.R. 848. An Act for the relief of Sepandan Farnia and Farbod Farnia.

H.R. 1235. An Act to authorize the Secretary of the Interior to enter into contracts with the Solano County Water Agency, California, to use Solano Project facilities for impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

H.R. 2780. An Act to authorize the Attorney General to provide grants for organizations to find missing adults.

H.R. 2884. An Act to extend energy conservation programs under the Energy Policy and Conservation Act through fiscal year 2003.

H.R. 3184. An Act for the relief of Zohreh Farhang Ghahfarokhi.

H.R. 3414. An Act for the relief of Luis A. Leon-Molina, Ligia Padron, Rendy Leon Padron, Manuel Leon Padron, and Luis Leon Padron.

H.R. 4312. An Act to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing an Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes.

H.R. 4646. An Act to designate certain National Forest Service land within the boundaries of the State of Virginia as wilderness areas.

H.R. 4788. An Act to amend the United States Grain Standards Act to extend the authority of the Secretary of Agriculture to collect fees to cover the cost of services performed under that Act, extend the authorization of appropriations for that Act, and improve the administration of that Act, to reenact the United States Warehouse Act to require the licensing and inspection of ware-

houses used to store agricultural products and provide for the issuance of receipts, including electronic receipts, for agricultural products stored or handled in licensed warehouses, and for other purposes.

H.R. 4794. An Act to require the Secretary of the Interior to complete a resource study of the 600 mile route through Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia, used by George Washington and General Rochambeau during the American Revolutionary War.

H.R. 4846. An Act to establish the National Recording Registry in the Library of Congress to maintain and preserve sound recordings that are culturally, historically, or aesthetically significant, and for other purposes.

H.R. 4864. An Act to amend title 38, United States Code, to reaffirm and clarify the duty of the Secretary of Veterans Affairs to assist Claimants for benefits under laws administered by the Secretary, and for other purposes.

H.R. 4868. An Act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

H.R. 5110. An Act to designate the United States Courthouse located at 3470 12th Street in Riverside, California, as the ''George E. Brown, Jr., United States Courthouse.''

H.R. 5266. An Act for the relief of Saeed Razai.

H.R. 5302. An Act to designate the United States courthouse located at 1010 fifth Avenue in Seattle, Washington, as the ''William Kenzo Nakamura United States Courthouse.''

H.R. 5331. An Act to authorize the Frederick Douglass Gardens, Inc., to establish a memorial and gardens on Department of the Interior lands in the District of Columbia or its environs in honor and commemoration of Frederick Douglass.

H.R. 5388. An Act to designate a building proposed to be located within the boundaries of the Chincoteague National Wildlife Refuge, as the ''Herbert H. Bateman Education and Administrative Center.''

H.R. 5410. An Act to establish revolving funds for the operation of certain programs and activities of the Library of Congress, and for other purposes.

H.R. 5478. An Act to authorize the Secretary of the Interior to acquire by donation suitable land to serve as the new location for the home of Alexander Hamilton, commonly known as the Hamilton Grange, and to authorize the relocation of the Hamilton Grange to the acquired land.

November 13, 2000:

H.R. 782. An Act to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

H.R. 1444. An Act to authorize the Secretary of the Interior to establish a program to plan, design, and construct fish screens, fish passage devices, and related features to mitigate impacts on fisheries associated with irrigation system water diversions by local governmental entities in the Pacific Ocean drainage of the States of Oregon, Washington, Montana, and Idaho.

H.R. 1550. An Act to authorize appropriations for the United States Fire Administration, and for carrying out the Earthquake Hazards Reduction Act of 1977, for fiscal years 2001, 2002, and 2003, and for other purposes.

H.R. 2462. An Act to amend the Organic Act of Guam, and for other purposes.

H.R. 2498. An Act to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices.

H.R. 3388. An Act to promote environmental restoration around the Lake Tahoe basin.

H.R. 3621. An Act to provide for the posthumous promotion of William Clark of the Commonwealth of Virginia and the Commonwealth of Kentucky, co-leader of the Lewis and Clark Expedition, to the grade of captain in the Regular Army.

H.R. 5239. An Act to provide for increased penalties for violations of the Export Administration Act of 1979, and for other purposes.

November 15, 2000:

H.J. Res. 125. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.R. 4986. An Act to amend the Internal Revenue Code of 1986 to repeal the provisions relating to foreign sales corporations (FSCs) and to exclude extraterritorial income from gross income.

¶127.28 SENATE BILLS APPROVED

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the Senate of the following titles:

September 22, 2000:

S. 1027. An Act to reauthorize the participation of the Bureau of Reclamation in the Deschutes Resources Conservancy, and for other purposes.

S. 1117. An Act to establish the Corinth Unit of Shiloh National Military Park, in the vicinity of the city of Corinth, Mississippi, and in the State of Tennessee, and for other purposes.

S. 1374. An Act to authorize the development and maintenance of a multi-agency campus project in the town of Jackson, Wyoming.

S. 1937. An Act to amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for sales of electricity by the Bonneville Power Administration to joint operating entities.

S. 2869. An Act to protect religious liberty, and for other purposes.

October 2, 2000:

S. 1638. An Act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty.

S. 2460. An Act to authorize the payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda, and for other purposes.

October 6, 2000:

S. 430. An Act to amend the Alaska Native Claims Settlement Act to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes.

October 10, 2000:

S. 1295. An Act to designate the United States Post Office located at 3813 Main Street in East Chicago, Indiana, as the ''Lance Corporal Harold Gomez Post Office.''

S. 1324. An Act to expand the boundaries of the Gettysburg National Military Park to include the Wills House, and for other purposes.

October 12, 2000:

S. 704. An Act to amend title 18, United States Code, to combat the overutilization of prison health care services and control rising prisoner health care costs.

October 13, 2000:

S. 302. An Act for the relief of Kerantha Poole-Christian.

S. 366. An Act to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail.

S. 1794. An Act to designate the Federal courthouse at 145 East Simpson Avenue in Jackson, Wyoming, as the ''Clifford P. Hansen Federal Courthouse.''

October 17, 2000:

S. 1198. An Act to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes.

S. 2045. An Act to amend the Immigration and Nationality Act with respect to H–1B nonimmigrant aliens.

S. 2272. An Act to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997.

October 19, 2000:

S. 1236. An Act to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric project in the State of Idaho.

October 20, 2000:

S. 2231. An Act to amend the Public Health Service Act to revise and extend programs established under the Ryan White Comprehensive AIDS Resources Emergency Act of 1990, and for other purposes.

October 24, 2000:

S. 1849. An Act to designate segments and tributaries of White Clay, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.

October 27, 2000:

S. 624. An Act to authorize construction of the Fort Peck Reservation Rural Water System in the State of Montana, and for other purposes.

S. 2498. An Act to authorize the Smithsonian Institution to plan, design, construct, and equip laboratory, administrative, and support space to house base operations for the Smithsonian Astrophysical Observatory Submillimeter Array located on Mauna Kea at Hilo, Hawaii.

S. 2686. An Act to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes.

S. 3201. An Act to rename the National Museum of American Art.

October 30, 2000:

S. 1809. An Act to improve service systems for individuals with developmental disabilities, and for other purposes.

November 1, 2000:

S. 406. An Act to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of medicare, medicaid, and other third party payors, and to expand the eligibility under such program to other tribes and tribal organizations.

S. 1296. An Act to designate portions of the lower Delaware River and associated tributaries as a component of the National Wild and Scenic Rivers System.

S. 1402. An Act to amend title 38, United States Code, to increase the rates of educational assistance under the Montgomery GI Bill, to improve procedures for the adjustment of rates of pay for nurses employed by the Department of Veterans Affairs, to make other improvements in veterans educational assistance, health care, and benefits programs, and for other purposes.

S. 1455. An Act to enhance protections against fraud in the offering of financial assistance for college education, and for other purposes.

S. 1705. An Act to direct the Secretary of the Interior to enter into land exchanges to acquire from the private owner and to convey to the State of Idaho approximately 1,240 acres of land near the City of Rocks National Reserve, Idaho, and for other purposes.

S. 1707. An Act to amend the Inspector General Act of 1978 (5 U.S.C. App.) to provide that certain designated Federal entities shall be establishments under such Act, and for other purposes.

S. 2102. An Act to provide the Timbisha Shoshone Tribe a permanent land base within its aboriginal homeland, and for other purposes.

S. 2412. An Act to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 200, 2001, 2002, and 2003, and for other purposes.

S. 2917. An Act to settle land claims of the Pueblo of Santo Domingo.

November 6, 2000:

S. 614. An Act to provide for regulatory reform in order to encourage investment, business, and economic development with respect to activities conducted on Indian lands.

S. 2812. An Act to amend the Immigration and Nationality Act to provide a waiver of the oath of renunciation and allegiance for naturalization of aliens having certain disabilities.

S. 3062. An Act to modify the date on which the Mayor of the District of Columbia submits a performance accountability plan to Congress, and for other purposes.

November 7, 2000:

S. 501. An Act to address resource management issues in Glacier Bay National Park, Alaska.

S. 503. An Act designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''.

S. 835. An Act to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes.

S. 1088. An Act to authorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey certain land to the City of Sedona, Arizona for a wastewater treatment facility, and for other purposes.

S. 1211. An Act to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner.

S. 1218. An Act to direct the Secretary of the Interior to issue to the Landusky School District, without consideration, a patent for the surface and mineral estates of certain lots, and for other purposes.

S. 1275. An Act to authorize the Secretary of the Interior to produce and sell products and to sell publications relating to the Hoover Dam, and to deposit revenues generated from the sales into the Colorado River Dam fund.

S. 1586. An Act to reduce the fractionated ownership of Indian lands, and for other purposes.

S. 2300. An Act to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State.

S. 2719. An Act to provide for business development and trade promotion for Native Americans, and for other purposes.

S. 2950. An Act to authorize the Secretary of the Interior to establish the Sand Creek Massacre National Historic Site in the State of Colorado.

S. 3022. An Act to direct the Secretary of the Interior to convey certain irrigation facilities to the Nampa and Meridian Irrigation District.

November 9, 2000:

S. 484. An Act to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

S. 610. An Act to direct the Secretary of the Interior to convey certain land under the jurisdiction of the Bureau of Land Management in Washakie County and Big Horn County, Wyoming, to the Westside Irrigation District, Wyoming, and for other purposes.

S. 698. An Act to review the suitability and feasibility of recovering costs of high altitude rescues at Denali National Park and Preserve in the State of Alaska, and for other purposes.

S. 710. An Act to authorize a feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail.

S. 748. An Act to improve Native hiring and contracting by the Federal Government within the State of Alaska, and for other purposes.

S. 893. An Act to amend title 46, United States Code, to provide equitable treatment with respect to State and local income taxes for certain individuals who perform duties on vessels.

S. 1030. An Act to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws.

S. 1367. An Act to amend the Act which established the Saint-Gaudens National Historic Site, in the State of New Hampshire, by modifying the boundary and for other purposes.

S. 1438. An Act to establish the National Law Enforcement Museum on Federal land in the District of Columbia.

S. 1778. An Act to provide for equal exchanges of land around the Cascade Reservoir.

S. 1894. An Act to provide for the conveyance of certain land to Park County, Wyoming.

S. 2069. An Act to permit the conveyance of certain land in Powell, Wyoming.

S. 2425. An Act to authorize the Bureau of Reclamation to participate in the planning, design, and construction of the Bend Feed Canal Pipeline Project, Oregon, and for other purposes.

S. 2872. An Act to improve the cause of action for misrepresentation of Indian arts and crafts.

S. 2882. An Act to authorize the Bureau of Reclamation to conduct certain feasibility studies to augment water supplies for the Klamath Project, Oregon and California, and for other purposes.

S. 2951. An Act to authorize the Secretary of the Interior to conduct a study to investigate opportunities to better manage the water resources in the Salmon Creek watershed of the Upper Columbia River.

S. 2977. An Act to assist in the establishment of an interpretive center and museum in the vicinity of the Diamond Valley Lake in southern California to ensure the protection and interpretation of the paleontology discoveries made at the lake and to develop a trail system for the lake for use by pedestrians and nonmotorized vehicles.

November 13, 2000:

S. 700. An Act to amend the National Trails System Act to designate the Ala Kahakai Trail as a National Historic Trail.

S. 938. An Act to eliminate restrictions on the acquisition of certain land contiguous to Hawaii Volcanoes National Park, and for other purposes.

S. 964. An Act to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes.

S. 1474. An Act providing for conveyance of the Palmetto Bend project to the State of Texas.

S. 1482. An Act to amend the National Marine Sanctuaries Act, and for other purposes.

S. 1752. An Act to reauthorize and amend the Coastal Barrier Resources Act.

S. 1865. An Act to provide grants to establish demonstration mental health courts.

S. 2345. An Act to direct the Secretary of the Interior to conduct a special resource study concerning the preservation and public use of sites associated with Harriet Tubman located in Auburn, New York, and for other purposes.

S. 2413. An Act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify the procedures and conditions for the award of matching grants for the purchase of armor vests.

S. 2915. An Act to make improvements in the operation and administration of the Federal courts, and for other purposes.

¶127.29 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BECERRA, for today;

To Mr. DEFAZIO, for today and the balance of the week;

To Mr. DIXON, for today and the balance of the week;

To Mr. GUTKNECHT, for today and December 5; and

To Mr. PASTOR, for today after 6:15 p.m.

And then,

¶127.30 ADJOURNMENT

On motion of Mr. SIMPSON, at 8 o'clock and 31 minutes p.m., the House adjourned.

¶127.31 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BURTON: Committee on Government Reform. The Failure to Produce White House E-Mails: Threats, Obstructions, and Unanswered Questions (Rept. No. 106–1023). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform. Management Practices at the Office of Workers' Compensation Programs U.S. Department of Labor (Report 106–1024). Referred to the Committee of the Whole House on the State of the Union.

¶127.32 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHUSTER:

H.R. 5637. A bill to provide that an amount available for fiscal year 2001 for the Department of Transportation shall be available to reimburse certain costs incurred for clean-up of former Coast Guard facilities at Cape May, New Jersey, and to authorize the Coast Guard to transfer funds and authority for demolition and removal of a structure at former Coast Guard property in Traverse City, Michigan; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Michigan:

H.R. 5638. A bill to amend section 402 of the Federal Water Pollution Control Act to provide that States have the final authority to establish guidelines to determine which ani-

mal feeding operations are classified as concentrated animal feeding operations for purposes of the national pollutant discharge elimination system; to the Committee on Transportation and Infrastructure.

By Mr. MINGE:

H.R. 5639. A bill to authorize the payment of a gratuity to certain members of the Armed Forces who served at Bataan and Corregidor during World War II, or the surviving spouses of such members, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAUL (for himself, Mr. STUMP, Mr. METCALF, and Mr. SANFORD):

H. Con. Res. 443. Concurrent resolution expressing the sense of the Congress in reaffirming the United States of America as a republic; to the Committee on the Judiciary.

¶127.33 ADDITIONAL SPONSORS

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

H.R. 49: Mr. OXLEY and Mr. DEFAZIO.
H.R. 165: Ms. DELAURO.
H.R. 489: Mr. BARRETT of Wisconsin.
H.R. 2655: Mr. GOODE.
H.R. 2725: Mr. BOEHLERT.
H.R. 3981: Ms. KILPATRICK.
H.R. 4559: Mr. OWENS, Mr. WYNN, Mr. MCGOVERN, and Mrs. MALONEY of New York.
H.R. 5261: Mr. MCGOVERN.
H.R. 5345: Mr. MATSUI and Mr. CALVERT.
H.R. 5443: Mr. GREEN of Texas.
H.R. 5612: Mr. WEXLER, Mr. PASTOR, Mr. PRICE of North Carolina, Mr. GONZALEZ, Mr. DOYLE, Mr. FARR of California, Mrs. CAPPS, Ms. DEGETTE, Mrs. CHRISTENSEN, Ms. BROWN of Florida, Mr. LANTOS, Mr. WAXMAN, Mr. SANDLIN, Mr. LEWIS of Georgia, Mr. JEFFERSON, Mr. REYES, and Mr. NADLER.
H. Con. Res. 337: Mr. EDWARDS, Mr. PRICE of North Carolina, and Mr. ROTHMAN.
H. Con. Res. 341: Mr. ANDREWS.

¶127.34 PETITIONS, ETC.

Under clause 3 of rule XII,

121. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 583 of 2000 petitioning the New York State Thruway Authority to erect protective sound barriers along the stretch of the New York State Thruway on the northbound side from just east of Exit 14B to the place where the Thruway intersects with College Road, Monsey, New York in the Town of Ramapo; which was referred to the Committee on Transportation and Infrastructure.

TUESDAY, DECEMBER 5, 2000 (128)

¶128.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 9 o'clock a.m. by the SPEAKER pro tempore, Mrs. BIGGERT, who laid before the House the following communication:

WASHINGTON, DC,
December 5, 2000.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

Whereupon, pursuant to the order of the House of Tuesday, January 19, 1999, Members were recognized for ''morning-hour debate''.

¶128.2 RECESS—9:01 A.M.

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock 1 minute a.m. until 10 o'clock a.m.

¶128.3 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. LaHOOD, called the House to order.

¶128.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LaHOOD, announced he had examined and approved the Journal of the proceedings of Monday, December 4, 2000

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

¶128.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

11147. A letter from the Secretary, Department of Defense, transmitting the approved retirement and advancement to the grade of vice admiral on the retired list of Vice Admiral Daniel J. Murphy, Jr., United States Navy; to the Committee on Armed Services.

11148. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Consumer Protections for Depository Institution Sales of Insurance [Docket No. 2000–97] (RIN: 1550–AB34) received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11149. A letter from the Legislative and Regulatory Activities Division, Department of Treasury, Office of the Comptroller of the Currency, transmitting the Department's final rule—Consumer Protections for Depository Institution Sales of Insurance [Docket No. 00–26] (RIN: 1557–AB81) received November 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11150. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a transaction involving U.S. exports to India; to the Committee on Banking and Financial Services.

11151. A letter from the Director, Office of Management and Budget, transmitting a report on OMB Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

11152. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Irradiation in the Production, Processing, and Handling of Food [Docket No. 99F–1912] received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11153. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Secondary Direct Food Additives Permitted in Food for Human Consumption [Docket No. 00F–1332] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11154. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Primary Drinking Water Regulations; Radionuclides; Final Rule [FRL–6909–3] (RIN: 2040–AC98) received November 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11155. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Priorities List for Uncontrolled Hazardous Waste Sites [FRL–6910–4] received November 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11156. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Control of Emissions from New Nonroad Spark-Ignition Engines Rated above 19 Kilowatts and New Land-Based Recreational Spark-Ignition Engines [FRL–6907–5] (RIN: 2060–AI11) received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11157. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Excess Emissions During Startup, Shutdown, Malfunction and Maintenance [TX–130–1–7473a; FRL–6907–8] received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11158. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Petition By American Samoa for Exemption from Anti-Dumping Requirements for Conventional Gasoline [FRL–6908–8] (RIN: 2060–AI60) received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11159. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Partial Withdrawal of Direct Final Rule for Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, San Diego County Air Pollution Control District [CA 210–0266; FRL–6908–3] received November 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11160. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Georgia: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6907–3] received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11161. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Revision to the Alabama Department of Environmental Management (ADEM) Administrative Code for the Air Pollution Control Program [AL–054–200027(a); FRL–6910–6] received November 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11162. A letter from the Deputy Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's final rule—Options Price Reporting Authority [Release No. 34–43621; File No. 4–434] (RIN: 3235–AH92) received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11163. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 25–00 which constitutes a Request for Final Approval to conclude the Memorandum of Understanding with the United Kingdom for the Cooperative Framework for Engineering and Manufacturing Development (EMD) of the Joint Strike Fighter and the U.K. Supplement, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

11164. A letter from the Acting Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Blocked Persons, Specially Designated Nationals, Specially Designated Terrorists, Foreign Terrorist Organizations, and Specially Designated Narcotics

Traffickers: Additional Designations and Removals and Supplementary Information on Specially Designated Narcotics Traffickers, Foreign Terrorist Organizations—received November 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

11165. A letter from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting a report on actions to establish a council to promote greater investment in sub-Saharan Africa; to the Committee on International Relations.

11166. A letter from the Secretary, Department of Agriculture, transmitting the semiannual report of the Inspector General for the 6-month period ending September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11167. A letter from the Secretary, Department of Education, transmitting the semiannual report of the activities of the Office of Inspector General for the period April 1 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11168. A letter from the Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting the Department's final rule—Environment and Natural Resources Division Case and Related Files System, JUSTICE/ENRD–003—received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11169. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the Department's final rule—CaseLink Document Database for Office of Special Counsel—Waco, JUSTICE/OSCW–001—received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11170. A letter from the Deputy Administrator, Environmental Protection Agency, transmitting a report on the ''EPA's Inventory of Commercial Activities''; to the Committee on Government Reform.

11171. A letter from the Administrator, U.S. Agency for International Development, transmitting a report on Year 2000 A–76 Inventory for FY99; to the Committee on Government Reform.

11172. A letter from the Secretary, Judicial Conference of the United States, transmitting the Judicial Conference of the United States biennial report to the Congress on the continuing need for all authorized bankruptcy judgeships, pursuant to 28 U.S.C. 152(b)(2); to the Committee on the Judiciary.

11173. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Comments on Items for Year 2001 Published Guidance Priority List—received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11174. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Application of the Anti-Churning Rules for Amortization of Intangibles in Partnerships [TD 8907] (RIN: 1545–AX73) received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11175. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Stock Compensation Corporate Tax Shelter Notice—received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11176. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Trusts Not Considered Individuals for Purposes of Section 935—received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11177. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the level of coverage and expenditures for Religious Nonmedical Health Care Institutions (RNHCIs) under both Medicare and Medicaid for the previous fiscal year (FY); estimated levels of expenditure for the current FY; and, trends in those expenditure levels including an explanation of any significant changes in expenditure levels from previous years; jointly to the Committees on Ways and Means and Commerce.

¶128.6 PRIVATE CALENDAR

The SPEAKER pro tempore, Mr. LaHOOD, directed the Private Calendar to be called.

When,

¶128.7 BILL PASSED OVER

By unanimous consent, the bill of the following title was passed over without prejudice and retain its place on the Private Calendar:

S. 199. An Act for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko.

¶128.8 FURTHER CONTINUING APPROPRIATIONS FY 2001

On motion of Mr. YOUNG of Florida, pursuant to the order of the House of December 4, 2000, the House considered the joint resolution (H.J. Res. 126) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

Pursuant to the order of the House of December 4, 2000, the previous question was ordered.

The joint resolution was ordered to be emgrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, LaHOOD, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 378; Nays ..... 6 }

¶128.9 [Roll No. 600]

YEAS—378

Abercrombie
Ackerman
Aderholt
Andrews
Archer
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney

Toomey	Wamp	Wicker
Traficant	Watkins	Wilson
Turner	Watt (NC)	Wise
Udall (CO)	Watts (OK)	Wolf
Udall (NM)	Waxman	Wu
Upton	Weiner	Wynn
Velazquez	Weller	Young (AK)
Walden	Weygand	Young (FL)
Walsh	Whitfield	

NAYS—6

Barton	Dingell	Stupak
Costello	Paul	Visclosky

NOT VOTING—48

Allen	Gejdenson	Moakley
Armey	Gekas	Peterson (PA)
Barrett (NE)	Goode	Pomeroy
Bryant	Gutknecht	Rothman
Burton	Hill (MT)	Ryan (WI)
Chenoweth-Hage	Hoekstra	Sessions
Coburn	Hulshof	Spence
Deal	Jefferson	Stark
DeFazio	Johnson (CT)	Talent
Delahunt	Jones (NC)	Towns
DeLay	Klink	Vitter
Dickey	Lantos	Waters
Dixon	Lipinski	Weldon (FL)
Dooley	Lowey	Weldon (PA)
Doolittle	McDermott	Wexler
Edwards	Miller (FL)	Woolsey

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶128.10 AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY

Mr. LEACH moved to suspend the rules and pass the bill (H.R. 5640) to expand homeownership in the United States, and for other purposes.

The SPEAKER pro tempore, LaHOOD, recognized Mr. LEACH and Mr. LaFALCE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LaHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.11 HOUR OF MEETING

On motion of Mr. GANSKE, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 2 o'clock p.m. on Wednesday, December 6, 2000.

¶128.12 HOUR OF MEETING

On motion of Mr. GANSKE, by unanimous consent,

Ordered, That when the House adjourns on Wednesday, December 6, 2000, it adjourn to meet at 2 o'clock p.m. on Thursday, December 7, 2000.

¶128.13 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HILL of Montana, for today; and

To Mr. POMEROY, for today.

And then,

¶128.14 ADJOURNMENT

On motion of Mr. GANSKE, at 1 o'clock and 41 minutes p.m., the House adjourned.

¶128.15 TIME LIMITATION OF REFERRED BILL

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

H.R. 1689. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than December 7, 2000.

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than December 7, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than December 7, 2000.

H.R. 4144. Referral to the Committee on the Budget extended for a period ending not later than December 7, 2000.

H.R. 4548. Referral to the Committee on Education and the Workforce extended for a period ending not later than December 7, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than December 7, 2000.

H.R. 4725. Referral to the Committee on Education and the Workforce extended for a period ending not later than December 7, 2000.

H.R. 4857. Referral to the Committees on the Judiciary, Banking and Financial Services, and Commerce for a period ending not later than December 7, 2000.

H.R. 5130. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than December 7, 2000.

H.R. 5291. Referral to the Committee on Ways and Means extended for a period ending not later than December 7, 2000.

¶128.16 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LEACH (for himself and Mr. LAFALCE):

H.R. 5640. A bill to expand homeownership in the United States, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. WOLF:

H.R. 5641. A bill to establish a commission to review the Federal Aviation Administration; to the Committee on Transportation and Infrastructure.

By Mr. BONILLA (for himself, Mr. CUNNINGHAM, and Mr. SAM JOHNSON of Texas):

H. Con. Res. 444. Concurrent resolution expressing the sense of Congress that the right of all members of the uniformed services and their dependents to vote should be reaffirmed by having the Attorney General take all appropriate actions to protect those rights in the State of Florida; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶128.17 MEMORIALS

Under clause 3 of rule XII,

489. The SPEAKER presented a memorial of the Council of the District of Columbia, relative to Resolution 13–684, ''African-American Civil War Memorial Transfer of Jurisdiction Resolution of 2000''; to the Committee on Government Reform.

¶128.18 ADDITIONAL SPONSORS

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

H.R. 1322: Mr. GONZALEZ.

H.R. 1323: Mr. BURR of North Carolina.

H.R. 3272: Ms. ROYBAL-ALLARD.

H.R. 3433: Ms. CARSON, Mr. SMITH of Washington, and Mr. DEFAZIO.

H.R. 4874: Mr. KILDEE.

H.R. 4964: Mr. FRELINGHUYSEN.

H.R. 5116: Mr. STRICKLAND and Mr. DEFAZIO.

H.R. 5500: Mr. SAXTON.

H.R. 5631: Mr. GILLMOR, Mr. LAMPSON, Mr. MCGOVERN, Mr. HASTINGS of Florida, Mr. LANTOS, Ms. ESHOO, Mr. MINGE, Mr. FROST, Mr. CLEMENT, and Mr. FILNER.

H. Con. Res. 443: Mr. TANCREDO.

WEDNESDAY, DECEMBER 6, 2000 (129)

¶129.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication:

WASHINGTON, DC,
December 6, 2000.

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

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

¶129.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Tuesday, December 5, 2000.

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

¶129.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

11178. A letter from the Associate Administrator, Livestock and Seed Program, Department of Agriculture, transmitting the Department's final rule—Livestock and Grain Market News Branch: Livestock Mandatory Reporting [No. LS–99–18] (RIN: 0581–AB64) received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11179. A letter from the Associate Administrator, Agricultural Marketing Service, Dairy Programs, Department of Agriculture, transmitting the Department's final rule—Milk in the Tennessee Valley Marketing Area; Termination of the Order [DA–01–01] received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11180. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Irish Potatoes Grown in Washington; Exemption From Handling and Assessment Regulations for Potatoes Shipped for Experimental Purposes [Docket No. FV00–946–1 IFR] received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11181. A letter from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule—Seismic Safety (RIN: 0572–AB47) received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11182. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Animal Welfare; Perimeter Fence Requirements; Technical Amendment [Docket No. 95–029–3] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11183. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Brucellosis in Cattle; State and Area Classifications; South Dakota [Docket No. 00–103–1] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11184. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hydrogen Peroxide; Exemption from the Requirement of a Tolerance [OPP–301071; FRL–6748–5] (RIN: 2070–AB78) received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11185. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Peroxyacetic Acid; Exemption From the Requirement of a Tolerance [OPP–301068; FRL–6748–6] (RIN: 2070–AB78) received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11186. A letter from the Legislative and Regulatory Activities Division, Comptroller of the Currency Administrator of National Banks, Department of the Treasury, transmitting the Department's final rule—Assessment of Fees; National Banks; District of Columbia Banks (RIN: 1557–AB72) received December 1, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11187. A letter from the Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Human Services, transmitting the Department's final rule—Consortia of Public Housing Agencies and Joint Ventures [Docket No. FR–4474–F–02] (RIN: 2577–AC00) received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11188. A letter from the Secretary to the Board, Emergency Loan Guarantee Board, transmitting the Board's final rule—Emergency Steel Guarantee Loan Program; Commercial Lending Practices and Re-Opening of Period for Applications (RIN: 3003–ZA00) received December 1, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11189. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a report entitled, ''Merger Decisions''; to the Committee on Banking and Financial Services.

11190. A letter from the Assistant to the Board, Federal Reserve Board, transmitting the Board's final rule—Risk-Based Capital Guidelines; Market Risk Measure; Securities Borrowing Transactions [Regulation H and Y; Docket No. R–1087] received November 30,2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11191. A letter from the Secretary, Department of Education, transmitting the annual report of the National Advisory Committee on Institutional Quality and Integrity for Fiscal Year 2000, pursuant to 20 U.S.C. 1145(e); to the Committee on Education and the Workforce.

11192. A letter from the Secretary, Department of Education, transmitting the Twenty-second Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act; to the Committee on Education and the Workforce.

11193. A letter from the Secretary, Department of Energy, transmitting a comprehensive report on ''Replacement Fuel and Alternative Fuel Technical and Policy Analysis''; to the Committee on Commerce.

11194. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Immunology and Microbiology Devices; Classification of Anti-Saccharomyces cerevisiae (S. cerevisiae) Antibody (ASCA) Test Systems [Docket No. 00N–1565] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11195. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Final Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Ventura County Air Pollution District [CA 022–0239; FRL–6875–8] received December 1, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11196. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Grapeland, Texas) [MM Docket No. 00–151; RM–9942] (Elkhart, Texas) [MM Docket No. 00–152; RM–9943] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11197. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Scottsbluff, Nebraska) [MM Docket No. 00–140; RM–9916] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11198. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Redding, California) [MM Docket No. 00–115; RM–9884] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11199. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Mill Hall, Jersey Shore, and Pleasant Gap, Pennsylvania) [MM Docket No. 99–312; RM–9735] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11200. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Dozier, Alabama) [MM Docket No. 00–131; RM–9897] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11201. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Grapeland, Texas) [MM Docket No. 00–151; RM–9942] (Elkhart, Texas) [MM Docket No. 00–152; RM–9943] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11202. A letter from the Director, Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: TN–32 Revision (RIN: 3150–AG66) received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11203. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule—to incorporate in visa regulations a complementary rule to a recent amendment of the Schedule of Fees—received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

11204. A letter from the Director, Office of Administration, Executive Office of the President, transmitting the White House personnel report for the fiscal year 2000, pursuant to 3 U.S.C. 113; to the Committee on Government Reform.

11205. A letter from the Secretary, Department of the Interior, transmitting the semiannual report of the Inspector General for the period April 1, 2000, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Government Reform.

11206. A letter from the Acting Secretary, Department of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period April 1, 2000, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11207. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation: Business Ownership Representation [FRL–6912–2] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11208. A letter from the Administrator, General Services Administration, transmitting the semiannual report on the activities of the Department's Inspector General for the period April 1, 2000, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11209. A letter from the Chairman, International Trade Commission, transmitting the Semiannual report of the Inspector General of the U.S. International Trade Commission for the period of April 1, 2000, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11210. A letter from the Chairman, National Endowment for the Arts, transmitting the semiannual report of the Inspector General for the period April 1 through September 30, 2000; and the semiannual report on Final Action for the National Endowment for the Arts, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11211. A letter from the Chairman, Securities and Exchange Commission, transmitting the Office of Inspector General Semiannual Report to Congress and Management's Response for the period April 1, 2000 to September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11212. A letter from the Administrator, Small Business Administration, transmit-

ting the semiannual report of the Office of Inspector General for the period April 1 to September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11213. A letter from the Chairman, Board of Governors, United States Postal Service, transmitting the semiannual report on the activities of the Office of Inspector General for the period ending September 30, 2000; and the semiannual management report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11214. A letter from the Acting Assistant Secretary for Fish and Wildfife and Parks, Department of the Interior, transmitting the Department's final rule—Migratory Bird Hunting; Temporary Approval of Tin Shot as Nontoxic for Hunting Waterfowl and Coots During the 2000–2001 Season (RIN: 1018–AH67) received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11215. A letter from the Assistant Secretary of the Army,(Civil Works), Department of Defense, transmitting an Interim Feasibility Report and Integrated Environmental Assessment for JOHNSON Creek and the Upper Trinity River Basin in Arlington, Texas; to the Committee on Transportation and Infrastructure.

11216. A letter from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting the Department's final rule—Parts and Accessories Necessary for Safe Operation; Manufactured Home Tires [Docket No. FMCSA–97–2341] (RIN: 2126–AA65) received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11217. A letter from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting the Department's final rule—Motor Carrier Indentification Report [Docket No. FMCSA–2000–8209] (RIN: 2126–AA57) received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11218. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Market Segment Specialization Program; Auto Dealerships—received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11219. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Returns Relating to Payments of Qualified Tuition and Related Expenses; and Returns Relating to Payments of Interest on Education Loans—received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11220. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Balance Due and Refund Anticipation Loans Under sec. 7216—received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11221. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous—received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11222. A communication from the President of the United States, transmitting notification of his intention to modify the list of beneficiary developing countries under the Generalized System of Preferences, changing the designation of ''Western Samoa'' to ''Samoa'' submitted in accordance with section 502(f) of the Trade Act of 1974; (H. Doc. No. 106–318); to the Committee on Ways and Means and ordered to be printed.

¶129.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 5, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 5, 2000 at 3:23 p.m.

That the Senate Passed without amendment H.J. Res. 126.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶129.5 ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER pro tempore, Mr. PEASE, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled joint resolution on Tuesday, December 5, 2000:

H. J. Res. 126. An Act making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶129.6 RECESS—2:02 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 2 minutes p.m., subject to the call of the Chair.

¶129.7 AFTER RECESS—4:30 P.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶129.8 ORDER OF BUSINESS—CONSIDERATION OF H.J. RES. 127

On motion of Mr. ISAKSON, by unanimous consent,

Ordered, That it may be in order at any time without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 127) making further continuing appropriations for the fiscal year 2001, and for other purposes; that the joint resolution be considered as read for amendment; that the joint resolution be debatable for one hour, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit.

And then,

¶129.9 ADJOURNMENT

On motion of Mr. ISAKSON, at 4 o'clock and 31 minutes p.m., the House adjourned.

¶129.10 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SALMON (for himself, Mr. WELDON of Pennsylvania, Mr. KOLBE, Mr. GILMAN, Mr. BACHUS, Mr. LATOURETTE, Mr. CRANE, Mr. BARTLETT of Maryland, Mr. DELAY, Mr. FRELINGHUYSEN, Mr. ROYCE, Mr. SMITH of New Jersey, Mr. WATTS of Oklahoma, Mr. SHIMKUS, Mrs. FOWLER, Mr. REYNOLDS, Mr. HEFLEY, Mr. WAMP, Mr. TANCREDO, Mr. HANSEN, Mr. FOLEY, Mr. RYUN of Kansas, Mr. SCHAFFER, Mr. SKEEN, Mr. BALLENGER, Mr. COOK, Mr. HAYWORTH, Ms. HOOLEY of Oregon, Mr. KING, Mr. HILLEARY, Mr. PITTS, Mr. TIAHRT, Mr. NETHERCUTT, Mr. SOUDER, Mr. NEY, Mr. LOBIONDO, Mr. DOOLITTLE, Mr. GREENWOOD, Mrs. ROUKEMA, Mr. COMBEST, and Mr. DUNCAN):

H.R. 5642. A bill to prohibit a State from determining that a ballot submitted by an absent uniformed services voter was improperly or fraudulently cast unless the State finds clear and convincing evidence of fraud, and for other purposes; to the Committee on House Administration.

By Mr. BACHUS:

H.R. 5643. A bill to amend the Presidential Transition Act of 1963 to clarify the authority of the Administrator of General Services to provide services and facilities to Presidents-elect and Vice-Presidents-elect; to the Committee on Government Reform.

By Mr. YOUNG of Florida:

H.J. Res. 127. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

¶129.11 MEMORIALS

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

490. The SPEAKER presented a memorial of the Senate of the State of Ohio, relative to Senate Joint Resolution 11 memorializing the United States Congress to take the action necessary to propose, and submit to the several states for ratification, an amendment to the Constitution of the United States that would prohibit the desecration of the American flag; to the Committee on the Judiciary.

491. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Resolution 47 memorializing that the United States Congress prepare and submit to the several states an amendment to the Constitution of the United States to add a new article providing as follows: Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or a political subdivision, to levy or increase taxes; to the Committee on the Judiciary.

¶129.12 ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2706: Mr. BENTSEN.
H.R. 2900: Mr. INSLEE.
H.R. 3700: Mrs. MORELLA.
H.R. 4029: Ms. DELAURO.
H.R. 4825: Mrs. CLAYTON, Mr. FILNER, and Mr. LAHOOD.
H.R. 5585: Mr. OWENS, Mr. ROTHMAN, and Mr. INSLEE.
H. Con. Res. 441: Mrs. CHENOWETH-HAGE, Mr. STEARNS, Mr. SCHAFFER, Mr. TANCREDO, Mr. LOBIONDO, Mr. SAXTON, Mr. EVERETT, Mr. PITTS, Mr. BARTON of Texas, Mr. LATOURETTE, Mr. LARGENT, Mr. MCCOLLUM, Mr. ROHRABACHER, Mr. GARY MILLER of California, Mr. WELDON of Florida, Mr. CHAMBLISS, Mr. MILLER of Florida, Mr.

FALEOMAVAEGA, Mr. MCGOVERN, Mr. CONDIT, and Mr. MCINTYRE.

THURSDAY, DECEMBER 7, 2000 (130)

¶130.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. THORNBERRY, who laid before the House the following communication:

WASHINGTON, DC,
December 7, 2000.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

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

¶130.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. THORNBERRY, announced he had examined and approved the Journal of the proceedings of Wednesday, December 6, 2000.

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

¶130.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

11223. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fludioxonil; Extension of Tolerance for Emergency Exemptions [OPP–301083; FRL–6756–6] (RIN: 2070–AB78) received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11224. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Avermectin; Extension of Tolerance for Emergency Exemptions [OPP–301079; FRL–6754–5] (RIN: 2070–AB78) received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11225. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Aerospace Manufacturing and Rework Facilities [AD-FRL–6913–9] (RIN: 2060–A177) received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11226. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District [CA 224–0268; FRL–6908–1] received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11227. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio [OH–138–2; FRL–6914–7] received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11228. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Control of Emissions of Volatile Organic Compounds from Batch Processes, Industrial Wastewater and Service Stations [TX–121–1–7450a; FRL–6913–4] received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11229. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Eatonville, Wenatchee, Moses Lake, Spokane, and Newport, Washington) [MM Docket No. 98–74; RM–9269; RM–9736] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11230. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Review of the Commission's Broadcast and Cable Equal Employment Opportunity Rules and Policies [MM Docket No. 98–204] Termination of the EEO Streamlining Proceeding [MM Docket No. 96–16] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11231. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Rules and Regulations Under the Textile Fiber Products Identification Act; Rules and Regulations Under the Wool Products Labeling Act of 1939—received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11232. A letter from the Director, Regulations Policy and Management Staff, FDA, Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Paper and Paperboard Components [Docket No. 99F–1719] received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11233. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule—Interim rule; stay of regulation—received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

11234. A letter from the Chair, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period April 1, 2000, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11235. A letter from the Director, The Peace Corps, transmitting the semiannual report of the Peace Corps Inspector General for the period April 1, 2000, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11236. A letter from the Fisheries Biologist, Candidate Plus Team Leader, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Endangered and Threatened Species; Final Endangered Status for a Distinct Population Segment of Anadromous Atlantic Salmon (Salmo salar) in the Gulf of Maine [Docket No. 991108299–0313–02; I.D. 102299A] (RIN: 0648–XA39) received December 5, 2000; to the Committee on Resources.

11237. A letter from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule—Utilities [FHWA Docket No. FHWA–99–6232] (RIN: 2125–AE68) received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11238. A letter from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting the Administration's final rule—Small Business Size Standards; Health Care—received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

11239. A letter from the Deputy General Counsel, Office of Small Business Investment Companies, Small Business Administration, transmitting the Administration's final rule—Small Business Investment Companies—received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

11240. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Disclosure of Return Information to the Bureau of the Census [TD 8908] (RIN: 1545–AV84) received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11241. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Interest Rate—received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11242. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, First-out Inventories—received November 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11243. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—''Liable to Tax'' Treaty Residence Standard—received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11244. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Pension, Profit-Sharing, and Stock Bonus Plans—received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11245. A letter from the Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting the Agency's Annual Report to Congress on activities under the Denton Program for the period July 1, 1999, through June 30, 2000; jointly to the Committees on International Relations and Armed Services.

¶130.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3514. An Act to amend the Public Health Service Act to provide for a system for sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes.

H.R. 4281. An Act to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new or revised scientifically valid toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness.

H.R. 4827. An Act to amend title 18, United States Code, to prevent the entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, and for other purposes.

H.R. 5640. An Act to expand homeownership in the United States, and for other purposes.

The message also announced that the Senate has passed with amendments bills of the House of the following titles:

H.R. 4493. An Act to establish grants for drug treatment alternative to prison programs administered by State or local prosecutors.

H.R. 4640. An Act to make grants to States for carrying out DNA analyses for use in the Combined DNA Index System of the Federal Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain violent and sexual offenders for use in such system, and for other purposes.

H.R. 5630. An Act to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The message also announced that the Senate recedes from its amendments numbered 2 and 4 to the bill (H.R. 3048) ''An Act to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their families, and for other purposes''; and agrees to the amendment of the House to the amendment of the Senate numbered 5 to the above-entitled bill.

The message also announced that pursuant to Public Law 96–114, as amended, the Chair, on behalf of the Majority Leader, announces the appointment of the following individuals to the Congressional Award Board—Galen J. Reser, of Connecticut; and Rex B. Wackerle, of Virginia.

The message also announced that pursuant to Public Law 105–341, the Chair, on behalf of the Democratic Leader, announces the appointment of the following individual to the Women's Progress Commemoration Commission: Ann F. Lewis, of Maryland, vice Joan Doran Hedrick, of Connecticut.

¶130.5 FURTHER CONTINUING APPROPRIATIONS FY 2001

On motion of Mr. YOUNG of Florida, pursuant to the order of the House of December 6, 2000, the House considered the joint resolution (H. J. Res. 127) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

Pursuant to the order of the House of December 6, 2000, the previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 359 / Nays 11

¶130.6 [Roll No. 601]

YEAS—359

Abercrombie
Aderholt
Allen
Andrews
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Larson
Latham
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wolf
Wu
Wynn
Young (FL)

NAYS—11

Baird
Barton
Bonior
Capuano
Dingell
Miller, George
Paul
Stark
Stupak
Visclosky
Woolsey

NOT VOTING—62

Ackerman
Archer
Armey
Barr
Bilbray
Blagojevich
Bono
Boucher
Bryant
Chenoweth-Hage
Clay
Coburn
Costello
Danner
Davis (IL)
DeFazio
Diaz-Balart
Dickey
Dixon
Emerson
Filner
Fossella
Gallegly
Gillmor
Graham
Granger
Green (TX)
Hill (MT)
Hutchinson
Istook
Kasich
Kind (WI)
King (NY)
Kingston
Lantos
Largent
LaTourette
Lipinski
Martinez
McCarthy (NY)
McCrery
Miller (FL)
Miller, Gary
Ney
Packard
Peterson (PA)
Pickett
Price (NC)
Rogan
Ros-Lehtinen
Rush
Ryan (WI)
Sanford
Scarborough
Smith (MI)
Talent
Taylor (NC)
Thompson (MS)
Towns
Wicker
Wise
Young (AK)

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶130.7 FORENSIC SERVICES IMPROVMENT

On motion of Mr. McCOLLUM, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 3045) to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶130.8 DNA ANALYSES GRANTS

On motion of Mr. McCOLLUM, by unanimous consent, the bill (H.R. 4640) to make grants to States for carrying out DNA analyses for use in the Combined DNA Index System of the Federal

Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain violent and sexual offenders for use in such system, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Page 26, after line 6, insert:

SEC. 11. SENSE OF CONGRESS REGARDING THE OBLIGATION OF GRANTEE STATES TO ENSURE ACCESS TO POST-CONVICTION DNA TESTING AND COMPETENT COUNSEL IN CAPITAL CASES.

(a) FINDINGS.—Congress finds that—

(1) over the past decade, deoxyribo-nucleic acid testing (referred to in this section as ''DNA testing'') has emerged as the most reliable forensic technique for identifying criminals when biological material is left at a crime scene;

(2) because of its scientific precision, DNA testing can, in some cases, conclusively establish the guilt or innocence of a criminal defendant;

(3) in other cases, DNA testing may not conclusively establish guilt or innocence, but may have significant probative value to a finder of fact;

(4) DNA testing was not widely available in cases tried prior to 1994;

(5) new forensic DNA testing procedures have made it possible to get results from minute samples that could not previously be tested, and to obtain more informative and accurate results than earlier forms of forensic DNA testing could produce, resulting in some cases of convicted inmates being exonerated by new DNA tests after earlier tests had failed to produce definitive results;

(6) DNA testing can and has resulted in the post-conviction exoneration of more than 75 innocent men and women, including some under sentence of death;

(7) in more than a dozen cases, post-conviction DNA testing that has exonerated an innocent person has also enhanced public safety by providing evidence that led to the apprehension of the actual perpetrator;

(8) experience has shown that it is not unduly burdensome to make DNA testing available to inmates in appropriate cases;

(9) under current Federal and State law, it is difficult to obtain post-conviction DNA testing because of time limits on introducing newly discovered evidence;

(10) the National Commission on the Future of DNA Evidence, a Federal panel established by the Department of Justice and comprised of law enforcement, judicial, and scientific experts, has urged that post-conviction DNA testing be permitted in the relatively small number of cases in which it is appropriate, notwithstanding procedural rules that could be invoked to preclude such testing, and notwithstanding the inability of an inmate to pay for the testing;

(11) only a few States have adopted post-conviction DNA testing procedures;

(12) States have received millions of dollars in DNA-related grants, and more funding is needed to improve State forensic facilities and to reduce the nationwide backlog of DNA samples from convicted offenders and crime scenes that need to be tested or retested using upgraded methods;

(13) States that accept such financial assistance should not deny the promise of truth and justice for both sides of our adversarial system that DNA testing offers;

(14) post-conviction DNA testing and other post-conviction investigative techniques have shown that innocent people have been sentenced to death in the United States;

(15) a constitutional error in capital cases is incompetent defense lawyers who fail to present important evidence that the defendant may have been innocent or does not deserve to be sentenced to death; and

(16) providing quality representation to defendants facing the loss of liberty or life is essential to fundamental due process and the speedy final resolution of judicial proceedings.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress should condition forensic science-related grants to a State or State forensic facility on the State's agreement to ensure post-conviction DNA testing in appropriate cases; and

(2) Congress should work with the States to improve the quality of legal representation in capital cases through the establishment of standards that will assure the timely appointment of competent counsel with adequate resources to represent defendants in capital cases at each stage of those proceedings.

On motion of Mr. McCOLLUM, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶130.9 INTERSTATE TRANSPORTATION OF VIOLENT PRISONERS

On motion of Mr. McCOLLUM, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill (S. 1898) to provide protection against the risks to the public that are inherent in the interstate transportation of violent prisoners.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶130.10 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 127. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2415) entitled ''An Act to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.''

¶130.11 RECESS—5:02 P.M.

The SPEAKER pro tempore, Mr. HULSHOF, pursuant to clause 12 of rule I, declared the House in recess at 5 o'clock and 2 minutes p.m., subject to the call of the Chair.

¶130.12 AFTER RECESS—7:20 P.M.

The SPEAKER pro tempore, Mr. SESSIONS, called the House to order.

¶130.13 PROVIDING FOR THE CONSIDERATION OF H.R.

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 106–1025) the resolution (H. Res. 669) providing for consideration of the joint resolution (H.J. Res. 128) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶130.14 PROVIDING FOR THE CONSIDERATION OF H.R.

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 106–1026) the resolution (H. Res. 670) providing for consideration of the joint resolution (H.J. Res. 129) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶130.15 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. SESSIONS, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled bill during the recess today:

H.R. 2415. An Act to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.

¶130.16 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1066. An Act to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to encourage the use of and research into agricultural best practices to improve the environment, and for other purposes, to the Committee on Agriculture; in addition to the Committee on Science for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶130.17 ENROLLED JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.J. Res. 127. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶130.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DAVIS of Illinois, for today;

To Mr. FOSSELLA, for today; and

To Mr. KIND, for today.

And then,

¶130.19 ADJOURNMENT

On motion of Mr. HASTINGS of Washington, at 7 o'clock and 21 minutes p.m., the House adjourned.

¶130.20 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. LINDER: Committee on Rules. House Resolution 669. Resolution providing for consideration of the joint resolution (H.J. Res. 128) making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. No. 106–1025). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 670. Resolution providing for consideration of the joint resolution (H.J. Res. 129) making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. No. 106–1026). Referred to the House Calendar.

¶130.21 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. UPTON:

H.R. 5644. A bill to amend title 5, United States Code, to move the legal public holiday known as Washington's Birthday to election day in Presidential election years; to the Committee on Government Reform.

By Ms. KAPTUR:

H.R. 5645. A bill to establish a Commission for the comprehensive study of voting practices and procedures in Federal, State, and local elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 5646. A bill to amend titles XVIII and XIX of the Social Security Act to provide for increased accountablility of nursing facilities and adequate nurse staffing for patient needs in the facilities; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Florida:

H.J. Res. 128. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. YOUNG of Florida:

H.J. Res. 129. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. ENGEL:

H.J. Res. 130. A joint resolution proposing an amendment to the Constitution of the United States to provide a new procedure for appointment of Electors for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. ENGEL:

H.J. Res. 131. A joint resolution proposing an amendment to the Constitution of the United States to provide a new procedure for appointment of Electors for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. FROST (for himself, Mr. LAFALCE, Mr. LEACH, Ms. ROYBAL-ALLARD, and Mr. RODRIGUEZ):

H. Con. Res. 445. Concurrent resolution whereas Henry B. Gonzalez served his Nation and the people of the 20th District of Texas in San Antonio with honor and distinction for 37 years as a Member of the United States House of Representatives; to the Committee on House Administration.

¶130.22 ADDITIONAL SPONSORS

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

H.R. 1657: Mr. WEINER.
H.R. 2020: Mr. CALVERT.
H.R. 2720: Mr. CUNNINGHAM.
H.R. 4301: Mr. WELDON of Florida and Mr. BENTSEN.
H.R. 4633: Mr. SCHAFFER and Mr. MCHUGH.
H.R. 5172: Mrs. CAPPS.
H.R. 5306: Mr. MCKEON and Mr. BACHUS.
H.R. 5447: Mr. RAMSTAD.
H.R. 5500: Mr. LATOURETTE.
H.R. 5520: Mr. CONYERS, Mr. KILDEE, Mr. HOEKSTRA, Mr. BARCIA, Mr. DINGELL, Mr. BONIOR, Ms. RIVERS, Mr. KNOLLENBERG, Mr. UPTON, Mr. SMITH of Michigan, Mr. CAMP, Mr. EHLERS, Mr. LEVIN, Ms. STABENOW, and Ms. KILPATRICK.
H.R. 5612: Ms. BERKLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RODRIGUEZ, Ms. NORTON, and Mr. KILDEE.
H.R. 5624: Mr. MCGOVERN, Mr. MCNULTY, and Mr. FROST.
H.R. 5642: Mr. GARY MILLER of California, Mr. HORN, Mr. EHRLICH, Mr. BILIRAKIS, Mr. BARR of Georgia, and Mrs. KELLY.
H.R. 5643: Mr. TANCREDO.
H.J. Res. 23: Mr. MCNULTY, Mr. BOUCHER, Mr. EVANS, and Mr. MINGE.
H. Con. Res. 337: Ms. EDDIE BERNICE JOHNSON of Texas.
H. Res. 461: Mr. LEWIS of Georgia, Mr. TALENT, and Mr. BLUMENAUER.

¶130.23 PETITIONS, ETC.

Under clause 3 of rule XII,

122. The SPEAKER presented a petition of a Citizen of Austin, Texas, relative to petitioning the United States Congress to enact legislation mandating uniform ballots nationwide for elections at which the office of President of the United States, U.S. Senator, or U.S. Representative, are to be decided by voters; further providing partial Federal reimbursement to states, or localities, for the costs of administering those elections at which any Federal office is to be filled by voters; and finally requiring that absentee ballots involving any Federal office be in the possession of election officials no later than the actual date of the election; which was referred to the Committee on House Administration.

FRIDAY, DECEMBER 8, 2000 (131)

The House was called to order by the SPEAKER.

¶131.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, December 7, 2000.

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

¶131.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

11246. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of VOC and NOx RACT Determinations for Individual Sources [PA–4096a; FRL–6577–9] received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11247. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Arizona State Implementation Plan Revision, Pinal County Air Quality Control District and Pinal-Gila Counties Air Quality Control District [AZ 063–0020a; FRL–6839–9] received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11248. A letter from the Lieutenant General, Director, Defense Security Cooperation Agency, transmitting the listing of all outstanding Letters of Offer to sell any major defense equipment for $1 million or more; the listing of all Letters of Offer that were accepted, as of September 30, 2000, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

11249. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting a report authorizing the transfer of up to $100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104–107, section 540(c) (110 Stat. 736); to the Committee on International Relations.

11250. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Export and Import of Nuclear Equipment and Materials (RIN: 3150–AG51) received November 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

11251. A letter from the Chair, Christopher Columbus Fellowship Foundation, transmitting a report on the Foundation's Fiscal Year 2000 audit and investigative activities pursuant to the Inspector General Act; to the Committee on Government Reform.

11252. A letter from the Chief Executive Officer, Corporation For National Service, transmitting the Inspector General's Semi-Annual Report to Congress covering the period April 1, 2000 through September 30, 2000 along with the Corporation's Report on Final Action, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11253. A letter from the Writer/Editor/Webmaster, National Science Foundation, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11254. A letter from the The Administrator, U.S. Agency For International Development, transmitting the Office of Inspector General's Semiannual Report to Congress for the period ending September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11255. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulations: Savannah, GA [COTP SAVANNAH–00–098] (RIN: 2115–AA97) received November 30, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11256. A letter from the Assistant Chief Counsel for Legislation and Regulations, Federal Transit Administration, Department of Transportation, transmitting the Department's ''Major'' final rule—Major Capital Investment Projects [Docket No. FTA 99–5474] (RIN: 2132–AA63) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11257. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Algona, IA

[Airspace Docket No. 00–ACE–34] received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11258. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 2000–NM–91–AD; Amendment 39–11936; AD 2000–21–04] (RIN: 2120–AA64) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11259. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Turbomeca Arriel 1 Series Turboshaft Engines; Correction [Docket No. 2000–NE–11–AD; Amendment 39–11912; AD 2000–20–01] (RIN: 2120–AA64) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11260. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Fayetteville, AR [Airspace Docket No. 2000–ASW–17] received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11261. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Treatment of Loans with Below-Market Interest Rates—received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11262. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Research Credit-Suspension Period—received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11263. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous—received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11264. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Special Rules for Certain Transactions Where Stated Principal Amount Does Not Exceed $2,800,000—received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶131.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 5461. An Act to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning.

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 439) ''An Act to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada.''

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 1694) ''An Act to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii.''

¶131.4 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 128

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 669):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 128) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶131.5 FURTHER CONTINUING APPROPRIATIONS FY 2001

On motion of Mr. YOUNG of Florida, pursuant to House Resolution 669, the House considered the joint resolution (H. J. Res. 128) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

Pursuant to House Resolution 669, the previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 284 / Nays ..... 37 }

¶131.6 [Roll No. 602]

YEAS—284

Abercrombie
Aderholt
Allen
Andrews
Armey
Bachus
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Bonilla
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clyburn
Coble
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Cummings
Davis (FL)
Davis (VA)
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
English
Etheridge
Evans
Everett
Ewing
Fletcher
Foley
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hilleary
Hilliard
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kelly
Kildee
Kind (WI)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
Lampson
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McGovern
McHugh
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Pallone
Pascrell
Pastor
Payne
Pease
Peterson (MN)
Pickering
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Roukema
Roybal-Allard
Royce
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Schaffer
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wilson
Wolf
Wu
Wynn
Young (FL)

NAYS—37

Baird
Baldwin
Barton
Bonior
Brown (OH)
Capuano
Conyers
Coyne
DeGette
DeLauro
Dingell
Farr
Ford
Hinchey
Jackson-Lee (TX)
Johnson, E. B.
Kennedy
Kilpatrick
Lowey
McDermott
Mink
Oberstar
Obey
Olver
Owens
Paul
Pelosi
Sanders
Schakowsky
Scott
Stark
Strickland
Stupak
Thurman
Visclosky
Waters
Woolsey

NOT VOTING—111

Ackerman
Archer
Baca
Baker
Bartlett
Becerra
Berman
Bilbray
Blagojevich
Boehner
Bono
Borski

Brady (PA)	Greenwood	Miller, George
Bryant	Hall (OH)	Neal
Burton	Hansen	Oxley
Chenoweth-Hage	Hastings (FL)	Packard
Clay	Hefley	Peterson (PA)
Clement	Hill (MT)	Petri
Coburn	Hinojosa	Phelps
Costello	Houghton	Pickett
Cramer	Hoyer	Pomeroy
Crowley	Hyde	Rogan
Cubin	John	Rohrabacher
Cunningham	Kaptur	Ros-Lehtinen
Danner	Kasich	Rothman
Davis (IL)	King (NY)	Rush
Deal	Kingston	Ryan (WI)
DeFazio	LaFalce	Sanford
Delahunt	LaHood	Scarborough
Dickey	Lantos	Shuster
Dixon	Largent	Smith (WA)
Ehrlich	Lewis (CA)	Talent
Emerson	Lewis (GA)	Tancredo
Engel	Lipinski	Taylor (NC)
Eshoo	Lofgren	Thompson (MS)
Fattah	Martinez	Tierney
Filner	McCarthy (NY)	Towns
Forbes	McCollum	Wamp
Fossella	McCrery	Watkins
Fowler	McInnis	Waxman
Gallegly	McIntosh	Weiner
Gejdenson	McKinney	Weygand
Gillmor	Meehan	Wicker
Graham	Miller (FL)	Wise
Granger	Miller, Gary	Young (AK)

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶131.7 ADJOURNMENT OVER

On motion of Mr. WALDEN, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, December 11, 2000, at 5 o'clock p.m.

¶131.8 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. WALDEN, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, December 13, 2000, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶131.9 THE LATE HONORABLE JULIAN C. DIXON

Mr. STARK submitted the following privileged resolution (H. Res. 671):

Resolved, That the House has heard with profound sorrow of the death of the Honorable Julian C. Dixon, a Representative from the State of California.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of applicable accounts of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

When said resolution was considered.

After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection and, under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶131.10 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 2903. An Act to reauthorize the Striped Bass Conservation Act, and for other purposes.

H.J. Res. 128. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶131.11 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3048. An Act to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their families, and for other purposes.

H.R. 3514. An Act to amend the Public Health Service Act to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes.

H.R. 4281. An Act to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new or revised scientifically valid toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness.

H.R. 4640. An Act to make grants to States for carrying out DNA analyses for use in the Combined DNA Index System of the Federal Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain violent and sexual offenders for use in such system, and for other purposes.

H.R. 4827. An Act to amend title 18, United States Code, to prevent the entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, and for other purposes.

H.J. Res. 128. Joint resolution making continuing appropriations for the fiscal year 2001, and for other purposes.

¶131.12 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1972. An Act to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

S. 2594. An Act to authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of non-project water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

S. 3137. An Act to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

¶131.13 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BACA, for today;

To Mr. BECERRA, for today;

To Mr. DAVIS of Illinois, for today;

To Mr. FOSSELLA, for today;

To Mr. HILL of Montana, for December 7 and today; and

To Mr. ROHRABACHER, for today through December 13.

And then,

¶131.14 ADJOURNMENT

On motion of Mr. STARK, pursuant to the provisions of House Resolution 671, at 12 o'clock and 10 minutes p.m., the House adjourned out of respect for the late Honorable Julian C. Dixon until 5 o'clock p.m., Monday, December 11, 2000.

¶131.15 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LAMPSON (for himself, Mrs. MORELLA, and Mr. RODRIGUEZ):

H.R. 5647. A bill to establish the Federal Elections Review Commission to study the nature and consequences of the Federal electoral process and make recommendations to ensure the integrity of, and public confidence in, Federal elections; to the Committee on House Administration.

By Mr. LATOURETTE:

H.R. 5648. A bill to delay any legal effect or implementation of a notice of rights and request for disposition form of the Immigration and Naturalization Service if an alien admits to being in the United States illegally, gives up the right to a hearing before departure, and requests to return to his country without a hearing; to the Committee on the Judiciary.

By Mr. OBEY (for himself, Mr. KIND, and Ms. BALDWIN):

H.R. 5649. A bill to require the Secretary of Agriculture to make emergency market loss payments to dairy producers for any month in which the national average price for Class III milk under Federal milk marketing orders is less than a target price of $11.50 per hundredweight; to the Committee on Agriculture.

By Mr. ROMERO-BARCELÓ:

H.R. 5650. A bill to declare certain Federal lands in the Commonwealth of Puerto Rico as excess, and for other purposes; to the Committee on Armed Services.

By Mr. ROMERO-BARCELÓ:

H.R. 5651. A bill to convey certain Federal lands to the Commonwealth of Puerto Rico, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREEN of Texas:

H.J. Res. 132. A joint resolution proposing an amendment to the Constitution of the

United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. STARK:

H. Res. 671. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Julian C. Dixon, a Representative from the State of California; considered and agreed to

By Mr. GREEN of Texas:

H. Res. 672. A resolution expressing the sense of the House of Representatives that the private-sector distributors of the influenza vaccine should give priority to distributing the available vaccine to those people at a high risk of developing complications from an influenza infection; to the Committee on Commerce.

¶131.16 ADDITIONAL SPONSORS

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

H.R. 5642: Mr. MCKEON and Mr. GUTKNECHT.
H.J. Res. 131: Mr. MCNULTY.

¶131.17 PETITIONS, ETC.

Under clause 3 of rule XII,

123. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 604 of 2000 petitioning the United States Congress to condemn the murder of the two Israeli soldiers by a mob while in the custody of the Palestinian Authority at Ramallah, and urges President William Jefferson Clinton to strongly condemn this atrocity and the violence which engendered it and to use all the resources of the United States government to restore a situation of peace and security in the Middle East; which was referred to the Committee on the Judiciary.

MONDAY, DECEMBER 11, 2000 (132)

¶132.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication:

WASHINGTON, DC,
December 11, 2000.

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

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

¶132.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Friday, December 8, 2000.

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

¶132.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

11265. A letter from the Acting Chief, Division of General and International Law, Maritime Administration, Department of Transportation, transmitting the Department's final rule—Statistical Data for Use in Operating-Differential Subsidy Application Hearings [Docket No. MARAD–2000–8464] (RIN: 2133–AB43) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

11266. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Risk-Based Capital Guidelines; Market Risk Measure; Securities Borrowing Transactions [Docket No. 00–28] (RIN: 1557–AB14) received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11267. A letter from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting the Department's final rule—Uniform Physical Condition Standards and Physical Inspection Requirements for Certain HUD Housing; Administrative Process for Assessment of Insured and Assisted Properties [Docket No. FR–4452–F–02] (RIN: 2501–AC45) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11268. A letter from the Secretary, Department of Education, transmitting Historically Black Colleges and Universities for the 21st Century: Annual Report of the President's Board of Advisors on Historically Black Colleges and Universities; March 1999; to the Committee on Education and the Workforce.

11269. A letter from the Acting Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—Special Demonstration Programs—received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11270. A letter from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—Special Demonstration Programs—received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11271. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Listing of Color Additives Exempt From Certification; Luminescent Zinc Sulfide; Correction [Docket No. 97C–0415] received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11272. A letter from the Deputy Associate Administrator, Emvironmental Protection Agency, transmitting the Agency's final rule—Alabama: Final Authorization of State Hazardous Waste Management Program Revisions [FRL–6915–8] received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11273. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: NAC-UMS Revision (RIN: 3150–AG57) received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11274. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 26–00 which constitutes a Request for Final Approval for the Project Arrangement (PA) on Tactical Endurance Synthetic Aperture Radar (TESAR) Upgrade, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

11275. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11276. A letter from the Inspector General, Federal Housing Finance Board, transmitting the semiannual report on the activities of the Office of Inspector General ending September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11277. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the semiannual report on the activities of the Inspector General for the period ending September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11278. A letter from the Chairman, National Credit Union Administration, transmitting the semiannual report on the activities of the Office of Inspector General for April 1, 2000 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11279. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the semiannual report on the activities of the Office of Inspector General of the National Labor Relations Board for the period April 1, 2000 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11280. A letter from the Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Tribal Self-Governance (RIN: 1076–AD21) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11281. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 991008273–0070–02; I.D. 111600A] received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11282. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for New York [Docket No. 000119014–0137–02; I.D. 113000D] received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11283. A letter from the Director, Management and Budget Office, National Ocean Service, National Oceanic Atmospheric Administration, transmitting the Administration's final rule—Announcement of Funding Opportunity for research project grants [Docket No. 000913258–0258–01; I.D. No. 091100C] (RIN: 0648–ZA93) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11284. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Rules of Practice and Procedure [Docket No. 00–33] (RIN: 1557–AB88) received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11285. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Asylum Procedures [INS Order No. 1865–97; AG Order No. 2340–2000] (RIN: 1115–AE93) received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11286. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final

rule—Interim rule; stay of regulation—received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11287. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—VISAS: Immigrant Religious Workers—received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11288. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFE Company CFE738–1–1B Turbofan Engines [Docket No. 2000–NE–40–AD; Amendment 39–11942; AD 2000–21–10] (RIN: 2120–AA64) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11289. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of the Dimensions of the Grand Canyon National Park Special Flight Rules Area and Flight Free Zones [Docket No. FAA–1999–5926] (RIN: 2120–AG74) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11290. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Commercial Routes for the Grand Canyon National Park—received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11291. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Neches River, TX [CGD08–00–026] (RIN: 2115–AE47) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11292. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Sabine Lake, Texas [CGD08–00–027] received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11293. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Boynton Beach Boulevard Bridge, Atlantic Intracoastal Waterway, Boynton Beach, FL [CGD07–00–109] received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11294. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Service Difficulty Reports [Docket No. 28293 (FAA–2000–7952)] (RIN: 2120–AF71) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11295. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Mystic River, CT [CGD01–00–247] (RIN: 2115–AE47) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11296. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, mile 1084.6, Miami, FL [CGD07–00–106] (RIN: 2115–AE47) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11297. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30216; Amdt. No. 2023] received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11298. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW2000 Series Turbofan Engines [Docket No. 98–ANE–61–AD; Amendment 39–11941; AD–2000–21–09] (RIN: 2120–AA64) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11299. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT8D Series Turbofan Engines [Docket No. 99–NE–29–AD; Amendment 39–11952; AD 2000–22–06] (RIN: 2120–AA64) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11300. A letter from the Director, Office of the Assistant Secretary for Administration, Department of Agriculture, transmitting the Department's final rule—Department of Agriculture Priorities and Administrative Guidelines for Donation of Excess Research Equipment (RIN: 0599–AA06) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

11301. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Outer Burial Receptacles (RIN: 2900–AJ49) received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

11302. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—Export Certificates For Lamb Meat Subject To Tariff-Rate Quota (RIN: 1515–AC54) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11303. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—Amended BOND Procedures For Articles Subject To An Exclusion Order Issued By The U.S. International Trade Commission (RIN: 1515–AC43) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11304. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Material Management and Accounting Systems [DFARS Case 2000–D003] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11305. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Profit Incentives to Produce Innovative New Technologies [DFARS Case 2000–D300] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11306. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Federal Employment Tax Deposits—De Minimis Rule [TD 8909] (RIN: 1545–AY46) received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11307. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit or abatement; determination of correct tax liability—received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11308. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Clarifications of Qualified Intermediary Agreement Provisions and Procedures—received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11309. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability—received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶132.4 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 129

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 670):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 129) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶132.5 FURTHER CONTINUING APPROPRIATIONS FY 2001

On motion of Mr. YOUNG of Florida, pursuant to House Resolution 670, the House considered the joint resolution (H. J. Res. 129) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

Pursuant to the House Resolution 670, the previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was

passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶132.6 INTELLIGENCE AUTHORIZATION FY 2001

On motion of Mr. GOSS, by unanimous consent, the bill (H.R. 5630) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Page 3, in the table of contents, strike out ''Sec. 501. Contracting authority for the National Reconnaissance Office.''

Page 3, in the table of contents, strike out ''502'' and insert ''501''.

Page 3, in the table of contents, strike out ''503'' and insert ''502''.

Page 48, strike out lines 4 through 16.

Page 48, line 17, strike out ''502'' and insert ''501''.

Page 49, line 7, strike out ''503'' and insert ''502''.

On motion of Mr. GOSS, said Senate amendments were agreed to.

A motion to reconsider the vote whereby said Senate amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶132.7 ADJOURNMENT OVER

On motion of Mr. LAHOOD, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday, December 13, 2000, at 2 o'clock p.m.

¶132.8 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 387

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Julian C. Dixon, late a Representative from the State of California.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns or recesses today, it stand adjourned or recessed as a further mark of respect to the memory of the deceased Representative.

The message also announced that the Senate has passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 5528. An Act to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes.

H.J. Res. 129. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

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

S. Con. Res. 161. Concurrent resolution to correct the enrollment of H.R. 5528.

¶132.9 ENROLLED JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 129. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶132.10 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. FILNER, for today and the balance of the week; and

To Mr. UNDERWOOD, for today and the balance of the week.

And then,

¶132.11 ADJOURNMENT

On motion of Mr. WATT of North Carolina, pursuant to the special order heretofore agreed to, at 7 o'clock and 6 minutes p.m., the House adjourned until 2 o'clock p.m. on Wednesday, December 13, 2000.

¶132.12 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TALENT (for himself and Ms. VELÁZQUEZ):

H.R. 5652. A bill to provide for reauthorization of small business loan and other programs, and for other purposes; to the Committee on Small Business.

By Mr. HUTCHINSON:

H.R. 5653. A bill to establish a grant program to assist State and local governments with improving the administration of elections through activities which may include the modernization of voting procedures and equipment, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶132.13 ADDITIONAL SPONSORS

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

H.R. 2774: Mr. BENTSEN.

H.R. 3463: Mr. MCGOVERN.

H.R. 5179. Mr. KILDEE.

H.R. 5613: Mr. KASICH and Mr. BURR of North Carolina.

H.R. 5631: Ms. RIVERS, Mr. ISAKSON, Mr. HORN, Mr. MCNULTY, Mr. BENTSEN, and Mr. UDALL of Colorado.

H.R. 5642: Mr. GEKAS, Mr. NORWOOD, Mr. CUNNINGHAM, and Mr. JONES of North Carolina.

H.R. 5647: Ms. MILLENDER-MCDONALD.

WEDNESDAY, DECEMBER 13, 2000 (133)

¶133.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication:

WASHINGTON, DC,
December 13, 2000.

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

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

¶133.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Monday, December 11, 2000.

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

¶133.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

11310. A letter from the Deputy Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Food Stamp Program: Noncitizen Eligibility, and Certification Provisions of Pub. L. 104–193, as Amended by Public Laws 104–208, 105–33 and 105–185 (RIN: 0584–AC40) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11311. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Implementation of the Special Apple Loan Program and Emergency Loan for Seed Producers Program (RIN: 0560–AG23) received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11312. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Specifically Approved States Authorized To Receive Mares and Stallions Imported from Regions where CEM Exists [Docket No. 00–115–1] received December 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11313. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Change in Disease Status of Artigas, Uruguay, Because of Rinderpest and Foot-and-Mouth Disease [Docket No. 00–111–1] received December 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11314. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Modified Styrene-Acrylic Acid and/or Methacrylic Acid Polymers; Tolerance Exemption [OPP–301081; FRL–6755–7] (RIN: 2070–AB78) received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11315. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Technical Amendments [No. 2000–102] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11316. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Consumer Protections for Depository Institution Sales of Insurance—received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11317. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Risk-Based Capital Guidelines; Market Risk Measure; Securities Borrowing Transactions (RIN: 3064–AC46) received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11318. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11319. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–D–7505] received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11320. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–B–7406] received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11321. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7747] received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11322. A letter from the Director, Office of Management and Budget, transmitting a report on the OMB Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

11323. A letter from the Director, Office of Management and Budget, transmitting a report on the OMB Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

11324. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Premium Rates; Payment of Premiums (RIN: 1212–AA58) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11325. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting the Department's final rule—Acquisition Regulations; Costs Associated With Whistleblower Actions (RIN: 1991–AB36) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11326. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting the Department's final rule—Acquisition Regulations: Revision of Patent Regulations Relating to DOE Management and Operating Contracts (RIN: 1991–AB55) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11327. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Toxic Substances Control Act Test Guidelines [OPPTS–42211; FRL–6551–2] (RIN: 2070–AD16) received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11328. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry [AD–FRL–6917–1] (RIN: 2060–AH74) received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11329. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Plans; Illinois; Post-1996 Rate Of Progress Plan for the Chicago Ozone Nonattainment Area [IL64–2; FRL–6917–7] received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11330. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Revisions to Stage II Vapor Recovery Program [MA078–01–7211b; A–1–FRL] received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11331. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Santa Barbara and Ventura County Air Pollution Control Districts [CA 238–0256a; FRL–6895–7] received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11332. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Full Approval of Operating Permits Program: The U.S. Virgin Islands [VI002; FRL–6916–9] received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11333. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Nitrogen Oxides Budget Program [MD 096–3061; FRL–6916–8] received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11334. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Interim Approval of the Operating Permits Program; Approval of State Implementation Plan Revision for the Issuance of Federally Enforceable State Operating Permits; Antelope Valley Air Pollution Control District, California [CA224–0263;FRL–6864–3] received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11335. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Dillsboro and Rosman, North Carolina) [MM Docket No. 00–88; RM–9871] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11336. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Wheatland and Wright, Wyoming) [MM Docket No. 99–195; RM–9563; RM–9958] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11337. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Dos Palos and Livingston, California) [MM Docket No. 00–92; RM–9857] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11338. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Butte Falls, Oregon) [MM Docket No. 00–83; RM–9849) received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11339. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Pilot Rock, Oregon) [MM Docket No. 00–128; RM–9912] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11340. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Mount Pleasant & Bogata, Texas) [MM Docket No. 00–54; RM–9835; RM–9907] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11341. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Randolph and Little Valley, New York) [MM Docket No. 00–113; RM–9904; RM–9952] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11342. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Grants and Milan, New Mexico) [MM Docket No. 99–75; RM–9446] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11343. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Sister Bay, Wisconsin and Escanaba, Michigan) [MM Docket No. 99–288; RM–9708; RM–9801] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11344. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting A Memorandum Of Justification For A Drawdown Under Section 506 Of The Foreign Assistance Act To Support UNAMSIL And Countries Involved In Peacekeeping Efforts Or Affiliated Coalition Operations With Respect To Sierra Leone; to the Committee on International Relations.

11345. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report of activities of the Inspector General for the period through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11346. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation: Remove Contract Quality Requirements; Miscellaneous Technical Amendment [FRL–6917–2] received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11347. A letter from the Director, National Gallery of Art, transmitting an annual report on audit and investigative coverage required by the Inspector General Act of 1978, as amended, and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11348. A letter from the Executive Director, Advisory Council on Historic Preservation, transmitting the Council's final rule—Protection of Historic Properties—received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11349. A letter from the Assistant Secretary of the Interior, Bureau of Land Management, Department of the Interior, transmitting the Department's final rule—Wilderness Management [WO–250–1220–PA–24 1A] (RIN: 1004–AB69) received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11350. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Application and Permit Information Requirements; Permit Eligibility; Definitions of Ownership and Control; the Applicant/Violator System; Alternative Enforcement (RIN: 1029–AB94) received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11351. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Maryland Regulatory Program [MD–047–FOR] received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11352. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for Virginia [Docket No. 000119014–0137–02; I.D. 113000E] received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11353. A letter from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—National Sea Grant College Program—National Marine Fisheries Service Joint Graduate Fellowship Program in Population Dynamics and Marine Resource Economics [Docket No. 001027302–0302–01] (RIN: 0648–ZA98) received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11354. A letter from the Assistant Attorney General, Department of Justice, transmitting the 1999 annual report on the activities and operations of the Public Integrity Section; to the Committee on the Judiciary.

11355. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30214; Amdt. No. 2021] received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11356. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—SAFETY ZONE: Andrew McArdle (Meridian Street) Bridge, Chelsea River, Chelsea, Massachusetts (RIN: 2115–AA97) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11357. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Citizenship Standards for Vessel Ownership and Financing; American Fisheries Act [USCG–1999–6095] (RIN: 2115–AF88) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11358. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—Civil Asset Forfeiture (RIN: 1515–AC69) received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11359. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; North American Industry Classification System [DFARS Case 2000–D015] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11360. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Authority to Indemnify Against Unusually Hazardous or Nuclear Risks [DFARS Case 2000–D025] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11361. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Domestic Source Restrictions-Ball and Roller Bearings and Vessel Propellers [DFARS Case 2000–D301] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11362. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Polyacrylonitrile Carbon Fiber [DFARS Case 2000–D017] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11363. A letter from the Administrator, Environmental Protection Agency, transmitting a report entitled ''Implementation of Transfers in the Clean Water and Drinking Water State Revolving Fund Programs''; jointly to the Committees on Commerce and Transportation and Infrastructure.

¶133.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 12, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 12, 2000 at 9:44 a.m.

That the Senate Agreed to House amendment S. 1508

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶133.5 APPOINTMENT OF FUNERAL COMMITTEE OF THE LATE JULIAN C. DIXON

The SPEAKER pro tempore, Mr. PEASE, pursuant to House Resolution 671, announced the Speaker appointed the following members to attend the funeral for the late Honorable Julian C. Dixon the following Members on the part of the House:

Messrs. STARK, GEPHARDT, BONIOR, George MILLER of California; WAXMAN, LEWIS of California, MATSUI, THOMAS, DREIER, HUNTER, LANTOS, MARTINEZ, BERMAN, PACKARD, GALLEGLY, HERGER, Ms. PELOSI, Messrs. COX, ROHRABACHER, CONDIT, CUNNINGHAM, DOOLEY, DOOLITTLE, Ms. WATERS, Messrs. BECERRA, CALVERT, Ms. ESHOO, Messrs. FILNER, HORN, MCKEON, POMBO, Ms. ROYBAL-ALLARD, Mr. ROYCE, Ms. WOOLSEY, Messrs. FARR, BILBRAY, Ms. LOFGREN, Messrs. RADANOVICH, CAMPBELL, Ms. MILLENDER-MCDONALD, Messrs. ROGAN, SHERMAN, Ms. SANCHEZ, Mrs. TAUSCHER, Mrs. CAPPS, Mrs. BONO, Ms. LEE, Messrs. KUYKENDALL, Gary MILLER of California, Mrs. NAPOLITANO, Messrs. OSE, THOMPSON, BACA, CONYERS, CLAY, OBEY, FROST, SENSENBRENNER, PETRI, LEWIS of Georgia, SAWYER, GOSS, MCDERMOTT, JEFFERSON, Ms. NORTON, Messrs. BISHOP, CLYBURN, Ms. Eddie Bernice JOHNSON of Texas, Messrs. RUSH, SCOTT, FORBES, Ms. JACKSON-LEE, Messrs. LAHOOD, CUMMINGS, Ms. KILPATRICK, Mrs. CHRISTENSEN, Mr. MEEKS of New York, and Mrs. JONES of Ohio.

¶133.6 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. FOLEY, by unanimous consent,

Ordered, That it may be in order at any time on the legislative day of Friday, December 15, 2000, for the Speaker to recognize Members for motions to suspend the rules and pass the bill (H.R. 3594) to repeal the modification of the installment method.

¶133.7 HOUR OF MEETING

On motion of Mr. REYNOLDS, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 4 o'clock p.m. on Thursday, December 14, 2000.

¶133.8 HOUR OF MEETING

On motion of Mr. REYNOLDS, by unanimous consent,

Ordered, That when the House adjourns on Thursday, December 14, 2000, it adjourn to meet at 10 o'clock a.m. on Friday, December 15, 2000.

And then,

¶133.9 ADJOURNMENT

On motion of Mr. FOLEY, pursuant to the special order heretofore agreed to, at 2 o'clock and 14 minutes p.m., the House adjourned until 4 o'clock p.m. on Thursday, December 14, 2000.

¶133.10 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BURTON: Committee on Government Reform. Janet Reno's Stewardship of the Justice Department: A Failure to Serve the Ends of Justice (Rept. No. 106–1027). Referred

to the Committee of the Whole House on the State of the Union.

¶133.11 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TALENT (for himself and Ms. VELAZQUEZ):

H.R. 5654. A bill to provide for reauthorization of small business loan and other programs, and for other purposes; to the Committee on Small Business.

By Mrs. MINK of Hawaii:

H.R. 5655. A bill to designate the facility of the United States Postal Service located at 620 Jacaranda Street in Lanai City, Hawaii, as the ''Goro Hokama Post Office Building''; to the Committee on Government Reform.

By Mr. REYNOLDS (for himself, Mr. HOUGHTON, Mr. GILCHREST, Mr. MCINTYRE, Mr. JONES of North Carolina, Mr. GILMAN, and Mr. SNYDER):

H. Res. 673. A resolution honoring the four members of the United States Marine Corps who died on December 11, 2000, and extending the condolences of the House of Representatives on their deaths; to the Committee on Armed Services.

¶133.12 MEMORIALS

Under clause 3 of rule XII,

492. The SPEAKER presented a memorial of the Senate of the State of Texas, relative to Senate resolution No. 1106, Memorializing the United States Congress to fully fund the State Criminal Alien Assistance Program at the authorized level; to the Committee on the Judiciary.

¶133.13 ADDITIONAL SPONSORS

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

H.R. 3397: Mr. PALLONE.
H.R. 5427: Mr. KILDEE.
H.R. 5434: Mrs. MALONEY of New York.
H.R. 5642: Mr. KINGSTON, Mr. WELDON of Florida, and Mr. SHOWS.

THURSDAY, DECEMBER 14, 2000 (134)

¶134.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication:

WASHINGTON, DC,
December 14, 2000.

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

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

¶134.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Wednesday, December 13, 2000.

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

¶134.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

11364. A letter from the Secretary, Department of Defense, transmitting a response to Section 216 of the National Defense Authorization Act for Fiscal Year 1998, P.L. 105–85 regarding the Global Hawk Program; to the Committee on Armed Services.

11365. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Food Labeling, Safe Handling Statements, Labeling of Shell Eggs; Refrigeration of Shell Eggs Held for Retail Distribution [Docket Nos. 98N–1230, 96P–0418, and 97P–0197] (RIN: 0910–AB30) received December 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11366. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Darby and STEVENSville, Montana) [MM Docket No. 99–220; RM–9601; RM–9636] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11367. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (McCook, Nebraska) [MM Docket No. 00–82; RM–9841] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11368. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Des Moines, New Mexico) [MM Docket No. 00–66; RM–9842] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11369. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting a report on Proposing Remedies For California Wholesale Electric Markets and a report on Western Markets and the Causes of the Summer 2000 Price Abnormalities; to the Committee on Commerce.

11370. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

11371. A letter from the Secretary, Department of Labor, transmitting the semiannual reports to the Congress of the Pension Benefit Guaranty Corporation's Executive Director and the Office of Inspector General for the period April 1, 2000, through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11372. A letter from the Executive Director, District of Columbia Retirement Board, transmitting the personal financial disclosure statements of Board members, pursuant to D.C. Code section 1–732 and 1–734(a)(1)(A); to the Committee on Government Reform.

11373. A letter from the Comptroller General, General Accounting Office, transmitting a report on the failure of the National Security Council to provide access to certain documents to the General Accounting Office, pursuant to 31 U.S.C. 716(b)(1); to the Committee on Government Reform.

11374. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received December 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11375. A letter from the Chairman, Federal Trade Commission, transmitting the report on the Federal Trade Commission's Report of Final Actions for the period ending September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11376. A letter from the Vice President for Legal Affairs, General Counsel & Corporate Secretary, Legal Services Corporation, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2000, through September 30, 2000, and the corresponding report of the Corporation's Board of Directors, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11377. A letter from the Chairman, National Endowment for the Humanities, transmitting a report on the Strategic Plan for Fiscal Year 2001—Fiscal Year 2005; to the Committee on Government Reform.

11378. A letter from the Commissioner, Social Security Administration, transmitting the Fiscal Year 2000 Performance and Accountability Report; to the Committee on Government Reform.

11379. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Update of Documents Incorporated by Reference—API Specification 14A, Tenth Edition (RIN: 1010–AC66) received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11380. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fraser River Sockeye and Pink Salmon Fisheries; Inseason Orders [I.D. 102600E] received December 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11381. A letter from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting a report on the South Sacramento County Streams, California; to the Committee on Transportation and Infrastructure.

11382. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Electronic Tip Reports [TD 8902] (RIN: 1545–AV28) received December 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11383. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to convey certain Federal lands in Puerto Rico to the Commonwealth of Puerto Rico, and for other purposes; jointly to the Committees on Armed Services and Resources.

11384. A letter from the General Counsel, Office of Compliance, transmitting a Report on Occupational Safety and Health Inspections Conducted Under Section 215 of the Congressional Accountability Act of 1995, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on House Administration and Education and the Workforce.

¶134.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 1653. An Act to complete the orderly withdrawal of the NOAA from the civil administration of the Pribilof Islands, Alaska, and to assist in the conservation of coral reefs, and for other purposes.

H.R. 5016. An Act to redesignate the facility of the United States Postal Service located at 514 Express Center Road in Chicago, Illinois, as the ''J.T. Weeker Service Center''.

H.R. 5210. An Act to designate the facility of the United States Postal Service located at 200 South George Street in York, Pennsylvania, as the ''George Atlee Goodling Post Office Building''.

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

H.R. 1023. An Act for the relief of Richard W. Schaffert.

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

S. 870. An Act to amend the Inspector General Act of 1978 (5 U.S.C. App.) to increase the efficiency and accountability of Offices of Inspector General within Federal departments, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 2943) ''An Act to authorize additional assistance for international malaria control, and to provide for coordination and consultation in providing assistance under the Foreign Assistance Act of 1961 with respect to malaria, HIV, and tuberculosis,'' with amendment.

¶134.5 ADDITIONAL APPOINTMENTS TO FUNERAL COMMITTEE OF THE LATE JULIAN C. DIXON

The SPEAKER, pro tempore, Mr. PEASE, pursuant to House Resolution 671, announced the Speaker appointed as additional members to attend the funeral for the late Honorable Julian C. Dixon the following Members on the part of the House:

Mr. TOWNS, Mrs. CLAYTON, Ms. BROWN of Florida, and Mr. WATT of North Carolina.

¶134.6 ENROLLMENT CORRECTION OF H.R. 5528

On motion of Mr. YOUNG of Alaska, by unanimous consent, the following concurrent resolution of the Senate (S. Con. Res. 161) was taken from the Speaker's table:

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 5528) to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes, shall make the following correction:

(1) Strike title XII and insert the following:

TITLE XII—NAVAJO NATION TRUST LAND LEASING

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Navajo Nation Trust Land Leasing Act of 2000''.

SEC. 1202. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSES.

(a) FINDINGS.—Recognizing the special relationship between the United States and the Navajo Nation and its members, and the Federal responsibility to the Navajo people, Congress finds that—

(1) the third clause of section 8, Article I of the United States Constitution provides that ''The Congress shall have Power . . . to regulate Commerce . . . with Indian tribes'', and, through this and other constitutional authority, Congress has plenary power over Indian affairs;

(2) Congress, through statutes, treaties, and the general course of dealing with Indian tribes, has assumed the responsibility for the protection and preservation of Indian tribes and their resources;

(3) the United States has a trust obligation to guard and preserve the sovereignty of Indian tribes in order to foster strong tribal governments, Indian self-determination, and economic self-sufficiency;

(4) pursuant to the first section of the Act of August 9, 1955 (25 U.S.C. 415), Congress conferred upon the Secretary of the Interior the power to promulgate regulations governing tribal leases and to approve tribal leases for tribes according to regulations promulgated by the Secretary;

(5) the Secretary of the Interior has promulgated the regulations described in paragraph (4) at part 162 of title 25, Code of Federal Regulations;

(6) the requirement that the Secretary approve leases for the development of Navajo trust lands has added a level of review and regulation that does not apply to the development of non-Indian land; and

(7) in the global economy of the 21st Century, it is crucial that individual leases of Navajo trust lands not be subject to Secretarial approval and that the Navajo Nation be able to make immediate decisions over the use of Navajo trust lands.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To establish a streamlined process for the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior for individual leases, except leases for exploration, development, or extraction of any mineral resources.

(2) To authorize the Navajo Nation, pursuant to tribal regulations, which must be approved by the Secretary, to lease Navajo trust lands without the approval of the Secretary of the Interior for the individual leases, except leases for exploration, development, or extraction of any mineral resources.

(3) To revitalize the distressed Navajo Reservation by promoting political self-determination, and encouraging economic self-sufficiency, including economic development that increases productivity and the standard of living for members of the Navajo Nation.

(4) To maintain, strengthen, and protect the Navajo Nation's leasing power over Navajo trust lands.

(5) To ensure that the United States is faithfully executing its trust obligation to the Navajo Nation by maintaining federal supervision through oversight of and record keeping related to leases of Navajo Nation tribal trust lands.

SEC. 1203. LEASE OF RESTRICTED LANDS FOR THE NAVAJO NATION.

The first section of the Act of August 9, 1955 (25 U.S.C. 415) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(3) the term 'individually owned Navajo Indian allotted land' means a single parcel of land that—

''(A) is located within the jurisdiction of the Navajo Nation;

''(B) is held in trust or restricted status by the United States for the benefit of Navajo Indians or members of another Indian tribe; and

''(C) was—

''(i) allotted to a Navajo Indian; or

''(ii) taken into trust or restricted status by the United States for an individual Indian;

''(4) the term 'interested party' means an Indian or non-Indian individual or corporation, or tribal or non-tribal government whose interests could be adversely affected by a tribal trust land leasing decision made by the Navajo Nation;

''(5) the term 'Navajo Nation' means the Navajo Nation government that is in existence on the date of enactment of this Act or its successor;

''(6) the term 'petition' means a written request submitted to the Secretary for the review of an action (or inaction) of the Navajo Nation that is claimed to be in violation of the approved tribal leasing regulations;

''(7) the term 'Secretary' means the Secretary of the Interior; and

''(8) the term 'tribal regulations' means the Navajo Nation regulations enacted in accordance with Navajo Nation law and approved by the Secretary.''; and

(2) by adding at the end the following:

''(e)(1) Any leases by the Navajo Nation for purposes authorized under subsection (a), and any amendments thereto, except a lease for the exploration, development, or extraction of any mineral resources, shall not require the approval of the Secretary if the lease is executed under the tribal regulations approved by the Secretary under this subsection and the term of the lease does not exceed—

''(A) in the case of a business or agricultural lease, 25 years, except that any such lease may include an option to renew for up to 2 additional terms, each of which may not exceed 25 years; and

''(B) in the case of a lease for public, religious, educational, recreational, or residential purposes, 75 years if such a term is provided for by the Navajo Nation through the promulgation of regulations.

''(2) Paragraph (1) shall not apply to individually owned Navajo Indian allotted land.

''(3) The Secretary shall have the authority to approve or disapprove tribal regulations referred to under paragraph (1). The Secretary shall approve such tribal regulations if such regulations are consistent with the regulations of the Secretary under subsection (a), and any amendments thereto, and provide for an environmental review process. The Secretary shall review and approve or disapprove the regulations of the Navajo Nation within 120 days of the submission of such regulations to the Secretary. Any disapproval of such regulations by the Secretary shall be accompanied by written documentation that sets forth the basis for the disapproval. Such 120-day period may be extended by the Secretary after consultation with the Navajo Nation.

''(4) If the Navajo Nation has executed a lease pursuant to tribal regulations under paragraph (1), the Navajo Nation shall provide the Secretary with—

''(A) a copy of the lease and all amendments and renewals thereto; and

''(B) in the case of regulations or a lease that permits payment to be made directly to the Navajo Nation, documentation of the lease payments sufficient to enable the Secretary to discharge the trust responsibility of the United States under paragraph (5).

''(5) The United States shall not be liable for losses sustained by any party to a lease executed pursuant to tribal regulations under paragraph (1), including the Navajo Nation. Nothing in this paragraph shall be construed to diminish the authority of the Secretary to take appropriate actions, including the cancellation of a lease, in furtherance of the trust obligation of the United States to the Navajo Nation.

''(6)(A) An interested party may, after exhaustion of tribal remedies, submit, in a timely manner, a petition to the Secretary to review the compliance of the Navajo Nation with any regulations approved under this subsection. If upon such review the Secretary determines that the regulations were violated, the Secretary may take such action as may be necessary to remedy the violation, including rescinding the approval of the tribal regulations and reassuming responsibility for the approval of leases for Navajo Nation tribal trust lands.

''(B) If the Secretary seeks to remedy a violation described in subparagraph (A), the Secretary shall—

''(i) make a written determination with respect to the regulations that have been violated;

''(ii) provide the Navajo Nation with a written notice of the alleged violation together with such written determination; and

''(iii) prior to the exercise of any remedy or the rescission of the approval of the regulation involved and the reassumption of the lease approval responsibility, provide the Navajo Nation with a hearing on the record and a reasonable opportunity to cure the alleged violation.''.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶134.7 RECESS—4:13 P.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 13 minutes p.m., subject to the call of the Chair.

FRIDAY, DECEMBER 15 (LEGISLATIVE DAY OF THURSDAY, DECEMBER 14), 2000

¶134.8 AFTER RECESS—12:56 A.M.

The SPEAKER pro tempore, Mr. SHIMKUS, called the House to order.

¶134.9 RECESS—12:57 A.M.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 57 minutes a.m., subject to the call of the Chair.

¶134.10 AFTER RECESS—9:05 A.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶134.11 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 133

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–1030) the resolution (H. Res. 674) providing for consideration of the joint resolution (H. J. Res. 133) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶134.12 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 134

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–1031) the resolution (H. Res. 675) providing for consideration of the joint resolution (H. J. Res. 134) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶134.13 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. LINDER, by direction of the Committee on Rules, reported (Rept. No. 106–1032) the resolution (H. Res. 676) waiving a requirement of clause 6(a) of Rule XIII with respect to consideration of certain resolutions reported by the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶134.14 RECESS—9:07 A.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 7 minutes a.m., subject to the call of the Chair.

¶134.15 AFTER RECESS—9:44 A.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶134.16 SENATE BILL REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 870. An Act to amend the Inspector General Act of 1978 (5 U.S.C. App.) to increase the efficiency and accountability of Offices of Inspector General within Federal departments, and for other purposes; to the Committee on Government Reform.

¶134.17 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2903. An Act to reauthorize the Striped Bass Conservation Act, and for other purposes.

H.R. 5461. An Act to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning.

H.R. 5630. An Act to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 5640. An Act to expand homeownership in the United States, and for other purposes.

¶134.18 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 439. An Act to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada, and to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations.

S. 1508. An Act to provide technical and legal assistance to tribal justice systems and members of Indian tribes, and for other purposes.

S. 1694. An Act to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii, and for other purposes.

S. 1898. An Act to provide protection against the risks to the public that are inherent in the interstate transportation of violent prisoners.

S. 3045. An Act to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes, and for other purposes.

¶134.19 BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

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

On December 7, 2000:

H.R. 2415. To enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.

H.J. Res. 127. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

On December 8, 2000:

H.R. 3514. To amend the Public Health Service Act to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes.

H.R. 3048. To amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their families, and for other purposes.

H.R. 4281. To establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new or revised scientifically valid toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness.

H.R. 4827. To amend title 18, United States Code, to prevent the entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, and for other purposes.

H.R. 4640. To make grants to States for carrying out DNA analyses for use in the Combined DNA Index System of the Federal Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain violent and sexual offenders for use in such system, and for other purposes.

H.J. Res. 128. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

On December 11, 2000:

H.J. Res. 129. Making further continuing appropriations for the fiscal year 2001, and for other purposes.

And then,

¶134.20 ADJOURNMENT

On motion of Mr. YOUNG of Florida, pursuant to the special order agreed to on December 13, 2000, at 9 o'clock and 45 minutes a.m., the House adjourned until 10:00 a.m. today.

¶134.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3080. A bill to amend the Indian Self-Determination and Education Assistance Act to direct the Secretary of the Interior to establish the American Indian Education Foundation, and for other purposes (Rept. No. 106–1028, Pt. 1). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. House Concurrent Resolution 63. Resolution expressing the sense of the Congress opposing removal of dams on the Columbia and Snake Rivers for fishery restoration purposes (Rept. No. 106–1029, Pt. 1). Ordered to be printed.

Mr. LINDER: Committee on Rules. House Resolution 674. Resolution providing for consideration of the joint resolution (H.J. Res. 133) making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. 106–1030). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 675. Resolution providing for consideration of the joint resolution (H.J. Res. 134) making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. 106–1031). Referred to the House Calendar.

¶134.22 TIME LIMITATION OF REFERRED BILL

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

H. Con. Res. 63. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than December 15, 2000.

¶134.23 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PORTER:

H.R. 5656. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. TAYLOR of North Carolina:

H.R. 5657. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. KOLBE:

H.R. 5658. A bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. KASICH:

H.R. 5659. A bill to amend title II of the Social Security Act provide for personal Social Security accounts and to maintain the solvency of the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. EWING (for himself, Mr. COMBEST, Mr. LEACH, Mr. LAFALCE, and Mr. BLILEY):

H.R. 5660. A bill to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Banking and Financial Services, Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS (for himself, Mr. BLILEY, and Mr. BILIRAKIS):

H.R. 5661. A bill to amend titles XVIII, XIX, and XXI of the Social Security Act to provide benefits improvements and beneficiary protections in the Medicare and Medicaid Programs and the State child health insurance program (SCHIP), as revised by the Balanced Budget Act of 1997 and the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARCHER (for himself and Mr. ARMEY):

H.R. 5662. A bill to amend the Internal Revenue Code of 1986 to provide for community revitalization and a 2-year extension of medical saving accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. TALENT (for himself and Ms. VELAZQUEZ):

H.R. 5663. A bill to provide for community renewal and new markets initiatives; to the Committee on Small Business.

By Mr. MARKEY:

H.R. 5664. A bill to establish the 21st Century Bipartisan Electoral Commission to make recommendations to carry out a Voters' Bill of Rights for the 21st century, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Judiciary, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. QUINN:

H.R. 5665. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to adjust the monthly multiemployer plan benefit guaranteed thereunder; to the Committee on Education and the Workforce.

By Mr. YOUNG of Florida:

H.J. Res. 133. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

H.J. Res. 134. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

¶134.24 MEMORIALS

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

493. The SPEAKER presented a memorial of the Senate of the Commonwealth of The Mariana Islands, relative to Senate Joint Resolution No. 12–2 memorializing the United States Congress to authorize and appropriate funding necessary for the rehabilitation, reconstruction, and repair of the Tinian Harbor Breakwater, at San Jose, Tinian; to the Committee on Transportation and Infrastructure.

¶134.25 ADDITIONAL SPONSORS

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

H.R. 1865: Mr. MANZULLO.
H.R. 4001: Mr. BROWN of Ohio.
H.R. 4506: Mr. GUTIERREZ.
H.R. 4543: Mr. BOUCHER.
H.R. 4776: Mr. FOSSELLA.
H.R. 4935: Mr. MURTHA.
H.R. 5091: Mr. DOYLE.
H.R. 5275: Mr. BONILLA.
H.R. 5612: Mr. BERMAN and Mr. CROWLEY.
H.R. 5642: Mr. CHAMBLISS and Mr. STEARNS.
H. Con. Res. 363: Mr. WYNN and Mr. KANJORSKI.
H. Con. Res. 443: Mr. WELDON of Florida and Mr. WAMP.
H. Con. Res. 445: Mr. GREEN of Texas, Mr. EDWARDS, Mr. BENTSEN, Mr. DOGGETT, Ms. SANCHEZ, Mr. ARCHER, Mr. WELDON of Florida, Ms. SCHAKOWSKY, Mr. LAMPSON, Mr. BAKER, Mr. KANJORSKI, Mr. INSLEE, Mrs. ROUKEMA, Mr. LAZIO, Mr. SANDERS, Ms. VELAZQUEZ, Mr. SERRANO, Mrs. JONES of Ohio, Mr. HALL of Texas, Mrs. BIGGERT, Mr. BACA, Ms. LEE, Mr. COOK, Mr. BEREUTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TURNER, Mr. HINOJOSA, Mr. PASTOR, Ms. JACKSON-LEE of Texas, Mr. CAPUANO, Mr. SHERMAN, Mr. REYES, Mr. NEY, Mr. STENHOLM, Ms. GRANGER, Mr. GUTIERREZ, Mr. FRANKS of New Jersey, Mr. SANDLIN, Mr. DELAY, Mr. SMITH of Texas, and Mr. SESSIONS.
H. Res. 659: Ms. HOOLEY of Oregon, Mrs. LOWEY, and Mr. MENENDEZ.

FRIDAY, DECEMBER 15, 2000 (135)

The House was called to order by the SPEAKER.

¶135.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, December 14, 2000.

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

¶135.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

11385. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Cranberries Grown in the States of Massachusetts, et al.; Increased Assessment Rate [Docket No. FV00–929–5 FR] received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11386. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Walnuts Grown in California; Increased Assessment Rate [Docket No. FV00–984–2 FR] received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11387. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Thiamethoxam; Pesticide Tolerances for Emergency Exemptions [OPP–301080; FRL–6755–7] (RIN: 2070–AB78) received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11388. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clomazone; Pesticide Tolerances for Emergency Exemptions [OPP–301084; FRL–6756–1] (RIN: 2070–AB78) received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11389. A letter from the Acting Assistant Secretary, Health Affairs, Department of De-

fense, transmitting a semiannual Report on Pharmaceutical Benefits; to the Committee on Armed Services.

11390. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding the amount of Department of Defense purchases from foreign entities for Fiscal Year 2000 pursuant to Section 827 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201) as amended by Section 812 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public law 105–261); to the Committee on Armed Services.

11391. A letter from the Director, Office of Management and Budget, transmitting a report on the OMB Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

11392. A letter from the Acting General Counsel, Corporation for National and Community Service, transmitting the Corporation's final rule—AmeriCorps Education Awards (RIN: 3045–AA09) received December 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11393. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Device: Exemption From Premarket Notification; Class II Devices; Barium Enema Retention Catheters and Tips With or Without a Bag [Docket No. OOP–1343] received December 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11394. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Colorado Springs Revised Carbon Monoxide Maintenance Plan, and Approval of a Related Revision [CO–001–0044a; FRL–6875–5] received December 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11395. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of State Implementation Plan; Wyoming; Revisions to Air Pollution Regulations [WY–001–0006a; FRL–6886–8] received December 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11396. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; National Primary Drinking Water Regulations; and National Secondary Drinking Water Regulations; Methods Update [FRL–6918–2] received December 13, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11397. A letter from the Director, Office of National Drug Control Policy, transmitting the reports entitled ''National Survey of Parents and Youth Questionnaires for Waves 1 and 2'' and ''Evaluation of the National Youth Anti-Drug Media Campaign: Campaign Exposure and Baseline Measurement of Correlates of Illicit Drug Use From November 1999 Through May 2000''; to the Committee on Commerce.

11398. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment sold under a contract to Turkey [Transmittal No. DTC 065–00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

11399. A letter from the Deputy Independent Counsel, Office of the Independent Counsel, transmitting the FY 2000 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

11400. A letter from the Acting General Counsel, Office of Management and Budget, transmitting the Office's final rule—Prompt Payment—received December 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11401. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—West Virginia Regulatory Program [WV–086–FOR] received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11402. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Plant Lesquerella thamnophila (Zapata Bladderpod) (RIN: 1018–AG24) received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11403. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Herring Fishery; Atlantic Herring Fishery Management Plan [Docket No. 000105004–0260–02; I.D. 063099A] (RIN: 0648–AI78) received December 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11404. A letter from the Senior Counsel for Dispute Resolution, Department of Transportation, transmitting the Department's final rule—Interim Statement of Policy on Alternative Dispute Resolution [Docket OST–2000–7800] (RIN: 2105–AC94) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11405. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120 Series Airplanes [Docket No. 2000–NM–121–AD; Amendment 39–11958; AD 2000–22–12] (RIN: 2120–AA64) received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11406. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Learjet Model 45 Series Airplanes [Docket No. 2000–NM–132–AD; Amendment 39–11950; AD 2000–22–04] (RIN: 2120–AA64) received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11407. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; New Bern, NC [Airspace Docket No. 00–ASO–41] received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11408. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Removal of Class E4 Airspace; Meridian NAS—McCain Field, MS [Airspace Docket No. 00–ASO–40] received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11409. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120 Series Airplanes [Docket No. 2000–NM–130–AD; Amendment 39–11954; AD 2000–22–08] (RIN: 2120–AA64) received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11410. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision to the Legal Description of the Shaw Air Force Base Class C Airspace Area; SC [Airspace Docket No. 00–AWA–2] (RIN: 2120–AA66) received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11411. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Guidelines on Awarding Section 319 Grants to Indian Tribes in FY 2001 [FRL–6919–8] received December 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11412. A letter from the Administrator, General Services Administration, transmitting a report on an interim lease prospectus for the Bureau of Alcohol, Tobacco, and Firearms; to the Committee on Transportation and Infrastructure.

11413. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Relief for Service in Combat Zone and for Presidentially Declared Disaster [TD 8911] (RIN: 1545–AV92) received December 14, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11414. A letter from the Chairman, The Advisory Panel to Assess Domestic Response Capabilities For Terrorism Involving Weapons of Mass Destruction, transmitting the Panel's second annual report entitled, ''Toward a National Strategy for Combating Terrorism''; jointly to the Committees on Armed Services and Transportation and Infrastructure.

11415. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled ''Energy Policy Act Transportation Rate Study: Final Report on Coal Transportation,'' pursuant to 42 U.S.C. 13369(c); jointly to the Committees on Commerce and Transportation and Infrastructure.

11416. A letter from the Administrator, U.S. Agency for International Development, transmitting the quarterly update of the report required by Section 653(a) of the Foreign Assistance Act of 1961, as amended, entitled ''Development Assistance and Child Survival/Diseases Program Allocations-FY 2000''; jointly to the Committees on International Relations and Appropriations.

11417. A letter from the Secretary, Department of the Interior, transmitting a report entitled ''Barry M. Goldwater Range Non-Renewed Parcels Study''; jointly to the Committees on Resources and Armed Services.

11418. A letter from the Director, Office of Management and Budget, transmitting a report that identifies accounts containing unvouchered expenditures that are potentially subject to audit by the Comptroller General, pursuant to 31 U.S.C. 3524(b); jointly to the Committees on the Budget, Appropriations, and Government Reform.

11419. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled ''Effectiveness of HIPAA and State-Laws in Ensuring Access to Health Insurance in the Small Group and Individual Markets''; jointly to the Committees on Commerce, Education and the Workforce, and Ways and Means.

¶135.3 INSTALLMENT TAX CORRECTION

Mr. ARCHER, pursuant to the order of the House of December 13, 2000,

moved to suspend the rules and pass the bill (H.R. 3594) to repeal the modification of the installment method.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. ARCHER and Mr. KLECZKA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶135.4 RECESS—10:25 A.M.

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 25 minutes a.m., subject to the call of the Chair.

¶135.5 AFTER RECESS—4:47 P.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶135.6 SUBMISSION OF CONFERENCE REPORT—H.R. 4577

Mr. YOUNG of Florida submitted a conference report (Rept. No. 106–1033) on the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶135.7 ADJOURNMENT SINE DIE

Mr. YOUNG of Florida, by unanimous consent, submitted the following privileged concurrent resolution (H. Con. Res. 446):

Resolved by the House of Representatives (the Senate concurring),

That when the House adjourns on the legislative day of Friday, December 15, 2000, Saturday, December 16, 2000, or Sunday, December 17, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution; and that when the Senate adjourns on Friday, December 15, 2000, Saturday, December 16, 2000, or Sunday, December 17, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to. A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶135.8 CONTINUING APPROPRIATIONS FY 2001

On motion of Mr. YOUNG of Florida, by unanimous consent, the Committee on Appropriations was discharged from further consideration of the joint resolution (H.J. Res. 133) making further continuing appropriations for the fiscal year 2001, and for other purposes.

When said joint resolution was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶135.9 ORDER OF BUSINESS—CONSIDERATION OF CONFERENCE REPORT TO H.R. 4577

On motion of Mr. YOUNG of Florida, by unanimous consent,

Ordered, That it may be in order at any time on the legislative day of December 15, 2000, to consider the conference report to accompany the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes; that the conference report be considered as read; that all points of order against the conference report and against its consideration be waived; and that the conference report be debatable for 90 minutes, equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Appropriations or their designees.

¶135.10 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
Washington, DC, December 15, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 15, 2000 at 4:09 p.m.

That the Senate agreed to Conference Report H.R. 4942.

With best wishes, I am.

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

¶135.11 LABOR, HHS, AND EDUCATION APPROPRIATIONS

Mr. YOUNG of Florida, pursuant to the order of the House heretofore agreed to, called up the following conference report (Rept. No. 106–1033):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4577) ''making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with amendments, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

SECTION 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000.

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section and the text of any other bill enacted into law by reference by reason of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217, legislation enacted in section 505 of the Department of Transportation and Related Agencies Appropriations Act, 2001, section 312 of the Legislative Branch Appropriations Act, 2001, titles X and XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th Congress), Division B of H.R. 5666 (106th Congress) as enacted by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that would have been estimated by the Office of Management and Budget as changing direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 were it included in an Act other than an appropriations Act shall be treated as direct spending or receipts legislation, as appropriate, under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) In preparing the final sequestration report required by section 254(f)(3) of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal year 2001, in addition to the information required by that section, the Director of the Office of Management and Budget shall change any balance of direct spending and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

This Act may be cited as the ''Consolidated Appropriations Act, 2001''.

Amend the title of the bill so as to read:

''An Act making consolidated appropriations for the fiscal year ending September 30, 2001, and for other purposes.''.

And the Senate agree to the same.

JOHN EDWARD PORTER,
C.W. BILL YOUNG,
HENRY BONILLA,
ERNEST J. ISTOOK, Jr.,
DAN MILLER,
JAY DICKEY,
ROGER F. WICKER,
ANNE M. NORTHUP,
RANDY ''DUKE'' CUNNINGHAM,
DAVID R. OBEY,
STENY H. HOYER,
NANCY PELOSI,
NITA M. LOWEY,
ROSA L. DELAURO,
JESSE L. JACKSON, Jr.
(Except elimination of LIHEAP and CCDBG advanced funding; immigration and charitable choice provisions.)

Managers on the Part of the House.

ARLEN SPECTER,
THAD COCHRAN,
SLADE GORTON,
JUDD GREGG,
KAY BAILEY HUTCHISON,
TED STEVENS,
PETE V. DOMENICI,
TOM HARKIN,
ERNEST F. HOLLINGS,
DANIEL K. INOUYE,
HARRY REID,
HERB KOHL,
PATTY MURRAY,
DIANNE FEINSTEIN,
ROBERT C. BYRD,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

¶135.12 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2570. An Act to require the Secretary of the Interior to undertake a study regarding methods to commemorate the national significance of the United States roadways that comprise the Lincoln Highway, and for other purposes.

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

H.R. 4020. An Act to authorize the addition of land to Sequoia National Park, and for other purposes.

After further debate,

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. PEASE, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 292 / Nays 60

¶135.13 [Roll No.603]

YEAS—292

Abercrombie, Allen, Andrews, Archer, Armey, Baca, Bachus, Baird, Baldacci, Baldwin, Barcia, Barrett (NE), Barrett (WI), Bass, Becerra, Bentsen, Bereuter, Berkley, Berry, Biggert, Bilirakis, Bishop, Blagojevich, Bliley, Boehner, Borski, Boucher, Boyd, Brady (PA), Brady (TX), Brown (OH), Bryant, Burr, Buyer, Camp, Canady, Capps, Capuano, Cardin, Carson, Castle, Chambliss, Clayton, Clement, Clyburn, Coble, Collins, Combest, Condit, Cooksey, Costello, Coyne, Cramer, Crowley, Cubin, Cummings, Cunningham, Davis (FL), Davis (IL), Davis (VA), DeGette, DeLauro, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Doggett, Doolittle, Doyle, Dreier, Dunn, Edwards, Ehlers, Ehrlich, Emerson, Engel, English, Etheridge, Evans, Ewing, Fletcher, Foley, Ford, Fossella, Fowler, Franks (NJ), Frelinghuysen, Frost, Gallegly, Ganske, Gekas, Gephardt, Gibbons, Gilchrest, Gilman, Gonzalez, Goode, Goodling, Gordon, Goss, Green (TX), Greenwood, Gutknecht, Hall (OH), Hall (TX), Hastert, Hastings (WA), Hayes, Hill (IN), Hilleary, Hilliard, Hinchey, Hinojosa, Hoeffel, Holden, Hooley, Horn, Hoyer, Hulshof, Hunter, Hutchinson, Hyde, Isakson, Istook, Jackson (IL), Jackson-Lee (TX), Jefferson, Jenkins, John, Johnson (CT), Johnson, E.B., Jones (OH), Kanjorski, Kaptur, Kasich, Kelly, Kennedy, Kildee, Kilpatrick, King (NY), Kleczka, Knollenberg, Kuykendall, LaHood, Lampson, Larson, LaTourette, Lazio, Leach, Lee, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lipinski, LoBiondo, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Markey, Martinez, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McCrery, McGovern, McHugh, McIntyre, McNulty, Meehan, Meeks (NY), Menendez, Miller (FL), Minge, Mink, Moore, Moran (KS), Morella, Murtha, Myrick, Nadler, Neal, Nethercutt, Ney, Northup, Nussle, Obey, Olver, Ose, Owens, Oxley, Packard, Pallone, Pascrell, Pastor, Payne, Pease, Peterson (MN), Petri, Phelps, Pickering, Pomeroy, Porter, Pryce (OH), Quinn, Rahall, Ramstad, Rangel, Regula, Reyes, Reynolds, Rivers, Rodriguez, Roemer, Rogan, Rothman, Roukema, Roybal-Allard, Rush, Sabo, Sanders, Sawyer, Saxton, Schakowsky, Scott, Serrano, Shaw, Shays, Sherman, Sherwood, Shimkus, Shows, Simpson, Sisisky, Skeen, Skelton, Slaughter, Smith (TX), Spence, Spratt, Stabenow, Stenholm, Strickland, Stump, Stupak, Sununu, Sweeney, Talent, Tanner, Tauscher, Tauzin, Taylor (MS), Taylor (NC), Thomas, Thompson (CA), Thompson (MS), Thornberry, Thune, Tiahrt, Tierney, Towns, Traficant, Turner, Udall (CO), Udall (NM), Upton, Velazquez, Visclosky, Wamp, Watkins, Watt (NC), Watts (OK), Weiner, Weldon (PA), Weller, Wexler, Weygand, Whitfield, Wilson, Wise, Wolf, Woolsey, Wu, Wynn, Young (AK)

NAYS—60

Aderholt, Barr, Bartlett, Barton, Blunt, Boswell, Burton, Cannon, Chabot, Chenoweth-Hage, Cook, Cox, Crane, Deal, DeFazio, DeLay, DeMint, Duncan, Frank (MA), Goodlatte, Graham, Granger, Green (WI), Hayworth, Herger, Hoekstra, Hostettler, Inslee, Johnson, Sam, Jones (NC), Kind (WI), Kingston, Kucinich, Manzullo, Metcalf, Paul, Pitts, Pombo, Radanovich, Riley, Rohrabacher, Royce, Ryan (WI), Ryun (KS), Salmon, Sanford, Sensenbrenner, Sessions, Smith (MI), Smith (NJ), Smith (WA), Stark, Stearns, Tancredo, Terry, Thurman, Toomey, Vitter, Weldon (FL), Wicker

NOT VOTING—80

Ackerman, Baker, Ballenger, Berman, Bilbray, Blumenauer, Boehlert, Bonilla, Bonior, Bono, Brown (FL), Callahan, Calvert, Campbell, Clay, Coburn, Conyers, Danner, Delahunt, Dooley, Eshoo, Everett, Farr, Fattah, Filner, Forbes, Gejdenson, Gillmor, Gutierrez, Hansen, Hastings (FL), Hefley, Hill (MT), Hobson, Holt, Houghton, Klink, Kolbe, LaFalce, Lantos, Largent, Latham, Lofgren, McDermott, McInnis, McIntosh, McKeon, McKinney, Meek (FL), Mica, Millender-McDonald, Miller, Gary, Miller, George, Moakley, Mollohan, Moran (VA), Napolitano, Norwood, Oberstar, Ortiz, Pelosi, Peterson (PA), Pickett, Portman, Price (NC), Rogers, Ros-Lehtinen, Sanchez, Sandlin, Scarborough, Schaffer, Shadegg, Shuster, Snyder, Souder, Walden, Walsh, Waters, Waxman, Young (FL)

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶135.14 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution and a concurrent resolution of the House of the following titles:

H.J. Res. 133. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H. Con. Res. 446. Concurrent resolution providing for the sine die adjournment of the second session of the One Hundred Sixth Congress.

¶135.15 RULES AND MANUAL OF THE HOUSE OF REPRESENTATIVES

Mr. McCOLLUM submitted the following resolution (H. Res. 678):

Resolved, That a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Seventh Congress be printed as a House document, and that three thousand additional copies shall be printed and bound for the use of the House of Representatives, of which nine hundred copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to

was, by unanimous consent, laid on the table.

¶135.16 APPOINTMENT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. McCOLLUM submitted the following privileged resolution (H. Res. 679):

Resolved, That a committee of two Members be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Thereupon, the SPEAKER pro tempore, Mr. PEASE, announced the appointment of Messrs. ARMEY and GEPHARDT as members of the committee on the part of the House to notify the President of the adjournment of the Congress.

Ordered, That the Clerk notify the Senate thereof.

¶135.17 SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. McCOLLUM, by unanimous consent,

Ordered, That, notwithstanding the adjournment of the second session of the One Hundred Sixth Congress, the Speaker, Majority Leader, and the Minority Leader be authorized to accept resignations and to appoint commissions, boards and committees duly authorized by law or by the House.

¶135.18 EXTENSION OF REMARKS BY COMMITTEE CHAIRMEN AND RANKING MINORITY MEMBERS

On motion of Mr. McCOLLUM, by unanimous consent,

Ordered, That the chairmen and ranking minority Member of each standing committee and each subcommittee thereof be permitted to extend their remarks in the Congressional Record, up to and including the last publication thereof, and to include a summary of the work of that committee or subcommittee.

¶135.19 GENERAL LEAVE TO EXTEND REMARKS UNTIL LAST EDITION OF THE RECORD

On motion of Mr. McCOLLUM, by unanimous consent,

Ordered, That all Members of the House shall have the privilege, until the last edition authorized by the Joint Committee on Printing is published, to extend and revise their own remarks in the Congressional Record on more than one subject, if they so desire, and may also include therein such short quotations as may be necessary to explain or complete such extensions of remarks; but this order shall not apply to any subject matter which may have occurred, or to any speech delivered subsequent to the adjournment of Congress.

¶135.20 COLLEGIAL PARTERNSHIP WITH 43RD PRESIDENT

On motion of Mr. HORN, by unanimous consent, the Committee on Government Reform was discharged from further consideration of the following resolution (H. Res. 677):

Whereas the Presidential election in 2000 was the closest in the Nation's history;

Whereas both Governor George W. Bush and Vice President Albert Gore campaigned admirably for the Presidency;

Whereas the closeness of the election led to a long and trying process to determine the winner;

Whereas both Governor George W. Bush and Vice President Albert Gore have called for national unity;

Whereas, during this time of uncertainty, the American people have showed extraordinary patience and confidence in the Nation's system of government;

Whereas it is incumbent upon the Members of the House of Representatives, as elected officials, to demonstrate that the faith of the American people in the Nation's governing institutions is warranted; and

Whereas the many issues confronting the Nation must be addressed for the benefit of those who have entrusted the Government with their voice, the American people: Now, therefore, be it

Resolved, That the Members of the House of Representatives are committed to fostering a productive and collegial partnership with the 43rd President in order to bring comity to the Government and progress to the United States.

When said resolution was considered.

After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶135.21 APPOINTMENT OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

WASHINGTON, DC,
December 15, 2000.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the remainder of the second session of the One Hundred Sixth Congress.

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

By unanimous consent, the appointment was approved.

¶135.22 CHANGE OF REFERENCE—H.R. 420

On motion of Mr. CHAMBLISS, by unanimous consent, the Committee on the Budget and the Committee on Ways and Means were discharged from further consideration of the bill (H.R. 420) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to require that the size of the public debt be reduced during each fiscal year by the amount of the net surplus in the Social Security trust funds at the end of that fiscal year.

When said bill was rereferred to the Committee on Budget.

¶135.23 CHANGE OF REFERENCE—H.R. 4694

On motion of Mr. CHAMBLISS, by unanimous consent, the Committee on the Budget and the Committee on Ways and Means were discharged from further consideration of the bill (H.R. 4694) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to require that the size of the public debt be reduced during each fiscal year by the amount of the net surplus in the Social Security and Medicare trust funds at the end of that fiscal year.

When said bill was rereferred to the Committee on Budget.

¶135.24 CHANGE OF REFERENCE—H.R. 167

On motion of Mr. CHAMBLISS, by unanimous consent, the Committee on the Ways and Means and the Committee on the Budget were discharged from further consideration of the bill (H.R. 167) to reaffirm the off-budget status of the old-age, survivors, and disability insurance program under title II of the Social Security Act.

When said bill was rereferred to the Committee on Budget and in addition to the Committee on Ways and Means.

¶135.25 MALARIA CONTROL

On motion of Mr. GILMAN, by unanimous consent, the bill (S. 2943) to authorize additional assistance for international malaria control, and for other purposes; together with the following amendment of the Senate to the amendments of the House thereto, was taken from the Speaker's table:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Assistance for International Malaria Control Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—ASSISTANCE FOR INTERNATIONAL MALARIA CONTROL

Sec. 101. Short title.
Sec. 102. Findings.
Sec. 103. Assistance for malaria prevention, treatment, control, and elimination.

TITLE II—POLICY OF THE UNITED STATES WITH RESPECT TO MACAU

Sec. 201. Short title.
Sec. 202. Findings and declarations; sense of Congress.
Sec. 203. Continued application of United States law.
Sec. 204. Reporting requirement.
Sec. 205. Definitions.

TITLE III—UNITED STATES-CANADA ALASKA RAIL COMMISSION

Sec. 301. Short title.
Sec. 302. Findings.
Sec. 303. Agreement for a United States-Canada bilateral commission.
Sec. 304. Composition of Commission.
Sec. 305. Governance and staffing of Commission.

Sec. 306. Duties.
Sec. 307. Commencement and termination of Commission.
Sec. 308. Funding.
Sec. 309. Definitions.
TITLE IV—PACIFIC CHARTER COMMISSION ACT OF 2000
Sec. 401. Short title.
Sec. 402. Purposes.
Sec. 403. Establishment of commission.
Sec. 404. Duties of Commission.
Sec. 405. Membership of Commission.
Sec. 406. Powers of Commission.
Sec. 407. Staff and support services of Commission.
Sec. 408. Termination.
Sec. 409. Authorization of appropriations.
Sec. 410. Effective date.
TITLE V—MISCELLANEOUS PROVISIONS
Sec. 501. Assistance efforts in Sudan.
Sec. 502. Authority to provide towing assistance.
Sec. 503. Sense of Congress on the American University in Bulgaria.
TITLE VI—PAUL D. COVERDELL WORLD WISE SCHOOLS ACT OF 2000
Sec. 601. Short title.
Sec. 602. Findings.
Sec. 603. Designation of Paul D. Coverdell World Wise Schools Program.

TITLE I—ASSISTANCE FOR INTERNATIONAL MALARIA CONTROL

SEC. 101. SHORT TITLE.

This title may be cited as the ''International Malaria Control Act of 2000''.

SEC. 102. FINDINGS.

Congress makes the following findings:

(1) The World Health Organization estimates that there are 300,000,000 to 500,000,000 cases of malaria each year.

(2) According to the World Health Organization, more than 1,000,000 persons are estimated to die due to malaria each year.

(3) According to the National Institutes of Health, about 40 percent of the world's population is at risk of becoming infected.

(4) About half of those who die each year from malaria are children under 9 years of age.

(5) Malaria kills one child each 30 seconds.

(6) Although malaria is a public health problem in more than 90 countries, more than 90 percent of all malaria cases are in sub-Saharan Africa.

(7) In addition to Africa, large areas of Central and South America, Haiti and the Dominican Republic, the Indian subcontinent, Southeast Asia, and the Middle East are high risk malaria areas.

(8) These high risk areas represent many of the world's poorest nations.

(9) Malaria is particularly dangerous during pregnancy. The disease causes severe anemia and is a major factor contributing to maternal deaths in malaria endemic regions.

(10) ''Airport malaria'', the importing of malaria by international aircraft and other conveyances, is becoming more common, and the United Kingdom reported 2,364 cases of malaria in 1997, all of them imported by travelers.

(11) In the United States, of the 1,400 cases of malaria reported to the Centers for Disease Control and Prevention in 1998, the vast majority were imported.

(12) Between 1970 and 1997, the malaria infection rate in the United States increased by about 40 percent.

(13) Malaria is caused by a single-cell parasite that is spread to humans by mosquitoes.

(14) No vaccine is available and treatment is hampered by development of drug-resistant parasites and insecticide-resistant mosquitoes.

SEC. 103. ASSISTANCE FOR MALARIA PREVENTION, TREATMENT, CONTROL, AND ELIMINATION.

(a) ASSISTANCE.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development, in coordination with the heads of other appropriate Federal agencies and nongovernmental organizations, shall provide assistance for the establishment and conduct of activities designed to prevent, treat, control, and eliminate malaria in countries with a high percentage of malaria cases.

(2) CONSIDERATION OF INTERACTION AMONG EPIDEMICS.—In providing assistance pursuant to paragraph (1), the Administrator should consider the interaction among the epidemics of HIV/AIDS, malaria, and tuberculosis.

(3) DISSEMINATION OF INFORMATION REQUIREMENT.—Activities referred to in paragraph (1) shall include the dissemination of information relating to the development of vaccines and therapeutic agents for the prevention of malaria (including information relating to participation in, and the results of, clinical trials for such vaccines and agents conducted by United States Government agencies) to appropriate officials in such countries.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out subsection (a) $50,000,000 for each of the fiscal years 2001 and 2002.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

TITLE II—POLICY OF THE UNITED STATES WITH RESPECT TO MACAU

SEC. 201. SHORT TITLE.

This title may be cited as the ''United States-Macau Policy Act of 2000''.

SEC. 202. FINDINGS AND DECLARATIONS; SENSE OF CONGRESS.

(a) FINDINGS AND DECLARATIONS.—Congress makes the following findings and declarations:

(1) The continued economic prosperity of Macau furthers United States interests in the People's Republic of China and Asia.

(2) Support for democratization is a fundamental principle of United States foreign policy, and as such, that principle naturally applies to United States policy toward Macau.

(3) The human rights of the people of Macau are of great importance to the United States and are directly relevant to United States interests in Macau.

(4) A fully successful transition in the exercise of sovereignty over Macau must continue to safeguard human rights in and of themselves.

(5) Human rights also serve as a basis for Macau's continued economic prosperity, and Congress takes note of Macau's adherence to the International Covenant on Civil and Political Rights and the International Convention on Economic, Social, and Cultural Rights.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should play an active role in maintaining Macau's confidence and prosperity, Macau's unique cultural heritage, and the mutually beneficial ties between the people of the United States and the people of Macau;

(2) through its policies, the United States should contribute to Macau's ability to maintain a high degree of autonomy in matters other than defense and foreign affairs as promised by the People's Republic of China and the Republic of Portugal in the Joint Declaration, particularly with respect to such matters as trade, commerce, law enforcement, finance, monetary policy, aviation, shipping, communications, tourism, cultural affairs, sports, and participation in international organizations, consistent with the national security and other interests of the United States; and

(3) the United States should actively seek to establish and expand direct bilateral ties and agreements with Macau in economic, trade, financial, monetary, mutual legal assistance, law enforcement, communication, transportation, and other appropriate areas.

SEC. 203. CONTINUED APPLICATION OF UNITED STATES LAW.

(a) CONTINUED APPLICATION.—

(1) IN GENERAL.—Notwithstanding any change in the exercise of sovereignty over Macau, and subject to subsections (b) and (c), the laws of the United States shall continue to apply with respect to Macau in the same manner as the laws of the United States were applied with respect to Macau before December 20, 1999, unless otherwise expressly provided by law or by Executive order issued pursuant to paragraph (2).

(2) EXCEPTION.—Whenever the President determines that Macau is not sufficiently autonomous to justify treatment under a particular law of the United States, or any provision thereof, different from that accorded the People's Republic of China, the President may issue an Executive order suspending the application of paragraph (1) to such law or provision of law. The President shall promptly notify the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate concerning any such determination and shall publish the Executive order in the Federal Register.

(b) EXPORT CONTROLS.—

(1) IN GENERAL.—The export control laws, regulations, and practices of the United States shall apply to Macau in the same manner and to the same extent that such laws, regulations, and practices apply to the People's Republic of China, and in no case shall such laws, regulations, and practices be applied less restrictively to exports to Macau than to exports to the People's Republic of China.

(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed as prohibiting the provision of export control assistance to Macau.

(c) INTERNATIONAL AGREEMENTS.—

(1) IN GENERAL.—Subject to subsection (b) and paragraph (2), for all purposes, including actions in any court of the United States, Congress approves of the continuation in force after December 20, 1999, of all treaties and other international agreements, including multilateral conventions, entered into before such date between the United States and Macau, or entered into force before such date between the United States and the Republic of Portugal and applied to Macau, unless or until terminated in accordance with law.

(2) EXCEPTION.—If, in carrying out this subsection, the President determines that Macau is not legally competent to carry out its obligations under any such treaty or other international agreement, or that the continuation of Macau's obligations or rights under any such treaty or other international agreement is not appropriate under the circumstances, the President shall take appropriate action to modify or terminate such treaty or other international agreement. The President shall promptly notify the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate concerning such determination.

SEC. 204. REPORTING REQUIREMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not later than March 31 of each of the years 2001, 2002, and 2003, the Secretary of State shall transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report on conditions in Macau of interest to the United States. The report shall describe—

(1) significant developments in United States relations with Macau, including any determination made under section 203;

(2) significant developments related to the change in the exercise of sovereignty over Macau affecting United States interests in Macau or United States relations with Macau and the People's Republic of China;

(3) the development of democratic institutions in Macau;

(4) compliance by the Government of the People's Republic of China and the Government of the Republic of Portugal with their obligations under the Joint Declaration; and

(5) the nature and extent of Macau's participation in multilateral forums.

(b) SEPARATE PART OF COUNTRY REPORTS.—Whenever a report is transmitted to Congress on a country-by-country basis, there shall be included in such report, where applicable, a separate subreport on Macau under the heading of the country that exercises sovereignty over Macau.

SEC. 205. DEFINITIONS.

In this title:

(1) JOINT DECLARATION.—The term ''Joint Declaration'' means the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau, dated April 13, 1987.

(2) MACAU.—The term ''Macau'' means the territory that prior to December 20, 1999, was the Portuguese Dependent Territory of Macau and after December 20, 1999, became the Macau Special Administrative Region of the People's Republic of China.

TITLE III—UNITED STATES-CANADA ALASKA RAIL COMMISSION

SEC. 301. SHORT TITLE.

This title may be cited as the ''Rails to Resources Act of 2000''.

SEC. 302. FINDINGS.

Congress finds that—

(1) rail transportation is an essential component of the North American intermodal transportation system;

(2) the development of economically strong and socially stable communities in the western United States and Canada was encouraged significantly by government policies promoting the development of integrated transcontinental, interstate and interprovincial rail systems in the states, territories and provinces of the two countries;

(3) United States and Canadian federal support for the completion of new elements of the transcontinental, interstate and interprovincial rail systems was halted before rail connections were established to the State of Alaska and the Yukon Territory;

(4) rail transportation in otherwise isolated areas facilitates controlled access and may reduce overall impact to environmentally sensitive areas;

(5) the extension of the continental rail system through northern British Columbia and the Yukon Territory to the current terminus of the Alaska Railroad would significantly benefit the United States and Canadian visitor industries by facilitating the comfortable movement of passengers over long distances while minimizing effects on the surrounding areas; and

(6) ongoing research and development efforts in the rail industry continue to increase the efficiency of rail transportation, ensure safety, and decrease the impact of rail service on the environment.

SEC. 303. AGREEMENT FOR A UNITED STATES-CANADA BILATERAL COMMISSION.

The President is authorized and urged to enter into an agreement with the Government of Canada to establish an independent joint commission to study the feasibility and advisability of linking the rail system in Alaska to the nearest appropriate point on the North American continental rail system.

SEC. 304. COMPOSITION OF COMMISSION.

(a) MEMBERSHIP.—

(1) TOTAL MEMBERSHIP.—The Agreement should provide for the Commission to be composed of 24 members, of which 12 members are appointed by the President and 12 members are appointed by the Government of Canada.

(2) GENERAL QUALIFICATIONS.—The Agreement should provide for the membership of the Commission, to the maximum extent practicable, to be representative of—

(A) the interests of the local communities (including the governments of the communities), aboriginal peoples, and businesses that would be affected by the connection of the rail system in Alaska to the North American continental rail system; and

(B) a broad range of expertise in areas of knowledge that are relevant to the significant issues to be considered by the Commission, including economics, engineering, management of resources, social sciences, fish and game management, environmental sciences, and transportation.

(b) UNITED STATES MEMBERSHIP.—If the United States and Canada enter into an agreement providing for the establishment of the Commission, the President shall appoint the United States members of the Commission as follows:

(1) Two members from among persons who are qualified to represent the interests of communities and local governments of Alaska.

(2) One member representing the State of Alaska, to be nominated by the Governor of Alaska.

(3) One member from among persons who are qualified to represent the interests of Native Alaskans residing in the area of Alaska that would be affected by the extension of rail service.

(4) Three members from among persons involved in commercial activities in Alaska who are qualified to represent commercial interests in Alaska, of which one shall be a representative of the Alaska Railroad Corporation.

(5) One member representing United States Class I rail carriers and one member representing United States rail labor.

(6) Three members with relevant expertise, at least one of whom shall be an engineer with expertise in subarctic transportation and at least one of whom shall have expertise on the environmental impact of such transportation.

(c) CANADIAN MEMBERSHIP.—The Agreement should provide for the Canadian membership of the Commission to be representative of broad categories of interests of Canada as the Government of Canada determines appropriate, consistent with subsection (a)(2).

SEC. 305. GOVERNANCE AND STAFFING OF COMMISSION.

(a) CHAIRMAN.—The Agreement should provide for the Chairman of the Commission to be elected from among the members of the Commission by a majority vote of the members.

(b) COMPENSATION AND EXPENSES OF UNITED STATES MEMBERS.—

(1) COMPENSATION.—Each member of the Commission appointed by the President who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. Each such member who is an officer or employee of the United States shall serve without compensation in addition to that received for services as an officer or employee of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission appointed by the President shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Agreement should provide for the appointment of a staff and an executive director to be the head of the staff.

(2) COMPENSATION.—Funds made available for the Commission by the United States may be used to pay the compensation of the executive director and other personnel at rates fixed by the Commission that are not in excess of the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) OFFICE.—The Agreement should provide for the office of the Commission to be located in a mutually agreed location within the impacted areas of Alaska, the Yukon Territory, and northern British Columbia.

(e) MEETINGS.—The Agreement should provide for the Commission to meet at least biannually to review progress and to provide guidance to staff and others, and to hold, in locations within the affected areas of Alaska, the Yukon Territory and northern British Columbia, such additional informational or public meetings as the Commission deems necessary to the conduct of its business.

(f) PROCUREMENT OF SERVICES.—The Agreement should authorize and encourage the Commission to procure by contract, to the maximum extent practicable, the services (including any temporary and intermittent services) that the Commission determines necessary for carrying out the duties of the Commission. In the case of any contract for the services of an individual, funds made available for the Commission by the United States may not be used to pay for the services of the individual at a rate that exceeds the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

SEC. 306. DUTIES.

(a) STUDY.—

(1) IN GENERAL.—The Agreement should provide for the Commission to study and assess, on the basis of all available relevant information, the feasibility and advisability of linking the rail system in Alaska to the North American continental rail system through the continuation of the rail system in Alaska from its northeastern terminus to a connection with the continental rail system in Canada.

(2) SPECIFIC ISSUES.—The Agreement should provide for the study and assessment to include the consideration of the following issues:

(A) Railroad engineering.

(B) Land ownership.

(C) Geology.

(D) Proximity to mineral, timber, tourist, and other resources.

(E) Market outlook.

(F) Environmental considerations.

(G) Social effects, including changes in the use or availability of natural resources.

(H) Potential financing mechanisms.

(3) ROUTE.—The Agreement should provide for the Commission, upon finding that it is feasible and advisable to link the rail system in Alaska as described in paragraph (1), to determine one or more recommended routes for the rail segment that establishes the linkage, taking into consideration cost, distance, access to potential freight markets, environmental matters, existing corridors that are already used for ground transportation, the route surveyed by the Army Corps of Engineers during World War II and such other factors as the Commission determines relevant.

(4) COMBINED CORRIDOR EVALUATION.—The Agreement should also provide for the Commission to consider whether it would be feasible and advisable to combine the power transmission infrastructure and petroleum product pipelines of other utilities into one corridor with a rail extension of the rail system of Alaska.

(b) REPORT.—The Agreement should require the Commission to submit to Congress and the Secretary of Transportation and to the Minister of Transport of the Government of Canada, not later than 3 years after the Commission commencement date, a report on the results of the study, including the Commission's findings regarding the feasibility and advisability of linking the rail system in Alaska as described in subsection (a)(1) and the Commission's recommendations regarding the preferred route and any alternative routes for the rail segment establishing the linkage.

SEC. 307. COMMENCEMENT AND TERMINATION OF COMMISSION.

(a) COMMENCEMENT.—The Agreement should provide for the Commission to begin to function on the date on which all members are appointed

to the Commission as provided for in the Agreement.

(b) TERMINATION.—The Commission should be terminated 90 days after the date on which the Commission submits its report under section 306.

SEC. 308. FUNDING.

(a) RAILS TO RESOURCES FUND.—The Agreement should provide for the following:

(1) ESTABLISHMENT.—The establishment of an interest-bearing account to be known as the ''Rails to Resources Fund''.

(2) CONTRIBUTIONS.—The contribution by the United States and the Government of Canada to the Fund of amounts that are sufficient for the Commission to carry out its duties.

(3) AVAILABILITY.—The availability of amounts in the Fund to pay the costs of Commission activities.

(4) DISSOLUTION.—Dissolution of the Fund upon the termination of the Commission and distribution of the amounts remaining in the Fund between the United States and the Government of Canada.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to any fund established for use by the Commission as described in subsection (a)(1) $6,000,000, to remain available until expended.

SEC. 309. DEFINITIONS.

In this title:

(1) AGREEMENT.—The term ''Agreement'' means an agreement described in section 303.

(2) COMMISSION.—The term ''Commission'' means a commission established pursuant to any Agreement.

TITLE IV—PACIFIC CHARTER COMMISSION ACT OF 2000

SEC. 401. SHORT TITLE.

This title may be cited as the ''Pacific Charter Commission Act of 2000''.

SEC. 402. PURPOSES.

The purposes of this title are—

(1) to promote a consistent and coordinated foreign policy of the United States to ensure economic and military security in the Asia-Pacific region;

(2) to support democratization, the rule of law, and human rights in the Asia-Pacific region;

(3) to promote United States exports to the Asia-Pacific region by advancing economic cooperation;

(4) to assist in combating terrorism and the spread of illicit narcotics in the Asia-Pacific region; and

(5) to advocate an active role for the United States Government in diplomacy, security, and the furtherance of good governance and the rule of law in the Asia-Pacific region.

SEC. 403. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—The President is authorized to establish a commission to be known as the Pacific Charter Commission (hereafter in this title referred to as the ''Commission'').

(b) EXPIRATION OF AUTHORITY.—The authority to establish the Commission under this section shall expire at the close of December 31, 2002.

SEC. 404. DUTIES OF COMMISSION.

(a) DUTIES.—The Commission should establish and carry out, either directly or through nongovernmental organizations, programs, projects, and activities to achieve the purposes described in section 402, including research and educational or legislative exchanges between the United States and countries in the Asia-Pacific region.

(b) MONITORING OF DEVELOPMENTS.—The Commission should monitor developments in countries of the Asia-Pacific region with respect to United States foreign policy toward such countries, the status of democratization, the rule of law and human rights in the region, economic relations among the United States and such countries, and activities related to terrorism and the illicit narcotics trade.

(c) POLICY REVIEW AND RECOMMENDATIONS.—In carrying out this section, the Commission should evaluate United States Government policies toward countries of the Asia-Pacific region and recommend options for policies of the United States Government with respect to such countries, with a particular emphasis on countries that are of importance to the foreign policy, economic, and military interests of the United States.

(d) CONTACTS WITH OTHER ENTITIES.—In performing the functions described in subsections (a) through (c), the Commission should, as appropriate, seek out and maintain contacts with nongovernmental organizations, international organizations, and representatives of industry, including receiving reports and updates from such organizations and evaluating such reports.

(e) ANNUAL REPORT.—Not later than 18 months after the date of the establishment of the Commission, and not later than the end of each 12-month period thereafter, the Commission shall prepare and submit to the President and Congress a report that contains the findings of the Commission, in the case of the initial report, during the period since the date of establishment of the Commission, or, in the case of each subsequent report, during the preceding 12-month period. Each such report shall contain—

(1) recommendations for legislative, executive, or other actions resulting from the evaluation of policies described in subsection (c);

(2) a description of programs, projects, and activities of the Commission for the prior year or, in the case of the initial report, since the date of establishment of the Commission; and

(3) a complete accounting of the expenditures made by the Commission during the prior year or, in the case of the initial report, since the date of establishment of the Commission.

SEC. 405. MEMBERSHIP OF COMMISSION.

(a) COMPOSITION.—If established pursuant to section 403, the Commission shall be composed of seven members all of whom—

(1) shall be citizens of the United States who are not officers or employees of any government, except to the extent they are considered such officers or employees by virtue of their membership on the Commission; and

(2) shall have interest and expertise in issues relating to the Asia-Pacific region.

(b) APPOINTMENT.—

(1) IN GENERAL.—The individuals referred to in subsection (a) shall be appointed—

(A) by the President, after consultation with the Speaker and Minority Leader of the House of Representatives, the Chairman and ranking member of the Committee on International Relations of the House of Representatives, the Majority Leader and Minority Leader of the Senate, and the Chairman and ranking member of the Committee on Foreign Relations of the Senate; and

(B) by and with the advice and consent of the Senate.

(2) POLITICAL AFFILIATION.—Not more than four of the individuals appointed under paragraph (1) may be affiliated with the same political party.

(c) TERM.—Each member of the Commission shall be appointed for a term of 6 years.

(d) VACANCIES.—A vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(e) CHAIRPERSON; VICE CHAIRPERSON.—The President shall designate a Chairperson and Vice Chairperson of the Commission from among the members of the Commission.

(f) COMPENSATION.—

(1) RATES OF PAY.—Except as provided in paragraph (2), members of the Commission shall serve without pay.

(2) TRAVEL EXPENSES.—Each member of the Commission may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(g) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(h) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(i) AFFIRMATIVE DETERMINATIONS.—An affirmative vote by a majority of the members of the Commission shall be required for any affirmative determination by the Commission under section 404.

SEC. 406. POWERS OF COMMISSION.

(a) HEARINGS AND INVESTIGATIONS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony and receive such evidence, and conduct such investigations as the Commission considers advisable to carry out this title.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this title. Upon request of the Chairperson of the Commission, the head of any such department agency shall furnish such information to the Commission as expeditiously as possible.

(c) CONTRIBUTIONS.—The Commission may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of assisting or facilitating the work of the Commission. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in the Treasury and shall be available for disbursement upon order of the Commission.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

SEC. 407. STAFF AND SUPPORT SERVICES OF COMMISSION.

(a) EXECUTIVE DIRECTOR.—The Commission shall have an executive director appointed by the Commission who shall serve the Commission under such terms and conditions as the Commission determines to be appropriate.

(b) STAFF.—The Commission may appoint and fix the pay of such additional personnel, not to exceed 10 individuals, as it considers appropriate.

(c) STAFF OF FEDERAL AGENCIES.—Upon request of the chairperson of the Commission, the head of any Federal agency may detail, on a nonreimbursable basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out its duties under this title.

(d) EXPERTS AND CONSULTANTS.—The chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

SEC. 408. TERMINATION.

The Commission shall terminate not later than 6 years after the date of the establishment of the Commission.

SEC. 409. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—In the event the Commission is established, there are authorized to be appropriated to carry out this title $2,500,000 for the initial 24-month period of the existence of the Commission.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

SEC. 410. EFFECTIVE DATE.

This title shall take effect on February 1, 2001.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. ASSISTANCE EFFORTS IN SUDAN.

(a) ADDITIONAL AUTHORITIES.—Notwithstanding any other provision of law, the President is authorized to undertake appropriate programs using Federal agencies, contractual arrangements, or direct support of indigenous groups, agencies, or organizations in areas outside of control of the Government of Sudan in an effort to provide emergency relief, promote economic self-sufficiency, build civil authority, provide education, enhance rule of law and the development of judicial and legal frameworks, support people-to-people reconciliation efforts, or implement any program in support of any

viable peace agreement at the local, regional, or national level in Sudan.

(b) EXCEPTION TO EXPORT PROHIBITIONS.—Notwithstanding any other provision of law, the prohibitions set forth with respect to Sudan in Executive Order No. 13067 of November 3, 1997 (62 Fed. Register 59989) shall not apply to any export from an area in Sudan outside of control of the Government of Sudan, or to any necessary transaction directly related to that export, if the President determines that the export or related transaction, as the case may be, would directly benefit the economic development of that area and its people.

SEC. 502. AUTHORITY TO PROVIDE TOWING ASSISTANCE.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States LST Association (in this section referred to as the ''Association'') is a patriotic organization dedicated to honoring the memories of those brave American servicemen who selflessly served, and often made the ultimate sacrifice, in the defense of the United States, its allies, and the principles of democracy and freedom.

(2) The Association is currently engaged in efforts to return to the United States the former United States warship, Landing Ship Tank 325 (LST 325) to serve as a memorial to those American servicemen who went into harm's way aboard and from such warships.

(b) AUTHORIZATION.—The Secretary of the Navy is authorized to provide towing services from a suitable vessel of the Unites States Navy to tow the former LST 325 from its present location, or a location to be determined by the Secretary, to a port on the East Coast of the United States to be determined by the Secretary. The Secretary of the Navy may not provide such services unless the Secretary finds that the provision of such services will not interfere with military operations, military readiness, naval force presence requirements, or the accomplishment of the specific missions of the vessel providing the towing services.

(c) LIMITATIONS.—The services authorized by subsection (b) may not be provided except as part of a regular rotation of the vessel providing the services back to the United States. Such services may be provided only after—

(1) the former LST 325 has been determined by a professional marine survey or by the United States Coast Guard to be seaworthy for towing and meeting requirements for entry into a United States port; and

(2) the Association has named the United States Navy as an additional insured party to the tow hull policy covering the former LST 325, including a waiver of subrogation.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of Navy may require such additional terms and conditions in connection with the provision of towing services under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 503. SENSE OF CONGRESS ON THE AMERICAN UNIVERSITY IN BULGARIA.

(a) FINDINGS.—Congress finds that the American University in Bulgaria—

(1) is a fine educational institution that has received generous and well-deserved financial assistance from the United States Government;

(2) has a successful track record and is educating a generation of leaders who will shape and determine the future of their own societies;

(3) has instilled in students in the Balkan region of Europe the intellectual rigor of the American system of higher education;

(4) promotes the study and understanding of democratic governance principles;

(5) maintains entrance and academic standards that are exemplary and has a commitment to providing educational opportunities that is based upon merit rather than solely on the ability of students to bear the entire cost of their education; and

(6) is a cost-effective institution of higher learning and offers a high-quality education.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should assist the American University in Bulgaria to become a self-sustaining institution of higher education in the Balkan region of Europe.

TITLE VI—PAUL D. COVERDELL WORLD WISE SCHOOLS ACT OF 2000

SEC. 601. SHORT TITLE.

This title may be cited as the ''Paul D. Coverdell World Wise Schools Act of 2000''.

SEC. 602. FINDINGS.

Congress makes the following findings:

(1) Paul D. Coverdell was elected to the Georgia State Senate in 1970 and later became Minority Leader of the Georgia State Senate, a post he held for 15 years.

(2) As the 11th Director of the Peace Corps from 1989 to 1991, Paul Coverdell's dedication to the ideals of peace and understanding helped to shape today's Peace Corps.

(3) Paul D. Coverdell believed that Peace Corps volunteers could not only make a difference in the countries where they served but that the greatest benefit could be felt at home.

(4) In 1989, Paul D. Coverdell founded the Peace Corps World Wise Schools Program to help fulfill the Third Goal of the Peace Corps, ''to promote a better understanding of the people served among people of the United States''.

(5) The World Wise Schools Program is an innovative education program that seeks to engage learners in an inquiry about the world, themselves, and others in order to broaden perspectives; promote cultural awareness; appreciate global connections; and encourage service.

(6) In a world that is increasingly interdependent and ever changing, the World Wise Schools Program pays tribute to Paul D. Coverdell's foresight and leadership. In the words of one World Wise Schools teacher, ''It's a teacher's job to touch the future of a child; it's the Peace Corps' job to touch the future of the world. What more perfect partnership.''.

(7) Paul D. Coverdell served in the United States Senate from the State of Georgia from 1993 until his sudden death on July 18, 2000.

(8) Senator Paul D. Coverdell was beloved by his colleagues for his civility, bipartisan efforts, and his dedication to public service.

SEC. 603. DESIGNATION OF PAUL D. COVERDELL WORLD WISE SCHOOLS PROGRAM.

(a) IN GENERAL.—Effective on the date of enactment of this Act, the program under section 18 of the Peace Corps Act (22 U.S.C. 2517) referred to before such date as the ''World Wise Schools Program'' is redesignated as the ''Paul D. Coverdell World Wise Schools Program''.

(b) REFERENCES.—Any reference before the date of enactment of this Act in any law, regulation, order, document, record, or other paper of the United States to the Peace Corps World Wise Schools Program shall, on and after such date, be considered to refer to the Paul D. Coverdell World Wise Schools Program.

On motion of Mr. GILMAN, said Senate amendment to House amendments was agreed to.

A motion to reconsider the vote whereby said Senate amendment to House amendments was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶135.26 DAY OF PEACE AND SHARING

On motion of Mr. GILMAN, by unanimous consent, the Committee on International Relations was discharged from further consideration of the following concurrent resolution of the Senate (S. Con. Res. 138):

Whereas human progress in the 21st century will depend upon global understanding and cooperation in finding positive solutions to hunger and violence;

Whereas the turn of the millennium offers unparalleled opportunity for humanity to examine its past, set goals for the future, and establish new patterns of behavior;

Whereas the people of the United States and the world observed the day designated by the United Nations General Assembly as ''One Day in Peace, January 1, 2000'' (General Assembly Resolution 54/29);

Whereas the example set on that day ought to be recognized globally and repeated each year;

Whereas the people of the United States seek to establish better relations with one another and with the people of all countries; and

Whereas celebration by the breaking of bread together traditionally has been the means by which individuals, societies, and nations join together in peace: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) each year should begin with a day of peace and sharing during which—

(A) people around the world should gather with family, friends, neighbors, their faith community, or people of another culture to pledge nonviolence in the new year and to share in a celebratory new year meal; and

(B) Americans who are able should match or multiply the cost of their new year meal with a timely gift to the hungry at home or abroad in a tangible demonstration of a desire for increased friendship and sharing among people around the world; and

(2) the President should issue a proclamation each year calling on the people of the United States and interested organizations to observe such a day with appropriate programs and activities.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶135.27 JAPANESE SLAVE LABOR

On motion of Mr. GILMAN, by unanimous consent, the Committee on International Relations was discharged from further consideration of the following concurrent resolution of the Senate (S. Con. Res. 158):

Whereas from December 1941 to April 1942, members of the United States Armed Forces fought valiantly against overwhelming Japanese military forces on the Bataan peninsula of the Island of Luzon in the Philippines, thereby preventing Japan from accomplishing strategic objectives necessary for achieving early military victory in the Pacific during World War II;

Whereas after receiving orders to surrender on April 9, 1942, many of those valiant combatants were taken prisoner of war by Japan and forced to march 85 miles from the Bataan peninsula to a prisoner-of-war camp at former Camp O'Donnell;

Whereas, of the members of the United States Armed Forces captured by Imperial Japanese forces during the entirety of World War II, a total of 36,260 of them survived their capture and transit to Japanese prisoner-of-war camps to be interned in those camps, and 37.3 percent of those prisoners of war died during their imprisonment in those camps;

Whereas that march resulted in more than 10,000 deaths by reason of starvation, disease, and executions;

Whereas many of those prisoners of war were transported to Japan where they were

forced to perform slave labor for the benefit of private Japanese companies under barbaric conditions that included torture and inhumane treatment as to such basic human needs as shelter, feeding, sanitation, and health care;

Whereas the private Japanese companies unjustly profited from the uncompensated labor cruelly exacted from the American personnel in violation of basic human rights;

Whereas these Americans do not make any claims against the Japanese Government or the people of Japan, but, rather, seek some measure of justice from the Japanese companies that profited from their slave labor;

Whereas they have asserted claims for compensation against the private Japanese companies in various courts in the United States;

Whereas the United States Government has, to date, opposed the efforts of these Americans to receive redress for the slave labor and inhumane treatment, and has not made any efforts to facilitate discussions among the parties;

Whereas in contrast to the claims of the Americans who were prisoners of war in Japan, the Department of State has facilitated a settlement of the claims made against private German businesses by individuals who were forced into slave labor by the Government of the Third Reich of Germany for the benefit of the German businesses during World War II: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that it is in the interest of justice and fairness that the United States, through the Secretary of State or other appropriate officials, put forth its best efforts to facilitate discussions designed to resolve all issues between former members of the Armed Forces of the United States who were prisoners of war forced into slave labor for the benefit of Japanese companies during World War II and the private Japanese companies who profited from their slave labor.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶135.28 COMPUTER CRIME ENFORCEMENT

On motion of Mr. McCOLLUM, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill (H.R. 2816) to establish a grant program to assist State and local law enforcement in deterring, investigating, and prosecuting computer crime.

When said bill was considered and read twice.

Mr. McCOLLUM submitted the following amendment which was agreed to:

Page 4, line 17, strike ''2000 through 2003'' and insert the following: ''2001 through 2004''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶135.29 AMVETS CHARTER AMENDMENT

On motion of Mr. McCOLLUM, by unanimous consent, the bill (H.R. 604) to amend the charter of the AMVETS organization; was taken from the Speaker's table.

Mr. McCOLLUM submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. AMENDMENTS TO AMVETS CHARTER.

(a) NAME OF ORGANIZATION.—(1) Sections 22701(a) and 22706 of title 36, United States Code, are amended by striking ''AMVETS (American Veterans of World War II, Korea, and Vietnam)'' and inserting ''AMVETS (American Veterans)''.

(2)(A) The heading of chapter 227 of such title is amended to read as follows:

"CHAPTER 227—AMVETS (AMERICAN VETERANS)".

(B) The item relating to such chapter in the table of chapters at the beginning of subtitle II of such title is amended to read as follows:

''227. AMVETS (AMERICAN VETERANS) ..... 22701''.

(b) GOVERNING BODY.—Section 22704(c)(1) of such title is amended by striking ''seven national vice commanders'' and all that follows through ''a judge advocate,'' and inserting ''two national vice commanders and six national district commanders, at least one of whom shall be a woman, a finance officer, a judge advocate, a chaplain,''.

(c) HEADQUARTERS AND PRINCIPAL PLACE OF BUSINESS.—Section 22708 of such title is amended—

(1) by striking ''the District of Columbia'' in the first sentence and inserting ''Maryland''; and

(2) by striking ''the District of Columbia'' in the second sentence and inserting ''Maryland''.

When said bill, as amended, was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶135.30 INTERNET FALSE IDENTIFICATION PREVENTION

On motion of Mr. McCOLLUM, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 2924) to strengthen the enforcement of Federal statutes relating to false identification, and for other purposes.

Mr. McCOLLUM submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Internet False Identification Prevention Act of 2000''.

SEC. 2. COORDINATING COMMITTEE ON FALSE IDENTIFICATION.

(a) IN GENERAL.—The Attorney General and the Secretary of the Treasury shall establish a coordinating committee to ensure, through existing interagency task forces or other means, that the creation and distribution of false identification documents (as defined in section 1028(d)(3) of title 18, United States Code, as added by section 3(2) of this Act) is vigorously investigated and prosecuted.

(b) MEMBERSHIP.—The coordinating committee shall consist of the Director of the United States Secret Service, the Director of the Federal Bureau of Investigation, the Attorney General, the Commissioner of Social Security, and the Commissioner of Immigration and Naturalization, or their respective designees.

(c) TERM.—The coordinating committee shall terminate 2 years after the effective date of this Act.

(d) REPORT.—

(1) IN GENERAL.—The Attorney General and the Secretary of the Treasury, at the end of each year of the existence of the committee, shall report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the activities of the committee.

(2) CONTENTS.—The report referred in paragraph (1) shall include—

(A) the total number of indictments and informations, guilty pleas, convictions, and acquittals resulting from the investigation and prosecution of the creation and distribution of false identification documents during the preceding year;

(B) identification of the Federal judicial districts in which the indictments and informations were filed, and in which the subsequent guilty pleas, convictions, and acquittals occurred;

(C) specification of the Federal statutes utilized for prosecution;

(D) a brief factual description of significant investigations and prosecutions;

(E) specification of the sentence imposed as a result of each guilty plea and conviction; and

(F) recommendations, if any, for legislative changes that could facilitate more effective investigation and prosecution of the creation and distribution of false identification documents.

SEC. 3. FALSE IDENTIFICATION.

Section 1028 of title 18, United States Code, is amended—

(1) in subsection (c)(3)(A), by inserting '', including the transfer of a document by electronic means'' after ''commerce''; and

(2) in subsection (d)—

(A) in paragraph (1), by inserting ''template, computer file, computer disc,'' after ''impression,'';

(B) in paragraph (5), by striking ''and'' after the semicolon;

(C) by redesignating paragraph (6) as paragraph (8);

(D) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively;

(E) by inserting after paragraph (2) the following:

''(3) the term 'false identification document' means a document of a type intended or commonly accepted for the purposes of identification of individuals that—

''(A) is not issued by or under the authority of a governmental entity; and

''(B) appears to be issued by or under the authority of the United States Government, a State, a political subdivision of a State, a foreign government, a political subdivision of a foreign government, or an international governmental or quasi-governmental organization;''; and

(F) by inserting after paragraph (6), as redesignated, the following:

''(7) the term 'transfer' includes selecting an identification document, false identification document, or document-making implement and placing or directing the placement of such identification document, false identification document, or document-making implement on an online location where it is available to others; and''.

SEC. 4. REPEAL.

Section 1738 of title 18, United States Code, and the item relating to that section in the table of contents for chapter 83 of that title, are repealed.

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

When said bill, as amended, was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶135.31 MULTIDISTRICT LITIGATION

On motion of Mr. McCOLLUM, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill (H.R. 5562) to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial.

When said bill was considered and read twice.

Mr. McCOLLUM submitted the following amendment which was agreed to:

Page 2, lines 7 and 8, strike ''and except as provided in subsection (j)''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶135.32 SEQUOIA NATIONAL PARK EXPANSION

On motion of Mr. RADANOVICH, by unanimous consent, the bill (H.R. 4020) to authorize an expansion of the boundaries of Sequoia National Park to include Dillonwood Giant Sequoia Grove; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. ADDITION TO SEQUOIA NATIONAL PARK.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall acquire by donation, purchase with donated or appropriated funds, or exchange, all interest in and to the land described in subsection (b) for addition to Sequoia National Park, California.

(b) LAND ACQUIRED.—The land referred to in subsection (a) is the land depicted on the map entitled ''Dillonwood'', numbered 102/80,044, and dated September 1999.

(c) ADDITION TO PARK.—Upon acquisition of the land under subsection (a)—

(1) the Secretary of the Interior shall—

(A) modify the boundaries of Sequoia National Park to include the land within the park; and

(B) administer the land as part of Sequoia National Park in accordance with all applicable laws; and

(2) the Secretary of Agriculture shall modify the boundaries of the Sequoia National Forest to exclude the land from the forest boundaries.

On motion of Mr. RADANOVICH, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶135.33 WOLF TRAP NATIONAL PARK FOR THE PERFORMING ARTS

On motion of Mr. RADANOVICH, by unanimous consent, the Committee on Resources was discharged from further consideration of the bill (H.R. 2049) to rename Wolf Trap Farm Park for the Performing Arts as ''Wolf Trap National Park for the Performing Arts''.

When said bill was considered and read twice.

Mr. RADANOVICH submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. RENAMING.

The Act entitled ''An Act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes'', P.L. 89–671 (16 U.S.C. 284) is amended in the first section and in Section 11(2) by striking ''Wolf Trap Farm Park'' and inserting ''Wolf Trap National Park for the Performing Arts''. Any reference to such park in any law, regulation, map, document, paper, or other record of the United States shall be considered to be a reference to the ''Wolf Trap National Park for the Performing Arts''.

SEC. 2. USE OF NAME.

The Act entitled ''An Act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes'', P.L. 89–671 (16 U.S.C. 284) is amended by adding at the end the following:

''SEC. 14. Any reference to the park other than by the name ''Wolf Trap National Park for the Performing Arts'' shall be prohibited.''.

SEC. 3. APPLICABILITY OF OTHER LAWS.

Any laws, rules, or regulations that are applicable solely to units of the National Park System that are designated as a ''National Park'' shall not apply to ''Wolf Trap National Park for the Performing Arts'' nor to any other units designated as a ''National Park for the Performing Arts''.

SEC. 4. TECHNICAL CORRECTION.

Section 4(c)(3) of ''An Act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes'', P.L. 89–671 (16 U.S.C. 284) is amended by striking ''Funds'' and inserting ''funds''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶135.34 HONORING THE LATE HONORABLE HENRY B. GONZALEZ

On motion of Mr. THOMAS, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following concurrent resolution (H. Con. Res. 445):

Whereas Henry B. Gonzalez served his Nation and the people of the 20th District of Texas in San Antonio with honor and distinction for 37 years as a Member of the United States House of Representatives.

Whereas Henry B. Gonzalez became an internationally recognized leader in the fields of banking and housing, having held more than 500 hearings as Chairman of the Committee on Banking and Urban Affairs, and having shepherded more than 70 bills from introduction to enactment into law, including landmark legislation to revamp and rescue the United States savings and loan industry;

Whereas Henry B. Gonzalez focused the attention of the House of Representatives on solving numerous and challenging public policy problems, especially the needs of the poor and the powerless, including making affordable housing available to the poor, making credit more readily available to underprivileged communities and small businesses, making the Board of Governors of the Federal Reserve System more transparent and accountable to the United States public, and strengthening civil rights for all Americans;

Whereas Henry B. Gonzalez represents the quintessential American success story by virtue of having become the first American of Mexican descent in Texas history to represent Texas in the United States House of Representatives, and one of the first Mexican-Americans to rise to the position of Chairman of a major congressional committee of the House of Representatives;

Whereas Henry B. Gonzalez served his country in World War II in military intelligence, and taught math to veterans and citizenship classes to resident immigrants seeking American citizenship;

Whereas Henry B. Gonzalez leaves a proud legacy to his hometown of San Antonio (in whose public schools he was educated), encouraged the development of public housing, 2 major medical centers, numerous development projects, and the public laws he authored that brought the HemisFair '68 World Fair to San Antonio, thereby making the city a recognized center for international conventions and tourism;

Whereas Henry B. Gonzalez a champion for the downtrodden and the poor (exemplified, among other things, by his 22-hour long filibuster of segregationist bills in the Texas Senate in the 1950's), consistently brought his skill and passion to bear on behalf of the underprivileged, thereby making our Nation a much better place;

Whereas Henry B. Gonzalez a modest man of great popularity and of a fervently independent character, was awarded the John F. Kennedy Profile in Courage Award for his display of political courage as a leader who acted on principle throughout his multifaceted career, without fear or favor;

Whereas Henry B. Gonzalez will always remain an enduring symbol of integrity, independence, solid principles, and strength of character, and will always remind us of what it means to give honorable public service, as he did to his San Antonio constituents, the State of Texas, and to all Americans: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

That the Congress—

(1) has learned with profound sorrow of the death of the Honorable Henry Barbosa Gonzalez on November 28, 2000, and extends condolences to the Gonzalez family, and especially to his wife Bertha and their 8 children;

(2) expresses its profound gratitude to the Honorable Henry Barbosa Gonzalez and his family for the service that he rendered to his country; and

(3) recognizes with appreciation and respect the Honorable Henry Barbosa Gonzalez's commitment to and example of leadership and commitment to public service and to his constituents, and his serving as a role model for generations to come.

SEC. 2. TRANSMISSION OF ENROLLED RESOLUTION

The Clerk of the House of Representatives shall transmit an enrolled copy of this Con-

current Resolution to the family of the Honorable Henry Barbosa Gonzalez.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶135.35 SUPPORT FOR MENTORING PROGRAMS

On motion of Mr. GOODLING, by unanimous consent, the Committee on Education and the Workforce was discharged from further consideration of the following resolution (H. Res. 552):

Whereas exceptional opportunities should be provided for students in grades 4 through 12 to learn from accomplished professionals through hands-on, practical, and intellectual learning experiences;

Whereas workshops, internships, and laboratories are offered during and after-school hours, weekends, and summers;

Whereas Saturday Academy links universities, private companies and their resources, staff, laboratories, classrooms, and equipment with students to provide the opportunity to use real tools to solve real life problems;

Whereas opportunities provided by programs such as Saturday Academy bridge the gap between the classroom and the real world;

Whereas students from low-income families and groups underrepresented in science and engineering are actively recruited and supported by Saturday Academy;

Whereas nearly 99,000 students since 1983 have received Saturday Academy instruction in rural, urban, and suburban areas;

Whereas Saturday Academy received the Presidential Award for Excellence in Science, Mathematics and Engineering Mentoring by the President in 1996;

Whereas the 1995 Third International Mathematics and Science Study found that in the final year of secondary school, the performance of the United States was among the lowest in both science and mathematics;

Whereas, the United States is facing a shortage of qualified professionals in science, technology, and engineering; and

Whereas Saturday Academy places special emphasis on science, mathematics, and technology: Now, therefore, be it

Resolved, That the House of Representatives supports and encourages programs such as Saturday Academy to help students enter mathematics, science, and engineering fields.

When said joint resolution was considered and read twice.

Mr. GOODLING submitted the following amendment in the nature of a substitute which was agreed to:

Strike the resolved clause and insert the following:

Now, therefore, be it

Resolved, That the House of Representatives supports and encourages mentoring and enrichment programs that encourage young people to enter mathematics, science, engineering, and technology fields.

Mr. GOODLING submitted the following amendment to the preamble, which was agreed to:

Strike the preamble and insert the following resolution:

Whereas exceptional opportunities should be provided for students to learn from accomplished professionals through hands-on, practical, and intellectual learning experiences;

Whereas mentoring and other enrichment programs offer workshops, internships, and laboratories to students during and after-school hours, on weekends, and during summers;

Whereas mentoring programs and other enrichment programs may link universities, private companies and their resources, staff, laboratories, classrooms, and equipment with students and provide them with the opportunity to use real tools to solve real life problems;

Whereas opportunities provided by mentoring and other enrichment programs help bridge the gap between the classroom and the real world;

Whereas students from low-income families and groups underrepresented in mathematics, science, engineering, and technology are actively recruited and

Whereas the 1998 Third International Mathematics and Science Study found that in the final year of secondary school, the performance of the United States was among the lowest in both science and mathematics;

Whereas the United States is facing a shortage of qualified professionals in mathematics, science, engineering, and technology related fields; and

Whereas mentoring and enrichment programs such as Saturday Academy at the Oregon Graduate Institute of Science and Technology, Texas STARBASE at Ellington Field Air National Guard Base, Regional Math and Science Center at Grand Valley State University, and Georgia Youth Science and Technology Center at Southern Polytechnic State University emphasize mathematics, science, engineering, and technology to encourage students to pursue studies and careers in these subject areas:

By unanimous consent, the title was amended so as to read: ''An Act urging the House to support mentoring and enrichment programs that promote and encourage young people to enter mathematics, science, engineering, and technology fields.''.

A motion to reconsider the votes whereby said resolution, as amended, was agreed to and the preamble and the title were amended was, by unanimous consent, laid on the table.

¶135.36 PAT KING POST OFFICE BUILDING

On motion of Mr. GOODLING, by unanimous consent, the Committee on Government Reform was discharged from further consideration of the bill (H.R. 3488) to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶135.37 ORDER OF BUSINESS—LAYING CERTAIN RESOLUTIONS ON THE TABLE

On motion of Mr. DREIER, by unanimous consent,

Ordered, That the resolutions House Resolution 674, House Resolution 675, and House Resolution 676 be laid on the table.

¶135.38 NATIONAL MOMENT OF REMEMBRANCE

On motion of Mr. McCOLLUM, by unanimous consent, the bill of the Senate (S. 3181) to establish the White House Commission on the National Moment of Remembrance, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶135.39 COMMENDING THE ARMY NURSE CORPS

On motion of Mr. McCOLLUM, by unanimous consent, the Committee on Armed Services was discharged from further consideration of the following resolution (H. Res. 476):

Whereas in 1901, in the Act popularly known as the Army Reorganization Act, the Congress established the Army Nurse Corps as a permanent corps of the Medical Department of the Army;

Whereas 2001 is the centennial of the Army Nurse Corps;

Whereas the law establishing the Army Nurse Corps designated it as a female unit;

Whereas men, whatever their qualifications or accomplishments, could not enter the Army Nurse Corps because of its designation as a female unit;

Whereas more than 59,000 women bravely served in the Army Nurse Corps during World War II, and more than 5,000 woman served during the Korean War;

Whereas some male nurses who might have served in the Army in officer grades instead, due to the exclusion of males from the Army Nurse Corps, served in enlisted grades as Army hospital corpsmen in World War II and the Korean War;

Whereas male nurses expressed concern about this situation to the Surgeon General, their congressional representatives, and newspapers;

Whereas the Congress opened the Army Nurse Corps to males in August 1955, thereby allowing male nurses in the Army to be commissioned as officers, and the Army Nurse Corps became the first gender integrated corps in the Army that year;

Whereas today the Army Nurse Corps is open to both men and women; and

Whereas men and women have bravely served in the Army Nurse Corps in Vietnam, Desert Storm, and other military engagements since 1955: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the present Army Nurse Corps for extending equal opportunities to men and women; and

(2) recognizes the brave and honorable service during and before 1955 of—

(A) men who served as Army hospital corpsmen; and

(B) women who served in the Army Nurse Corps.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶135.40 HONORING FOUR MEMBERS OF THE UNITED STATES MARINE CORPS

On motion of Mr. McCOLLUM, by unanimous consent, the Committee on Armed Services was discharged from further consideration of the following resolution (H. Res. 673):

Whereas on December 11, 2000, an MV–22 Osprey aircraft crashed during a training mission near Jacksonville, North Carolina, killing all four members of the United States Marine Corps onboard;

Whereas the Marines who lost their lives in the crash made the ultimate sacrifice in the service of the United States and the Marine Corps;

Whereas the families of these proud Marines have the most sincere condolences of the Nation;

Whereas the members of the Marine Corps take special pride in their esprit de corps, and this terrible loss will resonate through Marine Helicopter Squadron 1 based at Quantico, Virginia, Marine Medium Tiltrotor Training Squadron 204 based at Marine Corps Air Station New River, North Carolina, and the entire Marine Corps family;

Whereas the Nation joins the Commandant of the entire Marine Corps and the Marine Corps in mourning their loss; and

Whereas the Marines killed in the accident were—

(1) Lieutenant Colonel Keith M. Sweaney, 42, of Richmond, Virginia, assigned to Marine Helicopter Squadron 1, based at Quantico, Virginia;

(2) Major Michael L. Murphy, 38, of Blauvelt, New York, assigned to Marine Medium Tiltrotor Training Squadron 204, based at Marine Corps Air Station New River, North Carolina;

(3) Staff Sergeant Avely W. Runnels, 25, of Morven, Georgia, assigned to Marine Medium Tiltrotor Training Squadron 204, based at Marine Corps Air Station New River, North Carolina; and

(4) Sergeant Jason A. Buyck, 24, of Sodus, New York, assigned to Marine Medium Tiltrotor Training Squadron 204, based at Marine Corps Air Station New River, North Carolina: Now therefore, be it

Resolved, That the House of Representatives—

(1) has learned with profound sorrow of the deaths of four members of the United States Marine Corps in the crash of an MV–22 Osprey aircraft on December 11, 2000, during a training mission near Jacksonville, North Carolina, and extends condolences to the families of those four members of the Marine Corps;

(2) recognizes that those four members of the Marine Corps embodied the credo of the Marine Corps, ''Semper Fidelis'';

(3) expresses its profound gratitude to those four members of the Marine Corps for the dedicated and honorable service they rendered to the United States and the Marine Corps; and

(4) recognizes with appreciation and respect the loyalty and sacrifice their families have demonstrated in support of the Marine Corps.

SEC. 2. The Clerk of the House of Representatives shall transmit an enrolled copy of this resolution to the Commandant of the Marine Corps and to the families of each member of the Marine Corps killed in the accident referred to in the first section of this resolution.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶135.41 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1795. An Act to amend the public Health Service Act to establish the National Institute of Biomedical Imaging and Bioengineering.

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

S. Con. Res. 162. Concurrent Resolution to direct the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4577.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4577) ''An Act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.''

¶135.42 CORRECT ENROLLMENT OF H.R. 4577

On motion of Mr. McCOLLUM, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 162):

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 4577), making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 2001, and for other purposes, shall make the following correction:

In section 1(a)(4), before the period at the end, insert the following: '', except that the text of H.R. 5666, as so enacted, shall not include section 123 (relating to the enactment of H.R. 4904)''.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶135.43 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee has examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1653. An Act to complete the orderly withdrawal of the NOAA from the civil administration of the Pribilof Islands, Alaska, and to assist in the conservation of coral reefs, and for other purposes.

H.R. 4577. An Act making consolidated appropriations for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4942. An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 5210. An Act to designate the facility of the United States Postal Service located at 200 South George Street in York, Pennsylvania, as the ''George Atlee Goodling Post Office Building''.

H.R. 5528. An Act to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes.

H.J. Res. 133. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

¶135.44 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BOEHLERT, for today;

To Ms. LOFGREN, for today and balance of the week;

To Ms. McKINNEY, for today;

To Mr. MICA, for today and balance of the week;

To Mr. SNYDER, for today and balance of the week;

To Mr. WALDEN, for today; and

To Ms. WATERS, for today.

¶135.45 ADJOURNMENT SINE DIE

Mr. McCOLLUM, pursuant to House Concurrent Resolution 446 and as the designee of the Majority Leader, moved that the House do now adjourn.

Accordingly,

The SPEAKER pro tempore, Mr. PEASE, in accordance with the provisions of House Concurrent Resolution 446, at 8 o'clock and 41 minutes p.m., declared the second session of the One Hundred Sixth Congress adjourned sine die.

¶135.46 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. YOUNG of Florida: Committee of Conference. Conference report on H.R. 4577. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–1033). Ordered to be printed.

¶135.47 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. YOUNG of Florida:

H.R. 5666. A bill making miscellaneous appropriations for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. TALENT (for himself and Ms. VELAZQUEZ):

H.R. 5667. A bill to provide for reauthorization of small business loan and other programs, and for other purposes; to the Committee on Small Business.

By Mr. KNOLLENBERG:

H.R. 5668. A bill to repeal provisions of Federal law requiring labeling on saccharin containing foods; to the Committee on Commerce.

By Mr. KASICH:

H.R. 5669. A bill to amend title 5, United States Code, to provide that the Civil Serv-

ice Retirement and Disability Fund be excluded from the budget of the United States Government; to the Committee on the Budget, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KASICH:

H.R. 5670. A bill to ensure that the receipts and disbursements of the Social Security trust funds are not included in a unified Federal budget; to the Committee on the Budget.

By Ms. JACKSON-LEE of Texas:

H.R. 5671. A bill to amend title 5, United States Code, to establish election day in Presidential election years as a legal public holiday by moving the legal public holiday known as Veterans Day to election day in such years, and for other purposes; to the Committee on Government Reform.

By Ms. JACKSON-LEE of Texas:

H.R. 5672. A bill to establish a commission to develop uniform standards which may be adopted by States for the administration of elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CANNON:

H.R. 5673. A bill to amend title 18, United States Code, to provide a safe harbor for voluntary monitoring by e-commerce sites; to the Committee on the Judiciary.

By Mr. DAVIS of Virginia (for himself, Mr. ROTHMAN, Mr. KENNEDY of Rhode Island, and Mrs. WILSON):

H.R. 5674. A bill to establish an Election Administration Commission to study Federal, State, and local voting procedures and election administration and provide grants to modernize voting procedures and election administration, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EHRLICH:

H.R. 5675. A bill to amend title 39, United States Code, with respect to ''cooperative mailings''; to the Committee on Government Reform.

By Mr. GREENWOOD (for himself, Mr. FROST, Mr. HUTCHINSON, and Mr. HASTINGS of Florida):

H.R. 5676. A bill to establish a Commission for the comprehensive study of voting procedures in Federal, State, and local elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 5677. A bill to establish a Commission to study and make recommendations on the implementation of standardized voting procedures in the Federal, State and local electoral process, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mr. TAUZIN, Mr. DINGELL, Mr. LATOURETTE, Ms. ESHOO, Mr. FROST, Mr. COX, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BURR of North Carolina, Mr. MCGOVERN, Mr. OLVER, Mr. HASTINGS of Florida, Mr. HORN, Mr. PHELPS, Mr. GEORGE MILLER of California, Mr. CLYBURN, Mr. BOEHLERT, Mr. DEAL of Georgia, Mr. BARTON of Texas, Mr. UDALL of Colorado, Mr. RILEY, and Mr. BURTON of Indiana):

H.R. 5678. A bill to amend title 3, United States Code, and the Uniform Time Act of 1966 to establish a single poll closing time for Presidential general elections; to the Committee on House Administration, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCKINNEY:

H.R. 5679. A bill to provide that a State may use a proportional voting system for multiseat congressional districts; to the Committee on the Judiciary.

By Mr. NADLER (for himself and Mr. SHERMAN):

H.R. 5680. A bill to require the Federal Election Commission to study voting procedures in Federal elections, award Voting Improvement Grants to States, and for other purposes; to the Committee on House Administration.

By Mr. WALDEN of Oregon:

H.R. 5681. A bill regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon; to the Committee on Resources.

By Mr. YOUNG of Florida:

H. Con. Res. 446. Concurrent resolution providing for the sine die adjournment of the second session of the One Hundred Sixth Congress; considered and agreed to

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 447. Concurrent resolution expressing the sense of the Congress that the States should adopt uniform voting procedures to carry out the election of the President and Vice President; to the Committee on House Administration.

By Ms. DUNN (for herself, Mr. DICKS, Mr. HASTERT, and Mr. ARMEY):

H. Res. 677. A resolution expressing the commitment of the Members of the House of Representatives to fostering a productive and collegial partnership with the 43rd President; to the Committee on Government Reform.

By Mr. MCCOLLUM:

H. Res. 678. A resolution providing for the printing of a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Seventh Congress.; considered and agreed to.

By Mr. MCCOLLUM:

H. Res. 679. A resolution providing for a committee of two Members to be appointed by the House to inform the President; considered and agreed to.

By Mr. GRAHAM:

H. Res. 680. A resolution expressing the sense of the House with respect to the request of Leonard Peltier for executive clemency; to the Committee on the Judiciary.

¶135.48 ADDITIONAL SPONSORS

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

H.R. 792: Mr. BARR of Georgia.

H.R. 2817: Mr. STUPAK.

H.R. 4415: Ms. DELAURO and Ms. SCHAKOWSKY.

H.R. 4571: Mr. GUTIERREZ.

H.R. 4707: Mr. ANDREWS.

H.R. 5265: Mr. BISHOP.

H.R. 5268: Mr. MCHUGH.

H.R. 5405: Mr. MCGOVERN.

H.R. 5499: Mr. OXLEY and Mr. EHRLICH.

H.R. 5642: Mr. GOODLATTE and Mr. MANZULLO.

H.R. 5653: Mr. HASTINGS of Florida, Mr. UDALL of Colorado, and Mr. FOLEY.

H. Con. Res. 337: Mr. FOSSELLA.

H. Con. Res. 363: Mr. LAFALCE.

H. Con. Res. 444: Mr. WATTS of Oklahoma, Mr. POMBO, and Mr. BARTON of Texas.

H. Res. 672: Mr. STARK, Mr. BROWN of Ohio, Mr. PASCRELL, Mr. WEINER, Mr. FROST, Mrs. MORELLA, Mr. REYES, and Ms. CARSON.

H. Res. 673: Mr. KUYKENDALL, Mr. EVANS, and Mr. BISHOP.

¶135.49 PETITIONS, ETC.

Under clause 3 of rule XII.

124. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 606 of 2000 petitioning the United States Congress to condemn the terrorist attack on the United States Naval vessel the U.S.S. *Cole* and urges President William Jefferson Clinton to use all the resources of the United States government to speedily bring those responsible for the terrorist attack to justice; to the Committee on Armed Services.