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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
August 5, 1999.

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

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

PRAYER

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

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

In Your name we pray. Amen.

THE JOURNAL

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

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

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

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

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

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

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

The Sergeant at Arms will notify absent Members.

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

[Roll No. 376]

YEAS—356

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

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

Printed on recycled paper.

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

NAYS—50

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

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—27

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

□ 1020

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

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

Mr. LUTHER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

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

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

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

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

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

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

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

The Clerk read the resolution, as follows:

H. RES. 274

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1030

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. RANGEL. Everybody wants a tax cut.

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

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

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

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

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

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

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

□ 1045

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1100

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Support the tax bill.

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

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

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

□ 1115

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1130

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The previous question was ordered.

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

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

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

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

The Sergeant at Arms will notify absent Members.

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

[Roll No. 377]

YEAS—224

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

NAYS—203

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

NOT VOTING—7

Bilbray
Lantos
McDermott
Mollohan
Peterson (PA)
Reyes
Rodriguez

☐ 1154

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

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

The Clerk read the title of the bill.

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

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

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

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

GENERAL LEAVE

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

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

There was no objection.

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

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

□ 1200

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This is a great bill. I urge its passage.

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

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

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

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

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

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

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

Republican contributors the things that they wanted to give them.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I urge my colleagues to reject the conference report.

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

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

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

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

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

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

□ 1215

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. SHAW. Will the gentleman yield?

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

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

MR. LEVIN. It is.

Mr. SHAW. The chairman did not say that.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1230

But not one debate on any provision.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Vote ''no'' on this conference report.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1245

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I urge my colleagues to vote against this conference report.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

the future stability of Social Security and Medicare.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

No, of course it isn't.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Let's look at the facts.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. RANGEL

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

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

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

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

The Clerk read as follows:

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

1. In order—

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

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

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

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

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

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

There was no objection.

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

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

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

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

The Sergeant at Arms will notify absent Members.

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

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

[Roll No. 378]

YEAS—205

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

NAYS—221

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

NOT VOTING—8

Bilbray
Ganske
Lantos
Largent
McDermott
Mollohan
Peterson (PA)
Reyes

□ 1336

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

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

This will be a 5-minute vote.

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

[Roll No. 379]

YEAS—221

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

NAYS—206

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

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

NOT VOTING—7

Bilbray	McDermott	Reyes
Gutierrez	Mollohan	
Lantos	Peterson (PA)	

□ 1347

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

Mr. SHUSTER submitted the following conference report and statement on the Senate bill (S. 507) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes:

CONFERENCE REPORT (H. REPT. 298)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 507), to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 1999''.

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

Sec. 1. Short title; table of contents.

TITLE I—WATER RESOURCES PROJECTS

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

TITLE II—GENERAL PROVISIONS

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

TITLE III—PROJECT-RELATED PROVISIONS

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

TITLE IV—STUDIES

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

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

TITLE V—MISCELLANEOUS PROVISIONS

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

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

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

TITLE I—WATER RESOURCES PROJECTS

SEC. 101. PROJECT AUTHORIZATIONS.

(a) PROJECTS WITH CHIEF'S REPORTS.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports designated in this subsection:

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

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

(2) SAND POINT HARBOR, ALASKA.—The project for navigation, Sand Point Harbor, Alaska: Report of the Chief of Engineers dated October 13, 1998, at a total cost of $11,760,000, with an estimated Federal cost of $6,964,000 and an estimated non-Federal cost of $4,796,000.

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

(4) RIO SALADO (SALT RIVER), PHOENIX AND TEMPE, ARIZONA.—The project for flood control and environmental restoration, Rio Salado (Salt River), Phoenix and Tempe, Arizona: Report of the Chief of Engineers dated August 20, 1998, at a total cost of $88,048,000, with an estimated Federal cost of $56,355,000 and an estimated non-Federal cost of $31,693,000.

(5) TUCSON DRAINAGE AREA, ARIZONA.—The project for flood damage reduction, environmental restoration, and recreation, Tucson drainage area, Arizona: Report of the Chief of Engineers dated May 20, 1998, at a total cost of $29,900,000, with an estimated Federal cost of $16,768,000 and an estimated non-Federal cost of $13,132,000.

(6) AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA.—

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

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

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

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

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

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

(8) SOUTH SACRAMENTO COUNTY STREAMS, CALIFORNIA.—The project for flood control, environmental restoration and recreation, South Sacramento County streams, California: Report of the Chief of Engineers dated October 6, 1998, at a total cost of $65,500,000, with an estimated Federal cost of $41,200,000 and an estimated non-Federal cost of $24,300,000.

(9) UPPER GUADALUPE RIVER, CALIFORNIA.—Construction of the locally preferred plan for flood damage reduction and recreation, Upper Guadalupe River, California, described as the Bypass Channel Plan of the Chief of Engineers dated August 19, 1998, at a total cost of $140,328,000, with an estimated Federal cost of $44,000,000 and an estimated non-Federal cost of $96,328,000.

(10) YUBA RIVER BASIN, CALIFORNIA.—The project for flood damage reduction, Yuba River Basin, California: Report of the Chief of Engineers dated November 25, 1998, at a total cost of $26,600,000, with an estimated Federal cost of $17,350,000 and an estimated non-Federal cost of $9,250,000.

(11) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-BROADKILL BEACH, DELAWARE.—The project for hurricane and storm damage reduction, Delaware Bay coastline, Delaware and New Jersey-Broadkill Beach, Delaware: Report of the Chief of Engineers dated August 17, 1998, at a total cost of $9,049,000, with an estimated Federal cost of $5,674,000 and an estimated non-Federal cost of $3,375,000, and at an estimated average annual cost of $538,200 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $349,800 and an estimated annual non-Federal cost of $188,400.

(12) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-PORT MAHON, DELAWARE.—The project for ecosystem restoration, Delaware Bay coastline, Delaware and New Jersey-Port Mahon, Delaware: Report of the Chief of Engineers dated September 28, 1998, at a total cost of $7,644,000, with an estimated Federal cost of $4,969,000 and an estimated non-Federal cost of $2,675,000, and at an estimated average annual cost of $234,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $152,000 and an estimated annual non-Federal cost of $82,000.

(13) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The project for navigation mitigation and hurricane and storm damage reduction, Delaware Bay coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware: Report of the Chief of Engineers dated February 3, 1999, at a total cost of $3,393,000, with an estimated Federal cost of $2,620,000 and an estimated non-Federal cost of $773,000, and at an estimated average annual cost of $196,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $152,000 and an estimated annual non-Federal cost of $44,000.

(14) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-VILLAS AND VICINITY, NEW JERSEY.—The project for shore protection and ecosystem restoration, Delaware Bay coastline, Delaware and New Jersey-Villas and vicinity, New Jersey: Report of the Chief of Engineers dated April 21, 1999, at a total cost of $7,520,000, with an estimated Federal cost of $4,888,000 and an estimated non-Federal cost of $2,632,000.

(15) DELAWARE COAST FROM CAPE HENELOPEN TO FENWICK ISLAND, BETHANY BEACH/SOUTH BETHANY BEACH, DELAWARE.—The project for hurricane and storm damage reduction, Delaware Coast from Cape Henelopen to Fenwick Island, Bethany Beach/South Bethany Beach, Delaware: Report of the Chief of Engineers dated April 21, 1999, at a total cost of $22,205,000, with an estimated Federal cost of $14,433,000 and an estimated non-Federal cost of $7,772,000, and at an estimated average annual cost of $1,584,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $1,030,000 and an estimated annual non-Federal cost of $554,000.

(16) HILLSBORO AND OKEECHOBEE AQUIFER, FLORIDA.—The project for aquifer storage and recovery described in the Corps of Engineers Central and Southern Florida Water Supply Study, Florida, dated April 1989, and in House Document 369, dated July 30, 1968, at a total cost of $27,000,000, with an estimated Federal cost of $13,500,000 and an estimated non-Federal cost of $13,500,000.

(17) JACKSONVILLE HARBOR, FLORIDA.—The project for navigation, Jacksonville Harbor, Florida: Report of the Chief of Engineers dated April 21, 1999, at a total cost of $26,116,000, with an estimated Federal cost of $9,129,000 and an estimated non-Federal cost of $16,987,000.

(18) TAMPA HARBOR-BIG BEND CHANNEL, FLORIDA.—The project for navigation, Tampa Harbor-Big Bend Channel, Florida: Report of the Chief of Engineers dated October 13, 1998, at a total cost of $12,356,000, with an estimated Federal cost of $6,235,000 and an estimated non-Federal cost of $6,121,000.

(19) BRUNSWICK HARBOR, GEORGIA.—The project for navigation, Brunswick Harbor, Georgia: Report of the Chief of Engineers dated October 6, 1998, at a total cost of $50,717,000, with an estimated Federal cost of $32,966,000 and an estimated non-Federal cost of $17,751,000.

(20) BEARGRASS CREEK, KENTUCKY.—The project for flood control, Beargrass Creek, Kentucky: Report of the Chief of Engineers dated May 12, 1998, at a total cost of $11,171,300, with an estimated Federal cost of $7,261,500 and an estimated non-Federal cost of $3,909,800.

(21) AMITE RIVER AND TRIBUTARIES, LOUISIANA, EAST BATON ROUGE PARISH WATERSHED.—The project for flood damage reduction and recreation, Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed: Report of the Chief of Engineers dated December 23, 1996, at a total cost of $112,900,000, with an estimated Federal cost of $73,400,000 and an estimated non-Federal cost of $39,500,000.

(22) BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MARYLAND AND VIRGINIA.—

(A) IN GENERAL.—The project for navigation, Baltimore Harbor Anchorages and Channels, Maryland and Virginia, Report of the Chief of Engineers dated June 8, 1998, at a total cost of $28,426,000, with an estimated Federal cost of $18,994,000 and an estimated non-Federal cost of $9,432,000.

(B) CREDIT OR REIMBURSEMENT.—If a project cooperation agreement is entered into, the non-Federal interest shall receive credit toward, or reimbursement of, the Federal share of project costs for construction work performed by the non-Federal interest before execution of the project cooperation agreement if the Secretary finds the work to be integral to the project.

(C) STUDY OF MODIFICATIONS.—During the preconstruction engineering and design phase of the project, the Secretary shall conduct a study to determine the feasibility of undertaking further modifications to the Dundalk Marine Terminal access channels, consisting of—

(i) deepening and widening the Dundalk access channels to a depth of 50 feet and a width of 500 feet;

(ii) widening the flares of the access channels; and

(iii) providing a new flare on the west side of the entrance to the east access channel.

(D) REPORT.—

(i) IN GENERAL.—Not later than March 1, 2000, the Secretary shall submit to Congress a report on the study under subparagraph (C).

(ii) CONTENTS.—The report shall include a determination of—

(I) the feasibility of performing the project modifications described in subparagraph (C); and

(II) the appropriateness of crediting or reimbursing the Federal share of the cost of the work performed by the non-Federal interest on the project modifications.

(23) RED LAKE RIVER AT CROOKSTON, MINNESOTA.—The project for flood control, Red Lake River at Crookston, Minnesota: Report of the Chief of Engineers dated April 20, 1998, at a total cost of $8,950,000, with an estimated Federal cost of $5,720,000 and an estimated non-Federal cost of $3,230,000.

(24) TURKEY CREEK BASIN, KANSAS CITY, MISSOURI, AND KANSAS CITY, KANSAS.—The project for flood damage reduction, Turkey Creek Basin, Kansas City, Missouri, and Kansas City, Kansas: Report of the Chief of Engineers dated April 21, 1999, at a total cost of $42,875,000, with an estimated Federal cost of $25,596,000 and an estimated non-Federal cost of $17,279,000.

(25) LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NEW JERSEY.—The project for navigation mitigation, ecosystem restoration, shore protection, and hurricane and storm damage reduction, Lower Cape May Meadows, Cape May Point, New Jersey: Report of the Chief of Engineers dated April 5, 1999, at a total cost of $15,952,000, with an estimated Federal cost of $12,118,000 and an estimated non-Federal cost of $3,834,000, and at an estimated average annual cost of $1,114,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $897,000 and an estimated annual non-Federal cost of $217,000.

(26) TOWNSENDS INLET TO CAPE MAY INLET, NEW JERSEY.—The project for hurricane and storm damage reduction, shore protection, and ecosystem restoration, Townsends Inlet to Cape May Inlet, New Jersey: Report of the Chief of Engineers dated September 28, 1998, at a total cost of $56,503,000, with an estimated Federal cost of $36,727,000 and an estimated non-Federal cost of $19,776,000, and at an estimated average annual cost of $2,000,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $1,300,000 and an estimated annual non-Federal cost of $700,000.

(27) GUANAJIBO RIVER, PUERTO RICO.—

(A) IN GENERAL.—The project for flood control, Guanajibo River, Puerto Rico: Report of the Chief of Engineers dated February 27, 1996, at a total cost of $27,031,000, with an estimated Federal cost of $20,273,250 and an estimated non-Federal cost of $6,757,750.

(B) COST SHARING.—Cost sharing for the project shall be determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)), as in effect on October 11, 1996.

(28) RIO GRANDE DE MANATI, BARCELONETA, PUERTO RICO.—The project for flood control, Rio Grande De Manati, Barceloneta, Puerto Rico: Report of the Chief of Engineers dated January 22, 1999, at a total cost of $13,491,000, with an estimated Federal cost of $8,785,000 and an estimated non-Federal cost of $4,706,000.

(29) RIO NIGUA, SALINAS, PUERTO RICO.—The project for flood control, Rio Nigua, Salinas, Puerto Rico: Report of the Chief of Engineers dated April 15, 1997, at a total cost of $13,702,000, with an estimated Federal cost of $7,645,000 and an estimated non-Federal cost of $6,057,000.

(30) SALT CREEK, GRAHAM, TEXAS.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas: Report of the Chief of Engineers dated October 6, 1998, at a total cost of $10,080,000, with an estimated Federal cost of $6,560,000 and an estimated non-Federal cost of $3,520,000.

(b) PROJECTS SUBJECT TO A FINAL REPORT.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, recommended in a final report of the Chief of Engineers if a favorable report of the Chief is completed not later than December 31, 1999:

(1) HERITAGE HARBOR, WRANGELL, ALASKA.—The project for navigation, Heritage Harbor, Wrangell, Alaska, at a total cost of $24,556,000, with an estimated Federal cost of $14,447,000 and estimated non-Federal cost of $10,109,000.

(2) ARROYO PASAJERO, CALIFORNIA.—The project for flood damage reduction, Arroyo Pasajero, California, at a total cost of $260,700,000, with an estimated Federal cost of $170,100,000 and an estimated non-Federal cost of $90,600,000.

(3) HAMILTON AIRFIELD, CALIFORNIA.—The project for environmental restoration, Hamilton Airfield, California, at a total cost of $55,200,000, with an estimated Federal cost of $41,400,000 and an estimated non-Federal cost of $13,800,000.

(4) SUCCESS DAM, TULE RIVER BASIN, CALIFORNIA.—The project for flood damage reduction and water supply, Success Dam, Tule River basin, California, at a total cost of $17,900,000, with an estimated Federal cost of $11,635,000 and an estimated non-Federal cost of $6,265,000.

(5) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY: OAKWOOD BEACH, NEW JERSEY.—The project for shore protection, Delaware Bay coastline, Delaware and New Jersey: Oakwood Beach, New Jersey, at a total cost of $3,360,000, with an estimated Federal cost of $2,184,000 and an estimated non-Federal cost of $1,176,000, and at an estimated average annual cost of $81,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $53,000 and an estimated annual non-Federal cost of $28,000.

(6) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY: REEDS BEACH AND PIERCES POINT, NEW JERSEY.—The project for shore protection and ecosystem restoration, Delaware Bay coastline, Delaware and New Jersey: Reeds Beach and Pierces Point, New Jersey, at a total cost of $4,057,000, with an estimated Federal cost of $2,637,000 and an estimated non-Federal cost of $1,420,000.

(7) LITTLE TALBOT ISLAND, DUVAL COUNTY, FLORIDA.—The project for hurricane and storm damage prevention and shore protection, Little Talbot Island, Duval County, Florida, at a total cost of $5,915,000, with an estimated Federal cost of $3,839,000 and an estimated non-Federal cost of $2,076,000.

(8) PONCE DE LEON INLET, FLORIDA.—The project for navigation and related purposes, Ponce de Leon Inlet, Volusia County, Florida, at a total cost of $5,454,000, with an estimated Federal cost of $2,988,000 and an estimated non-Federal cost of $2,466,000.

(9) SAVANNAH HARBOR EXPANSION, GEORGIA.—

(A) IN GENERAL.—Subject to subparagraph (B), the project for navigation, Savannah Harbor expansion, Georgia, including implementation of the mitigation plan, with such modifications as the Secretary considers appropriate, at a total cost of $230,174,000 (of which amount a portion is authorized for implementation of the mitigation plan), with an estimated Federal cost of $145,160,000 and an estimated non-Federal cost of $85,014,000.

(B) CONDITIONS.—The project authorized by subparagraph (A) may be carried out only after—

(i) the Secretary, in consultation with affected Federal, State of Georgia, State of South Carolina, regional, and local entities, reviews and approves an environmental impact statement for the project that includes—

(I) an analysis of the impacts of project depth alternatives ranging from 42 feet through 48 feet; and

(II) a selected plan for navigation and an associated mitigation plan as required under section 906(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(a)); and

(ii) the Secretary of the Interior, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, and the Secretary approve the selected plan and determine that the associated mitigation plan adequately addresses the potential environmental impacts of the project.

(C) MITIGATION REQUIREMENTS.—The mitigation plan shall be implemented before or concurrently with construction of the project.

(10) DES PLAINES RIVER, ILLINOIS.—The project for flood control, Des Plaines River, Illinois, at a total cost of $48,800,000 with an estimated Federal cost of $31,700,000 and an estimated non-Federal cost of $17,100,000.

(11) REELFOOT LAKE, KENTUCKY AND TENNESSEE.—The project for ecosystem restoration, Reelfoot Lake, Kentucky and Tennessee, at a total cost of $35,287,000, with an estimated Federal cost of $23,601,000 and an estimated non-Federal cost of $11,686,000.

(12) BRIGANTINE INLET TO GREAT EGG HARBOR, BRIGANTINE ISLAND, NEW JERSEY.—The project for hurricane and storm damage reduction and shore protection, Brigantine Inlet to Great Egg Harbor, Brigantine Island, New Jersey, at a total cost of $4,970,000, with an estimated Federal cost of $3,230,000 and an estimated non-Federal cost of $1,740,000, and at an estimated average annual cost of $465,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $302,000 and an estimated annual non-Federal cost of $163,000.

(13) COLUMBIA RIVER CHANNEL, OREGON AND WASHINGTON.—The project for navigation, Columbia River Channel, Oregon and Washington, at a total cost of $183,623,000, with an estimated Federal cost of $106,132,000 and an estimated non-Federal cost of $77,491,000.

(14) JOHNSON CREEK, ARLINGTON, TEXAS.—The project for flood damage reduction, environmental restoration, and recreation, Johnson Creek, Arlington, Texas, at a total cost of $20,300,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $8,300,000.

(15) HOWARD HANSON DAM, WASHINGTON.—The project for water supply and ecosystem restoration, Howard Hanson Dam, Washington, at a total cost of $75,600,000, with an estimated Federal cost of $36,900,000 and an estimated non-Federal cost of $38,700,000.

SEC. 102. SMALL FLOOD CONTROL PROJECTS.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(1) EYAK RIVER, CORDOVA, ALASKA.—Project for flood damage reduction, Eyak River, Cordova, Alaska.

(2) SALCHA RIVER AND PILEDRIVER SLOUGH, FAIRBANKS, ALASKA.—Project for flood damage reduction to protect against surface water flooding, lower Salcha River and Piledriver Slough from its headwaters at the mouth of the Salcha River to the Chena Lakes Flood Control Project, Fairbanks, Alaska.

(3) LANCASTER, CALIFORNIA.—Project for flood control, Lancaster, California, westside stormwater retention facility.

(4) MAGPIE CREEK, CALIFORNIA.—Project for flood control, Magpie Creek, California, located within the boundaries of McClellan Air Force Base.

(5) GATEWAY TRIANGLE AREA, FLORIDA.—Project for flood control, Gateway Triangle area, Collier County, Florida.

(6) PLANT CITY, FLORIDA.—Project for flood control, Plant City, Florida.

(7) STONE ISLAND, LAKE MONROE, FLORIDA.—Project for flood control, Stone Island, Lake Monroe, Florida.

(8) OHIO RIVER, ILLINOIS.—Project for flood control, Ohio River, Illinois.

(9) HAMILTON DAM, MICHIGAN.—Project for flood control, Hamilton Dam, Michigan.

(10) REPAUPO CREEK AND DELAWARE RIVER, GLOUCESTER COUNTY, NEW JERSEY.—Project for tidegate and levee improvements for Repaupo

Creek and the Delaware River, Gloucester County, New Jersey.

(11) IRONDEQUOIT CREEK, NEW YORK.—Project for flood control, Irondequoit Creek watershed, New York.

(12) OWASCO LAKE SEAWALL, NEW YORK.—Project for flood control, Owasco Lake seawall, New York.

(13) PORT CLINTON, OHIO.—Project for flood control, Port Clinton, Ohio.

(14) ABINGTON TOWNSHIP, PENNSYLVANIA.—Project for flood control, Baeder and Wanamaker Roads, Abington Township, Pennsylvania.

(15) PORT INDIAN, WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.—Project for flood control, Port Indian, West Norriton Township, Montgomery County, Pennsylvania.

(16) PORT PROVIDENCE, UPPER PROVIDENCE TOWNSHIP, PENNSYLVANIA.—Project for flood control, Port Providence, Upper Providence Township, Pennsylvania.

(17) SPRINGFIELD TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.—Project for flood control, Springfield Township, Montgomery County, Pennsylvania.

(18) TAWNEY RUN CREEK, PENNSYLVANIA.—Project for flood control, Tawney Run Creek, Allegheny County, Pennsylvania.

(19) WISSAHICKON WATERSHED, PENNSYLVANIA.—Project for flood control, Wissahickon watershed, Philadelphia, Pennsylvania.

(20) TIOGA COUNTY, PENNSYLVANIA.—Project for flood control, Tioga River and Cowanesque River and their tributaries, Tioga County, Pennsylvania.

(21) FIRST CREEK, KNOXVILLE, TENNESSEE.—Project for flood control, First Creek, Knoxville, Tennessee.

(22) METRO CENTER LEVEE, CUMBERLAND RIVER, NASHVILLE, TENNESSEE.—Project for flood control, Metro Center Levee, Cumberland River, Nashville, Tennessee.

(b) FESTUS AND CRYSTAL CITY, MISSOURI.—

(1) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for flood control, Festus and Crystal City, Missouri, is $10,000,000.

(2) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project described in paragraph (1) to take into account the change in the Federal participation in the project under paragraph (1).

SEC. 103. SMALL BANK STABILIZATION PROJECTS.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r):

(1) ARCTIC OCEAN, BARROW, ALASKA.—Project for storm damage reduction and coastal erosion, Barrow, Alaska.

(2) SAINT JOSEPH RIVER, INDIANA.—Project for streambank erosion control, Saint Joseph River, Indiana.

(3) SAGINAW RIVER, BAY CITY, MICHIGAN.—Project for streambank erosion control, Saginaw River, Bay City, Michigan.

(4) BIG TIMBER CREEK, NEW JERSEY.—Project for streambank erosion control, Big Timber Creek, New Jersey.

(5) LAKE SHORE ROAD, ATHOL SPRINGS, NEW YORK.—Project for streambank erosion control, Lake Shore Road, Athol Springs, New York.

(6) MARIST COLLEGE, POUGHKEEPSIE, NEW YORK.—Project for streambank erosion control, Marist College, Poughkeepsie, New York.

(7) MONROE COUNTY, OHIO.—Project for streambank erosion control, Monroe County, Ohio.

(8) GREEN VALLEY, WEST VIRGINIA.—Project for streambank erosion control, Green Valley, West Virginia.

(b) YELLOWSTONE RIVER, BILLINGS, MONTANA.—The streambank protection project at Coulson Park, along the Yellowstone River, Billings, Montana, shall be eligible for assistance under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r).

SEC. 104. SMALL NAVIGATION PROJECTS.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(1) GRAND MARAIS, ARKANSAS.—Project for navigation, Grand Marais, Arkansas.

(2) FIELDS LANDING CHANNEL, HUMBOLDT HARBOR, CALIFORNIA.—Project for navigation, Fields Landing Channel, Humboldt Harbor, California.

(3) SAN MATEO (PILLAR POINT HARBOR), CALIFORNIA.—Project for navigation, San Mateo (Pillar Point Harbor), California.

(4) AGANA MARINA, GUAM.—Project for navigation, Agana Marina, Guam.

(5) AGAT MARINA, GUAM.—Project for navigation, Agat Marina, Guam.

(6) APRA HARBOR FUEL PIERS, GUAM.—Project for navigation, Apra Harbor Fuel Piers, Guam.

(7) APRA HARBOR PIER F–6, GUAM.—Project for navigation, Apra Harbor Pier F–6, Guam.

(8) APRA HARBOR SEAWALL, GUAM.—Project for navigation including a seawall, Apra Harbor, Guam.

(9) GUAM HARBOR, GUAM.—Project for navigation, Guam Harbor, Guam.

(10) ILLINOIS RIVER NEAR CHAUTAUQUA PARK, ILLINOIS.—Project for navigation, Illinois River near Chautauqua Park, Illinois.

(11) WHITING SHORELINE WATERFRONT, WHITING, INDIANA.—Project for navigation, Whiting shoreline waterfront, Whiting, Indiana.

(12) UNION RIVER, ELLSWORTH, MAINE.—Project for navigation, Union River, Ellsworth, Maine.

(13) NARAGUAGUS RIVER, MACHIAS, MAINE.—Project for navigation, Naraguagus River, Machias, Maine.

(14) DETROIT RIVER, MICHIGAN.—Project for navigation, Detroit River, Michigan, including dredging and removal of a reef.

(15) FORTESCUE INLET, DELAWARE BAY, NEW JERSEY.—Project for navigation, Fortescue Inlet, Delaware Bay, New Jersey.

(16) BRADDOCK BAY, GREECE, NEW YORK.—Project for navigation, Braddock Bay, Greece, New York.

(17) BUFFALO AND LASALLE PARK, NEW YORK.—Project for navigation, Buffalo and LaSalle Park, New York.

(18) STURGEON POINT, NEW YORK.—Project for navigation, Sturgeon Point, New York.

(19) FAIRPORT HARBOR, OHIO.—Project for navigation, Fairport Harbor, Ohio, including a recreation channel.

SEC. 105. SMALL PROJECTS FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 1135(a) of the Water Reseources Development Act of 1986 (33 U.S.C. 2309a(a):

(1) ILLINOIS RIVER IN THE VICINITY OF HAVANA, ILLINOIS.—Project for improvement of the quality of the environment, Illinois River in the vicinity of Havana, Illinois.

(2) KNITTING MILL CREEK, VIRGINIA.—Project for improvement of the quality of the environment, Knitting Mill Creek, Virginia.

(b) PINE FLAT DAM, KINGS RIVER, CALIFORNIA.—Under authority of section 1135(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(a)), the Secretary shall carry out a project to construct a turbine bypass at Pine Flat Dam, Kings River, California, in accordance with the project modification report and environmental assessment dated September 1996.

SEC. 106. SMALL AQUATIC ECOSYSTEM RESTORATION PROJECTS.

The Secretary is authorized to carry out the following projects under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330):

(1) CONTRA COSTA COUNTY, BAY DELTA, CALIFORNIA.—Project for aquatic ecosystem restoration, Contra Costa County, Bay Delta, California.

(2) INDIAN RIVER, FLORIDA.—Project for aquatic ecosystem restoration and lagoon restoration, Indian River, Florida.

(3) LITTLE WEKIVA RIVER, FLORIDA.—Project for aquatic ecosystem restoration and erosion control, Little Wekiva River, Florida.

(4) COOK COUNTY, ILLINOIS.—Project for aquatic ecosystem restoration and lagoon restoration and protection, Cook County, Illinois.

(5) GRAND BATTURE ISLAND, MISSISSIPPI.—Project for aquatic ecosystem restoration, Grand Batture Island, Mississippi.

(6) HANCOCK, HARRISON, AND JACKSON COUNTIES, MISSISSIPPI.—Project for aquatic ecosystem restoration and reef restoration along the Gulf Coast, Hancock, Harrison, and Jackson Counties, Mississippi.

(7) MISSISSIPPI RIVER AND RIVER DES PERES, ST. LOUIS, MISSOURI.—Project for aquatic ecosystem restoration and recreation, Mississippi River and River Des Peres, St. Louis, Missouri.

(8) HUDSON RIVER, NEW YORK.—Project for aquatic ecosystem restoration, Hudson River, New York.

(9) ONEIDA LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Oneida Lake, Oneida County, New York.

(10) OTSEGO LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Otsego Lake, Otsego County, New York.

(11) NORTH FORK OF YELLOW CREEK, OHIO.—Project for aquatic ecosystem restoration, North Fork of Yellow Creek, Ohio.

(12) WHEELING CREEK WATERSHED, OHIO.—Project for aquatic ecosystem restoration, Wheeling Creek watershed, Ohio.

(13) SPRINGFIELD MILLRACE, OREGON.—Project for aquatic ecosystem restoration, Springfield Millrace, Oregon.

(14) UPPER AMAZON CREEK, OREGON.—Project for aquatic ecosystem restoration, Upper Amazon Creek, Oregon.

(15) LAKE ONTELAUNEE RESERVOIR, BERKS COUNTY, PENNSYLVANIA.—Project for aquatic ecosystem restoration and distilling pond facilities, Lake Ontelaunee Reservoir, Berks County, Pennsylvania.

(16) BLACKSTONE RIVER BASIN, RHODE ISLAND AND MASSACHUSETTS.—Project for aquatic ecosystem restoration and fish passage facilities, Blackstone River Basin, Rhode Island and Massachusetts.

TITLE II—GENERAL PROVISIONS

SEC. 201. SMALL FLOOD CONTROL AUTHORITY.

Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended—

(1) in the first sentence, by striking ''construction of small projects'' and inserting ''implementation of small structural and nonstructural projects''; and

(2) in the third sentence, by striking ''$5,000,000'' and inserting ''$7,000,000''.

SEC. 202. USE OF NON-FEDERAL FUNDS FOR COMPILING AND DISSEMINATING INFORMATION ON FLOODS AND FLOOD DAMAGE.

Section 206(b) of the Flood Control Act of 1960 (33 U.S.C. 709a(b)) is amended in the third sentence by inserting before the period at the end the following: '', but the Secretary of the Army may accept funds voluntarily contributed by such entities for the purpose of expanding the scope of the services requested by the entities''.

SEC. 203. CONTRIBUTIONS BY STATES AND POLITICAL SUBDIVISIONS.

Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h), is amended by inserting ''or environmental restoration'' after ''flood control''.

SEC. 204. SEDIMENT DECONTAMINATION TECHNOLOGY.

Section 405 of the Water Resources Development Act of 1992 (33 U.S.C. 2239 note; Public Law 102–580) is amended—

(1) in subsection (a), by adding at the end the following:

''(4) PRACTICAL END-USE PRODUCTS.—Technologies selected for demonstration at the pilot scale shall be intended to result in practical end-use products.

''(5) ASSISTANCE BY THE SECRETARY.—The Secretary shall assist the project to ensure expeditious completion by providing sufficient quantities of contaminated dredged material to conduct the full-scale demonstrations to stated capacity.'';

(2) in subsection (c), by striking the first sentence and inserting the following: ''There is authorized to be appropriated to carry out this section $22,000,000 to complete technology testing, technology commercialization, and the development of full scale processing facilities within the New York/New Jersey Harbor.''; and

(3) by adding at the end the following:

''(e) SUPPORT.—In carrying out the program under this section, the Secretary is encouraged to use contracts, cooperative agreements, and grants with colleges and universities and other non-Federal entities.''.

SEC. 205. CONTROL OF AQUATIC PLANTS.

Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) in the first sentence of subsection (a), by striking ''water-hyacinth, alligatorweed, Eurasian water milfoil, melaleuca, and other obnoxious aquatic plant growths, from'' and inserting ''noxious aquatic plant growths from'';

(2) in the first sentence of subsection (b), by striking ''$12,000,000'' and inserting ''$15,000,000.''; and

(3) by adding at the end the following:

''(c) SUPPORT.—In carrying out the program under this section, the Secretary is encouraged to use contracts, cooperative agreements, and grants with colleges and universities and other non-Federal entities.''.

SEC. 206. USE OF CONTINUING CONTRACTS FOR CONSTRUCTION OF CERTAIN PROJECTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall not implement a fully allocated funding policy with respect to a water resource project if initiation of construction has occurred but sufficient funds are not available to complete the project.

(b) CONTINUING CONTRACTS.—The Secretary shall enter into a continuing contract for a project described in subsection (a).

(c) INITIATION OF CONSTRUCTION CLARIFIED.—For the purposes of this section, initiation of construction for a project occurs on the date of enactment of an Act that appropriates funds for the project from 1 of the following appropriation accounts:

(1) Construction, General.

(2) Operation and Maintenance, General.

(3) Flood Control, Mississippi River and Tributaries.

SEC. 207. WATER RESOURCES DEVELOPMENT STUDIES FOR THE PACIFIC REGION.

Section 444 of the Water Resources Development Act of 1996 (110 Stat. 3747) is amended by striking ''interest of navigation'' and inserting ''interests of water resources development including navigation, flood damage reduction, and environmental restoration''.

SEC. 208. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION.

(a) EXTENSION OF PROGRAM.—Section 528(b)(3) of the Water Resources Development Act of 1996 is amended—

(1) in subparagraph (B) (110 Stat. 3769), by striking ''1999'' and inserting ''2003''; and

(2) in subparagraph (C)(i) (110 Stat. 3769), by striking ''1999'' and inserting ''2003''.

(b) CREDIT AND REIMBURSEMENT OF PAST AND FUTURE ACTIVITIES.—Section 528(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3768) is amended by adding at the end the following:

''(D) CREDIT AND REIMBURSEMENT OF PAST AND FUTURE ACTIVITIES.—The Secretary may provide credit to or reimburse the non-Federal project sponsor (using funds authorized by subparagraph (C)) for the reasonable costs of any work that has been performed or will be performed in connection with a study or activity meeting the requirements of subparagraph (A) if—

''(i) the Secretary determines that—

''(I) the work performed by the non-Federal project sponsor will substantially expedite completion of a critical restoration project; and

''(II) the work is necessary for a critical restoration project; and

''(ii) the credit or reimbursement is granted pursuant to a project-specific agreement that prescribes the terms and conditions of the credit or reimbursement.''.

(c) CALOOSAHATCHEE RIVER BASIN, FLORIDA.—Section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) is amended in the first sentence by inserting before the period at the end the following: ''if the Secretary determines that the acquisition is compatible with and an integral component of the Everglades and South Florida ecosystem restoration, including potential acquisition of land or interests in land in the Caloosahatchee River basin or other areas''.

(d) IN-KIND WORK.—Section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) is amended—

(1) by striking ''Regardless'' and inserting the following:

''(1) LAND ACQUISITION.—Regardless''; and

(2) by adding at the end the following:

''(2) IN-KIND WORK.—

''(A) IN GENERAL.—During the preconstruction, engineering, and design phase and the construction phase of the Central and Southern Florida Project, the Secretary shall allow credit against the non-Federal share of the cost of activities described in subsection (b) for work performed by non-Federal interests at the request of the Secretary in furtherance of the design of features included in the comprehensive plan under that subsection.

''(B) AUDITS.—In-kind work to be credited under subparagraph (A) shall be subject to audit.''.

SEC. 209. BENEFICIAL USES OF DREDGED MATERIAL.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended—

(1) in subsection (c), by striking ''cooperative agreement in accordance with the requirements of section 221 of the Flood Control Act of 1970'' and inserting ''binding agreement with the Secretary''; and

(2) by adding at the end the following:

''(g) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 210. AQUATIC ECOSYSTEM RESTORATION.

Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) is amended—

(1) in subsection (b)—

(A) by striking ''Non-Federal'' and inserting the following:

''(1) IN GENERAL.—Non-Federal''; and

(B) by adding at the end the following:

''(2) FORM.—Before October 1, 2003, the Federal share of the cost of a project under this section may be provided in the form of reimbursements of project costs.''; and

(2) in subsection (c)—

(A) by striking ''Construction'' and inserting the following:

''(1) IN GENERAL.—Construction''; and

(B) by adding at the end the following:

''(2) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 211. WATERSHED MANAGEMENT, RESTORATION, AND DEVELOPMENT.

Section 503 of the Water Resources Development Act of 1996 (110 Stat. 3756) is amended—

(1) in subsection (d)—

(A) by striking paragraph (10) and inserting the following:

''(10) Regional Atlanta watershed, Atlanta, Georgia, and Lake Lanier, Forsyth and Hall Counties, Georgia.''; and

(B) by adding at the end the following:

''(14) Clear Lake watershed, California.

''(15) Fresno Slough watershed, California.

''(16) Hayward Marsh, Southern San Francisco Bay watershed, California.

''(17) Kaweah River watershed, California.

''(18) Lake Tahoe watershed, California and Nevada.

''(19) Malibu Creek watershed, California.

''(20) Lower St. Johns River basin, Florida.

''(21) Illinois River watershed, Illinois.

''(22) Truckee River basin, Nevada.

''(23) Walker River basin, Nevada.

''(24) Bronx River watershed, New York.

''(25) Catawba River watershed, North Carolina.

''(26) Columbia Slough watershed, Oregon.

''(27) Cabin Creek basin, West Virginia.'';

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following:

''(e) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project undertaken under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 212. FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM.

(a) IN GENERAL.—The Secretary may undertake a program for the purpose of conducting projects to reduce flood hazards and restore the natural functions and values of rivers throughout the United States.

(b) STUDIES AND PROJECTS.—

(1) AUTHORITY.—In carrying out the program, the Secretary may conduct studies to identify appropriate flood damage reduction, conservation, and restoration measures and may design and implement projects described in subsection (a).

(2) CONSULTATION AND COORDINATION.—The studies and projects carried out under this section shall be conducted, to the maximum extent practicable, in consultation and coordination with the Federal Emergency Management Agency and other appropriate Federal agencies, and in consultation and coordination with appropriate State and local agencies and tribes.

(3) NONSTRUCTURAL APPROACHES.—The studies and projects shall emphasize, to the maximum extent practicable and appropriate, nonstructural approaches to preventing or reducing flood damages.

(4) PARTICIPATION.—The studies and projects shall be conducted, to the maximum extent practicable, in cooperation with State and local agencies and tribes to ensure the coordination of local flood damage reduction or riverine and wetland restoration studies with projects that conserve, restore, and manage hydrologic and hydraulic regimes and restore the natural functions and values of floodplains.

(c) COST-SHARING REQUIREMENTS.—

(1) STUDIES.—Studies conducted under this section shall be subject to cost sharing in accordance with section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215).

(2) ENVIRONMENTAL RESTORATION AND NONSTRUCTURAL FLOOD CONTROL PROJECTS.—

(A) IN GENERAL.—The non-Federal interests shall pay 35 percent of the cost of any environmental restoration or nonstructural flood control project carried out under this section.

(B) ITEMS PROVIDED BY NON-FEDERAL INTERESTS.—The non-Federal interests shall provide

all land, easements, rights-of-way, dredged material disposal areas, and relocations necessary for such projects.

(C) CREDIT.—The value of such land, easements, rights-of-way, dredged material disposal areas, and relocations shall be credited toward the payment required under this paragraph.

(3) STRUCTURAL FLOOD CONTROL PROJECTS.—Any structural flood control projects carried out under this section shall be subject to cost sharing in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)).

(4) OPERATION AND MAINTENANCE.—The non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(d) PROJECT JUSTIFICATION.—

(1) IN GENERAL.—Notwithstanding any other provision of law or requirement for economic justification established under section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2), the Secretary may implement a project under this section if the Secretary determines that the project—

(A) will significantly reduce potential flood damages;

(B) will improve the quality of the environment; and

(C) is justified considering all costs and beneficial outputs of the project.

(2) ESTABLISHMENT OF SELECTION AND RATING CRITERIA AND POLICIES.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in cooperation with State and local agencies and tribes, shall—

(i) develop, and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, criteria for selecting and rating projects to be carried out under this section; and

(ii) establish policies and procedures for carrying out the studies and projects undertaken under this section.

(B) CRITERIA.—The criteria referred to in subparagraph (A)(i) shall include, as a priority, the extent to which the appropriate State government supports the project.

(e) PRIORITY AREAS.—In carrying out this section, the Secretary shall examine appropriate locations, including—

(1) Pima County, Arizona, at Paseo De Las Iglesias and Rillito River;

(2) Coachella Valley, Riverside County, California;

(3) Los Angeles and San Gabriel Rivers, California;

(4) Murrieta Creek, California;

(5) Napa River Valley watershed, California, at Yountville, St Helena, Calistoga, and American Canyon;

(6) Santa Clara basin, California, at Upper Guadalupe River and Tributaries, San Francisquito Creek, and Upper Penitencia Creek;

(7) Pond Creek, Kentucky;

(8) Red River of the North, Minnesota, North Dakota, and South Dakota;

(9) Connecticut River, New Hampshire;

(10) Pine Mount Creek, New Jersey;

(11) Southwest Valley, Albuquerque, New Mexico;

(12) Upper Delaware River, New York;

(13) Briar Creek, North Carolina;

(14) Chagrin River, Ohio;

(15) Mill Creek, Cincinnati, Ohio;

(16) Tillamook County, Oregon,

(17) Willamette River basin, Oregon;

(18) Blair County, Pennsylvania, at Altoona and Frankstown Township;

(19) Delaware River, Pennsylvania;

(20) Schuylkill River, Pennsylvania;

(21) Providence County, Rhode Island;

(22) Shenandoah River, Virginia; and

(23) Lincoln Creek, Wisconsin.

(f) PROGRAM REVIEW.—

(1) IN GENERAL.—The program established under this section shall be subject to an independent review to evaluate the efficacy of the program in achieving the dual goals of flood hazard mitigation and riverine restoration.

(2) REPORT.—Not later than April 15, 2003, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the findings of the review conducted under this subsection with any recommendations concerning continuation of the program.

(g) MAXIMUM FEDERAL COST PER PROJECT.—Not more than $30,000,000 may be expended by the United States on any single project under this section.

(h) PROCEDURE.—

(1) ALL PROJECTS.—The Secretary shall not implement any project under this section until—

(A) the Secretary submits to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notification describing the project and the determinations made under subsection (d)(1); and

(B) 21 calendar days have elapsed after the date on which the notification was received by the committees.

(2) PROJECTS EXCEEDING $15,000,000.—

(A) LIMITATION ON APPROPRIATIONS.—No appropriation shall be made to construct any project under this section the total Federal cost of construction of which exceeds $15,000,000 if the project has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(B) REPORT.—For the purpose of securing consideration of approval under this paragraph, the Secretary shall submit a report on the proposed project, including all relevant data and information on all costs.

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

(A) $20,000,000 for fiscal year 2001;

(B) $30,000,000 for fiscal year 2002; and

(C) $50,000,000 for each of fiscal years 2003 through 2005.

(2) FULL FUNDING.—All studies and projects carried out under this section from Army Civil Works appropriations shall be fully funded within the program funding levels provided in this subsection.

SEC. 213. SHORE MANAGEMENT PROGRAM.

(a) REVIEW.—The Secretary shall review the implementation of the Corps of Engineers shore management program, with particular attention to—

(1) inconsistencies in implementation among the divisions and districts of the Corps of Engineers; and

(2) complaints by or potential inequities regarding property owners in the Savannah District, including an accounting of the number and disposition of complaints in the Savannah District during the 5-year period preceding the date of enactment of this Act.

(b) REPORT.—As expeditiously as practicable, but not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the results of the review under subsection (a).

SEC. 214. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in the first sentence—

(A) by striking ''The Secretary'' and inserting ''(a) IN GENERAL.—The Secretary''; and

(B) by inserting after ''navigation works'' the following: ''and shore damage attributable to the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway'';

(2) in the second sentence, by striking ''The costs'' and inserting the following:

''(b) COST SHARING.—The costs'';

(3) in the third sentence—

(A) by striking ''No such'' and inserting the following:

''(c) REQUIREMENT FOR SPECIFIC AUTHORIZATION.—No such''; and

(B) by striking ''$2,000,000'' and inserting ''$5,000,000''; and

(4) by adding at the end the following:

''(d) COORDINATION.—The Secretary shall—

''(1) coordinate the implementation of the measures under this section with other Federal and non-Federal shore protection projects in the same geographic area; and

''(2) to the extent practicable, combine mitigation projects with other shore protection projects in the same area into a comprehensive regional project.''.

SEC. 215. SHORE PROTECTION.

(a) PERIODIC NOURISHMENT.—Section 103(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)) is amended—

(1) by striking ''Costs of constructing'' and inserting the following:

''(1) CONSTRUCTION.—Costs of constructing''; and

(2) by adding at the end the following:

''(2) PERIODIC NOURISHMENT.—

''(A) IN GENERAL.—In the case of a project authorized for construction after December 31, 1999, or for which a feasibility study is completed after that date, the non-Federal cost of the periodic nourishment of the project, or any measure for shore protection or beach erosion control for the project, that is carried out—

''(i) after January 1, 2001, shall be 40 percent;

''(ii) after January 1, 2002, shall be 45 percent; and

''(iii) after January 1, 2003, shall be 50 percent.

''(B) BENEFITS TO PRIVATELY OWNED SHORES.—All costs assigned to benefits of periodic nourishment projects or measures to privately owned shores (where use of such shores is limited to private interests) or to prevention of losses of private land shall be borne by the non-Federal interest.

''(C) BENEFITS TO FEDERALLY OWNED SHORES.—All costs assigned to the protection of federally owned shores for periodic nourishment measures shall be borne by the United States.''.

(b) OUTER CONTINENTAL SHELF.—

(1) USE OF SAND FROM OUTER CONTINENTAL SHELF.—Section 8(k)(2)(B) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(k)(2)(B)) is amended in the second sentence by striking ''an agency of the Federal Government'' and inserting ''a Federal, State, or local government agency''.

(2) REIMBURSEMENT OF LOCAL INTERESTS.—Any amounts paid by non-Federal interests for beach erosion control, hurricane protection, shore protection, or storm damage reduction projects as a result of an assessment under section 8(k) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(k)) shall be fully reimbursed.

(c) REPORT ON SHORES OF THE UNITED STATES.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall report to Congress on the state of the shores of the United States.

(2) CONTENTS.—The report shall include—

(A) a description of—

(i) the extent of, and economic and environmental effects caused by, erosion and accretion along the shores of the United States; and

(ii) the causes of such erosion and accretion;

(B) a description of resources committed by Federal, State, and local governments to restore and renourish shores;

(C) a description of the systematic movement of sand along the shores of the United States; and

(D) recommendations regarding—

(i) appropriate levels of Federal and non-Federal participation in shore protection; and

(ii) use of a systems approach to sand management.

(3) USE OF SPECIFIC LOCATION DATA.—In developing the report, the Secretary shall use data from specific locations on the coasts of the Atlantic Ocean, Pacific Ocean, Great Lakes, and Gulf of Mexico.

(d) NATIONAL COASTAL DATA BANK.—

(1) ESTABLISHMENT OF DATA BANK.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish a national coastal data bank containing data on the geophysical and climatological characteristics of the shores of the United States.

(2) CONTENT.—To the extent practicable, the national coastal data bank shall include data regarding current and predicted shore positions, information on federally authorized shore protection projects, and data on the movement of sand along the shores of the United States, including impediments to such movement caused by natural and manmade features.

(3) ACCESS.—The national coastal data bank shall be made readily accessible to the public.

SEC. 216. FLOOD PREVENTION COORDINATION.

Section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b) FLOOD PREVENTION COORDINATION.—The Secretary shall coordinate with the Director of the Federal Emergency Management Agency and the heads of other Federal agencies to ensure that flood control projects and plans are complementary and integrated to the extent practicable and appropriate.''.

SEC. 217. DISPOSAL OF DREDGED MATERIAL ON BEACHES.

(a) IN GENERAL.—Section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j) is amended in the first sentence by striking ''50'' and inserting ''35''.

(b) GREAT LAKES BASIN.—The Secretary shall work with the State of Ohio, other Great Lakes States, and political subdivisions of the States to fully implement and maximize beneficial reuse of dredged material as provided under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j).

(c) BOLIVAR PENINSULA, JEFFERSON, CHAMBERS, AND GALVESTON COUNTIES, TEXAS.—The Secretary may design and construct a shore protection project between the south jetty of the Sabine Pass Channel and the north jetty of the Galveston Harbor Entrance Channel in Jefferson, Chambers, and Galveston Counties, Texas, including beneficial use of dredged material from Federal navigation projects as provided under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j).

(d) GALVESTON BEACH, GALVESTON COUNTY, TEXAS.—The Secretary may design and construct a shore protection project between the Galveston South Jetty and San Luis Pass, Galveston County, Texas, using innovative nourishment techniques, including beneficial use of dredged material from Federal navigation projects as provided under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j).

(e) ROLLOVER PASS, GALVESTON COUNTY, TEXAS.—The Secretary may place dredged material from the Gulf Intracoastal Waterway on the beaches along Rollover Pass, Galveston County, Texas, to stabilize beach erosion as provided under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j).

SEC. 218. ANNUAL PASSES FOR RECREATION.

Section 208(c)(4) of the Water Resources Development Act of 1996 (16 U.S.C. 460d–3 note; 110 Stat. 3681) is amended by striking ''later of December 31, 1999, or the date of transmittal of the report under paragraph (3)'' and inserting ''December 31, 2003''.

SEC. 219. NONSTRUCTURAL FLOOD CONTROL PROJECTS.

(a) ANALYSIS OF BENEFITS.—Section 308 of the Water Resources Development Act of 1990 (33 U.S.C. 2318) is amended—

(1) in the heading of subsection (a), by inserting ''EXCLUSION OF ELEMENTS FROM'' before ''BENEFIT-COST'';

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

(3) by inserting after subsection (a) the following:

''(b) FLOOD DAMAGE REDUCTION BENEFITS.—

''(1) IN GENERAL.—In calculating the benefits of a proposed project for nonstructural flood damage reduction, the Secretary shall calculate the benefits of the nonstructural project using methods similar to those used for calculating the benefits of structural projects, including similar treatment in calculating the benefits from losses avoided.

''(2) AVOIDANCE OF DOUBLE COUNTING.—In carrying out paragraph (1), the Secretary should avoid double counting of benefits.''; and

(4) in subsection (d), by striking ''subsection (b)'' and inserting ''subsection (c)''.

(b) REEVALUATION OF FLOOD CONTROL PROJECTS.—At the request of a non-Federal interest for a flood control project, the Secretary shall conduct a reevaluation of a project authorized before the date of enactment of this Act to consider nonstructural alternatives in light of the amendments made by subsection (a).

(c) COST SHARING.—Section 103(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(b)) is amended—

(1) by striking ''The non-Federal'' and inserting the following:

''(1) IN GENERAL.—The non-Federal''; and

(2) by adding at the end the following:

''(2) NON-FEDERAL CONTRIBUTION IN EXCESS OF 35 PERCENT.—At any time during construction of a project, if the Secretary determines that the costs of land, easements, rights-of-way, dredged material disposal areas, and relocations for the project, in combination with other costs contributed by the non-Federal interests, will exceed 35 percent, any additional costs for the project (not to exceed 65 percent of the total costs of the project) shall be a Federal responsibility and shall be contributed during construction as part of the Federal share.''.

SEC. 220. LAKES PROGRAM.

Section 602(a) of the Water Resources Development Act of 1986 (100 Stat. 4148; 110 Stat. 3758) is amended—

(1) in paragraph (14), by inserting ''and nutrient monitoring'' after ''growth'';

(2) in paragraph (15), by striking ''and'' at the end;

(3) in paragraph (16), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(17) Clear Lake, Lake County, California, removal of silt and aquatic growth and measures to address excessive sedimentation and high nutrient concentration;

''(18) Flints Pond, Hollis, Hillsborough County, New Hampshire, removal of silt and aquatic growth and measures to address excessive sedimentation; and

''(19) Osgood Pond, Milford, Hillsborough County, New Hampshire, removal of silt and aquatic growth and measures to address excessive sedimentation.''.

SEC. 221. ENHANCEMENT OF FISH AND WILDLIFE RESOURCES.

Section 906(e) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(e)) is amended by inserting after the second sentence the following: ''Not more than 80 percent of the non-Federal share of such first costs may be satisfied through in-kind contributions, including facilities, supplies, and services that are necessary to carry out the enhancement project.''.

SEC. 222. PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

(a) IN GENERAL.—It is the sense of Congress that, to the extent practicable, all equipment and products purchased with funds made available under this Act should be American made.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary, to the greatest extent practicable, shall provide to each recipient of the assistance a notice describing the statement made in subsection (a).

SEC. 223. CONSTRUCTION OF FLOOD CONTROL PROJECTS BY NON-FEDERAL INTERESTS.

(a) IN GENERAL.—Section 211(d) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(d)) is amended—

(1) in paragraph (1), by striking ''Any non-Federal interest that has received from the Secretary pursuant to subsection (b) or (c)'' and inserting the following:

''(A) STUDIES AND DESIGN ACTIVITIES UNDER SUBSECTION (b).—

''(i) IN GENERAL.—A non-Federal interest may carry out construction for which studies and design documents are prepared under subsection (b) only if the Secretary approves the project for construction.

''(ii) CRITERIA FOR APPROVAL.—The Secretary shall approve a project for construction if the Secretary determines that the project is technically sound, economically justified, and environmentally acceptable and meets the requirements for obtaining the appropriate permits required under the authority of the Secretary.

''(iii) NO UNREASONABLE WITHHOLDING OF APPROVAL.—The Secretary shall not unreasonably withhold approval of a project for construction.

''(iv) NO EFFECT ON REGULATORY AUTHORITY.—Nothing in this subparagraph affects any regulatory authority of the Secretary.

''(B) STUDIES AND DESIGN ACTIVITIES UNDER SUBSECTION (c).—Any non-Federal interest that has received from the Secretary under subsection (c)''; and

(2) in the first sentence of paragraph (2), by inserting ''(other than paragraph (1)(A))'' after ''this subsection''.

(b) REIMBURSEMENT.—

(1) IN GENERAL.—Section 211(e)(1) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(e)(1)) is amended—

(A) in the matter preceding subparagraph (A), by inserting after ''constructed pursuant to this section'' the following: ''and provide credit for the non-Federal share of the project'';

(B) in subparagraph (A), by striking ''and'' at the end;

(C) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(C) if the construction work is substantially in accordance with plans prepared under subsection (b).''.

(2) SPECIAL RULES.—Section 211(e)(2)(A) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(e)(2)(A)) is amended—

(A) in the subparagraph heading, by inserting ''OR CREDIT'' after ''REIMBURSEMENT'';

(B) by striking ''subject to amounts being made available in advance in appropriations Acts'' and inserting ''subject to the availability of appropriations''; and

(C) by inserting after ''the cost of such work'' the following: '', or provide credit (depending on the request of the non-Federal interest) for the non-Federal share of such work,''.

(3) SCHEDULE AND MANNER OF REIMBURSEMENTS.—Section 211(e) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(e)) is amended by adding at the end the following:

''(6) SCHEDULE AND MANNER OF REIMBURSEMENT.—

''(A) BUDGETING.—The Secretary shall budget and request appropriations for reimbursements

under this section on a schedule that is consistent with a Federal construction schedule.

''(B) COMMENCEMENT OF REIMBURSEMENTS.—Reimbursements under this section may commence on approval of a project by the Secretary.

''(C) CREDIT.—At the request of a non-Federal interest, the Secretary may reimburse the non-Federal interest by providing credit toward future non-Federal costs of the project.

''(D) SCHEDULING.—Nothing in this paragraph affects the discretion of the President to schedule new construction starts.''.

SEC. 224. ENVIRONMENTAL DREDGING.

Section 312 of the Water Resources Development Act of 1990 (33 U.S.C. 1272) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''50'' and inserting ''35''; and

(B) in paragraph (2), by striking ''$20,000,000'' and inserting ''$50,000,000'';

(2) in subsection (d), by striking ''non-Federal responsibility'' and inserting ''shared as a cost of construction''; and

(3) in subsection (f), by adding at the end the following:

''(6) Passaic River and Newark Bay, New Jersey.

''(7) Snake Creek, Bixby, Oklahoma.

''(8) Willamette River, Oregon.''.

SEC. 225. RECREATION USER FEES.

(a) WITHHOLDING OF AMOUNTS.—

(1) IN GENERAL.—During fiscal years 1999 through 2002, the Secretary may withhold from the special account established under section 4(i)(1)(A) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a(i)(1)(A)) 100 percent of the amount of receipts above a baseline of $34,000,000 per each fiscal year received from fees imposed at recreation sites under the administrative jurisdiction of the Department of the Army under section 4(b) of that Act (16 U.S.C. 460l–6a(b)).

(2) USE.—The amounts withheld shall be retained by the Secretary and shall be available, without further Act of appropriation, for expenditure by the Secretary in accordance with subsection (b).

(3) AVAILABILITY.—The amounts withheld shall remain available until September 30, 2005.

(b) USE OF AMOUNTS WITHHELD.—In order to increase the quality of the visitor experience at public recreational areas and to enhance the protection of resources, the amounts withheld under subsection (a) may be used only for—

(1) repair and maintenance projects (including projects relating to health and safety);

(2) interpretation;

(3) signage;

(4) habitat or facility enhancement;

(5) resource preservation;

(6) annual operation (including fee collection);

(7) maintenance; and

(8) law enforcement related to public use.

(c) AVAILABILITY.—Each amount withheld by the Secretary shall be available for expenditure, without further Act of appropriation, at the specific project from which the amount, above baseline, is collected.

SEC. 226. SMALL STORM DAMAGE REDUCTION PROJECTS.

Section 3 of the Act of August 13, 1946 (33 U.S.C. 426g), is amended by striking ''$2,000,000'' and inserting ''$3,000,000''.

SEC. 227. USE OF PRIVATE ENTERPRISES.

(a) IN GENERAL.—The Secretary shall comply with the requirements of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note; Public Law 105–270).

(b) COMPLIANCE WITH OTHER LAW.—

(1) INVENTORY AND REVIEW.—In carrying out this section, the Secretary shall inventory and review all activities that are not inherently governmental in nature in accordance with the Federal Activities Inventory Reform Act of 1998.

(2) ARCHITECTURAL AND ENGINEERING SERVICES.—Any review and conversion by the Secretary to performance by private enterprise of an architectural or engineering service (including a surveying or mapping service) shall be carried out in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 301. TENNESSEE-TOMBIGBEE WATERWAY WILDLIFE MITIGATION, ALABAMA AND MISSISSIPPI.

The Tennessee-Tombigbee Waterway Wildlife Mitigation Project, Alabama and Mississippi, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4138), is modified to authorize the Secretary to complete the project at a cost of $93,530,000, in accordance with the post authorization change report dated August 17, 1998.

SEC. 302. OUZINKIE HARBOR, ALASKA.

(a) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for navigation, Ouzinkie Harbor, Alaska, shall be $8,500,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project referred to in subsection (a) to take into account the change in the Federal participation in the project under subsection (a).

SEC. 303. ST. PAUL HARBOR, ST. PAUL, ALASKA.

The project for navigation, St. Paul Harbor, St. Paul, Alaska, authorized by section 101(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3667), is modified to include the construction of additional features for a small boat harbor with an entrance channel and maneuvering area dredged to a 20-foot depth and appropriate wave protection features at an additional estimated total cost of $12,700,000, with an estimated Federal cost of $5,000,000 and an estimated non-Federal cost of $7,700,000.

SEC. 304. LOGGY BAYOU, RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, OKLAHOMA, AND TEXAS.

The project for flood control on the Red River below Denison Dam, Arkansas, Louisiana, Oklahoma, and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647), is modified to direct the Secretary to conduct a study to determine the feasibility of expanding the project to include mile 0.0 to mile 7.8 of Loggy Bayou between the Red River and Flat River.

SEC. 305. SACRAMENTO RIVER, GLENN-COLUSA, CALIFORNIA.

(a) IN GENERAL.—The project for flood control, Sacramento River, California, authorized by section 2 of the Act entitled ''An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes'', approved March 1, 1917 (39 Stat. 949), and modified by section 102 of the Energy and Water Development Appropriations Act, 1990 (103 Stat. 649), section 301(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3110), and title I of the Energy and Water Development Appropriations Act, 1999 (112 Stat. 1841), is further modified to authorize the Secretary—

(1) to carry out the portion of the project at Glenn-Colusa, California, at a total cost of $26,000,000, with an estimated Federal cost of $20,000,000 and an estimated non-Federal cost of $6,000,000; and

(2) to carry out bank stabilization work in the riverbed gradient facility, particularly in the vicinity of River Mile 208, if the Secretary determines that such work is necessary to protect the overall integrity of the project, on the condition that additional environmental review of the project is conducted.

SEC. 306. SAN LORENZO RIVER, CALIFORNIA.

The project for flood control, San Lorenzo River, California, authorized by section 101(a)(5) of the Water Resources Development Act of 1996 (110 Stat. 3663), is modified to authorize the Secretary to include as a part of the project streambank erosion control measures to be undertaken substantially in accordance with the report entitled ''Bank Stabilization Concept, Laurel Street Extension'', dated April 23, 1998, at a total cost of $4,800,000, with an estimated Federal cost of $3,100,000 and an estimated non-Federal cost of $1,700,000.

SEC. 307. TERMINUS DAM, KAWEAH RIVER, CALIFORNIA.

(a) TRANSFER OF TITLE TO ADDITIONAL LAND.—If the non-Federal interests for the project for flood control and water supply, Terminus Dam, Kaweah River, California, authorized by section 101(b)(5) of the Water Resources Development Act of 1996 (110 Stat. 3667), transfer to the Secretary without consideration title to perimeter lands acquired for the project by the non-Federal interests, the Secretary may accept the transfer of that title.

(b) LAND, EASEMENTS, AND RIGHTS-OF-WAY.—Nothing in this section changes, modifies, or otherwise affects the responsibility of the non-Federal interests to provide land, easements, rights-of-way, relocations, and dredged material disposal areas necessary for the Terminus Dam project and to perform operation and maintenance for the project.

(c) OPERATION AND MAINTENANCE.—On request by the non-Federal interests, the Secretary shall carry out operation, maintenance, repair, replacement, and rehabilitation of the project if the non-Federal interests enter into a binding agreement with the Secretary to reimburse the Secretary for 100 percent of the costs of such operation, maintenance, repair, replacement, and rehabilitation, and any other expenses incurred by the Corps of Engineers under this section.

(d) HOLD HARMLESS.—The non-Federal interests shall hold the United States harmless for ownership, operation, and maintenance of lands and facilities of the Terminus Dam project title to which is transferred to the Secretary under this section.

SEC. 308. DELAWARE RIVER MAINSTEM AND CHANNEL DEEPENING, DELAWARE, NEW JERSEY, AND PENNSYLVANIA.

The project for navigation, Delaware River Mainstem and Channel Deepening, Delaware, New Jersey, and Pennsylvania, authorized by section 101(6) of the Water Resources Development Act of 1992 (106 Stat. 4802), is modified as follows:

(1) CREDIT FOR ENGINEERING AND DESIGN AND CONSTRUCTION MANAGEMENT WORK.—The Secretary may provide the non-Federal interests credit, toward cash contributions required for construction and subsequent to construction, for the costs of engineering and design and construction management work that is performed by the non-Federal interests and that the Secretary determines is necessary to implement the project. Any such credit shall reduce the Philadelphia District's private sector performance goals for engineering work by the amount of the credit.

(2) CREDIT FOR COSTS OF CONSTRUCTION.—The Secretary may provide the non-Federal interests credit, toward cash contributions required during construction and subsequent to construction, for the costs of construction performed by the non-Federal interests on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

(3) PAYMENT OF DISPOSAL OR TIPPING FEES.—The Secretary may enter into an agreement with a non-Federal interest for the payment of disposal or tipping fees for dredged material from a Federal project, other than for the construction or operation and maintenance of the new deepening project as described in the Limited Reevaluation Report dated May 1997, if the non-Federal interest has supplied the corresponding disposal capacity.

(4) DISPOSAL AREA MANAGEMENT PLAN.—The Secretary may enter into an agreement with a non-Federal interest under which—

(A) the non-Federal interest may carry out or cause to have carried out on behalf of the Secretary a disposal area management program for dredged material disposal areas necessary to construct, operate, and maintain the project; and

(B) the Secretary shall reimburse the non-Federal interest for the costs of carrying out the program.

SEC. 309. POTOMAC RIVER, WASHINGTON, DISTRICT OF COLUMBIA.

The project for flood control, Potomac River, Washington, District of Columbia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1574, chapter 688), and modified by section 301(a)(4) of the Water Resources Development Act of 1996 (110 Stat. 3707), is modified to authorize the Secretary to construct the project at a Federal cost of $5,965,000, in accordance with the post authorization change report dated June 29, 1998.

SEC. 310. BREVARD COUNTY, FLORIDA.

(a) STUDY.—Not later than 120 days after the date of enactment of this Act, the Secretary, in cooperation with the non-Federal interest, shall complete a study of any damage to the project for shore protection, Brevard County, Florida, authorized by section 101(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3667), to determine whether the damage is the result of a Federal navigation project.

(b) CONDITIONS.—In conducting the study, the Secretary shall use the services of an independent coastal expert, who shall consider all relevant studies completed by the Corps of Engineers and the local sponsor of the project.

(c) MITIGATION OF DAMAGE.—After completion of the study, the Secretary shall mitigate any damage to the shore protection project that is the result of a Federal navigation project. The costs of the mitigation shall be allocated to the Federal navigation project as operation and maintenance costs.

SEC. 311. BROWARD COUNTY AND HILLSBORO INLET, FLORIDA.

The project for shore protection, Broward County and Hillsboro Inlet, Florida, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1090), is modified to authorize the Secretary, on execution of a contract to construct the project, to reimburse the non-Federal interest for the Federal share of the cost of preconstruction planning and design for the project, if the Secretary determines that the work is compatible with and integral to the project.

SEC. 312. LEE COUNTY, CAPTIVA ISLAND SEGMENT, FLORIDA, PERIODIC BEACH NOURISHMENT.

(a) IN GENERAL.—The project for shore protection, Lee County, Captiva Island segment, Florida, authorized by section 506(b)(3)(A) of the Water Resources Development Act of 1996 (110 Stat. 3758), is modified to direct the Secretary to enter into an agreement with the non-Federal interest to carry out the project in accordance with section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i–1).

(b) DECISION DOCUMENT.—The design memorandum approved in 1996 shall be the decision document supporting continued Federal participation in cost sharing of the project.

SEC. 313. FORT PIERCE, FLORIDA.

(a) IN GENERAL.—The project for shore protection and harbor mitigation, Fort Pierce, Florida, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1092) and section 506(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3757), is modified to incorporate 1 additional mile into the project in accordance with a final approved general reevaluation report, at a total cost for initial nourishment for the entire project of $9,128,000, with an estimated Federal cost of $7,073,500 and an estimated non-Federal cost of $2,054,500, at an average annual cost of $556,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $431,000 and an estimated annual non-Federal cost of $125,000.

(b) PERIODIC BEACH NOURISHMENT.—Periodic beach nourishment is authorized for the project in accordance with section 506(a)(2) of Water Resources Development Act of 1996 (110 Stat. 3757).

SEC. 314. NASSAU COUNTY, FLORIDA.

The project for beach erosion control, Nassau County (Amelia Island), Florida, authorized by section 3(a)(3) of the Water Resources Development Act of 1988 (102 Stat. 4013), is modified to authorize the Secretary to construct the project at a total cost of $17,000,000, with an estimated Federal cost of $13,300,000 and an estimated non-Federal cost of $3,700,000, at an average annual cost of $1,177,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $807,000 and an estimated annual non-Federal cost of $370,000.

SEC. 315. MIAMI HARBOR CHANNEL, FLORIDA.

The project for navigation, Miami Harbor Channel, Florida, authorized by section 101(a)(9) of the Water Resources Development Act of 1990 (104 Stat. 4606), is modified to include construction of artificial reefs and related environmental mitigation required by Federal, State, and local environmental permitting agencies for the project, if the Secretary determines that the project as modified is technically sound, environmentally acceptable, and economically justified.

SEC. 316. ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

The project for shore protection and storm damage reduction, St. Augustine, St. Johns County, Florida, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4133) is modified to include navigation mitigation as a project purpose and to be carried by the Secretary substantially in accordance with the general reevaluation report dated November 18, 1998, at a total cost of $17,208,000, with an estimated Federal cost of $13,852,000 and an estimated non-Federal cost of $3,356,000, and at an estimated average annual cost of $1,360,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $1,095,000 and an estimated annual non-Federal cost of $265,000.

SEC. 317. MILO CREEK, IDAHO.

The Secretary shall reimburse the non-Federal interests for 65 percent of the reasonable costs of flood control for the South Division Street Segment, Milo Creek Flood Control Project, Idaho, to be constructed by the State of Idaho as described in the provision entitled ''Add Alternative I'' in the Milo Creek Phase II plans and specifications dated April 1999.

SEC. 318. LAKE MICHIGAN, ILLINOIS.

(a) IN GENERAL.—The project for storm damage reduction and shore protection, Lake Michigan, Illinois, from Wilmette, Illinois, to the Illinois-Indiana State line, authorized by section 101(a)(12) of the Water Resources Development Act of 1996 (110 Stat. 3664), is modified to provide for reimbursement for additional project work undertaken by the non-Federal interest.

(b) CREDIT OR REIMBURSEMENT.—The Secretary shall credit or reimburse the non-Federal interest for the Federal share of project costs incurred by the non-Federal interest in designing, constructing, or reconstructing reach 2F (700 feet south of Fullerton Avenue and 500 feet north of Fullerton Avenue), reach 3M (Meigs Field), and segments 7 and 8 of reach 4 (43rd Street to 57th Street), if the non-Federal interest carries out the work in accordance with plans approved by the Secretary, at an estimated total cost of $83,300,000.

(c) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal interest for the Federal share of project costs incurred by the non-Federal interest in reconstructing the revetment structures protecting Solidarity Drive in Chicago, Illinois, before the signing of the project cooperation agreement, at an estimated total cost of $7,600,000.

SEC. 319. SPRINGFIELD, ILLINOIS.

Section 417 of the Water Resources Development Act of 1996 (110 Stat. 3743) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The Secretary''; and

(2) by adding at the end the following:

''(b) COST SHARING.—The non-Federal share of assistance provided under this section before, on, or after the date of enactment of this subsection shall be 50 percent.''.

SEC. 320. OGDEN DUNES, INDIANA.

(a) STUDY.—The Secretary shall conduct a study of beach erosion in and around the town of Ogden Dunes, Indiana, to determine whether the damage is the result of a Federal navigation project.

(b) MITIGATION OF DAMAGE.—If the Secretary determines that the damage described in subsection (a) is the result of a Federal navigation project, the Secretary shall take appropriate measures to mitigate the damage.

(c) COST.—The cost of the mitigation shall be allocated to the Federal navigation project as an operation and maintenance cost.

SEC. 321. SAINT JOSEPH RIVER, SOUTH BEND, INDIANA.

(a) MAXIMUM TOTAL EXPENDITURE.—The maximum total expenditure for the project for streambank erosion, recreation, and pedestrian access features, Saint Joseph River, South Bend, Indiana, shall be $7,800,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project referred to in subsection (a) to take into account the change in the Federal participation in the project under subsection (a).

SEC. 322. WHITE RIVER, INDIANA.

The project for flood control, Indianapolis on West Fork of the White River, Indiana, authorized by section 5 of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and other purposes'', approved June 22, 1936 (49 Stat. 1586, chapter 688), as modified by section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716), is modified to authorize the Secretary to undertake the riverfront alterations described in the Central Indianapolis Waterfront Concept Plan, dated February 1994, for the Canal Development (Upper Canal feature) and the Beveridge Paper feature, at a total cost not to exceed $25,000,000, of which $12,500,000 is the estimated Federal cost and $12,500,000 is the estimated non-Federal cost, except that no such alterations may be undertaken unless the Secretary determines that the alterations authorized by this section, in combination with the alterations undertaken under section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716), are economically justified.

SEC. 323. DUBUQUE, IOWA.

The project for navigation, Dubuque, Iowa, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 482), is modified to authorize the development of a wetland demonstration area of approximately 1.5 acres to be developed and operated by the Dubuque County Historical Society or a successor nonprofit organization.

SEC. 324. LAKE PONTCHARTRAIN, LOUISIANA.

The project for hurricane-flood protection, Lake Pontchartrain, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077), is modified—

(1) to direct the Secretary to conduct a study to determine the feasibility of constructing a pump adjacent to each of the 4 proposed drainage structures for the Saint Charles Parish feature of the project; and

(2) to authorize the Secretary to construct the pumps, with a Federal cost of 65 percent, if the Secretary determines that the project as modified is technically sound, environmentally acceptable, and economically justified.

SEC. 325. LAROSE TO GOLDEN MEADOW, LOUISIANA.

The project for hurricane protection Larose to Golden Meadow, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077), is modified to authorize the Secretary to convert the Golden Meadow floodgate into a navigation lock if the Secretary determines that the conversion is technically feasible, environmentally acceptable, and economically justified.

SEC. 326. LOUISIANA STATE PENITENTIARY LEVEE, LOUISIANA.

The Secretary may credit against the non-Federal share work performed in the project area of the Louisiana State Penitentiary Levee, Mississippi River, Louisiana, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4117).

SEC. 327. TWELVE-MILE BAYOU, CADDO PARISH, LOUISIANA.

The Red River Below Denison Dam project, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647), is modified to incorporate the Twelve-Mile Bayou and levee from its confluence with the Red River and levee approximately 26 miles upstream to the vicinity of Black Bayou, Caddo Parish, Louisiana.

SEC. 328. WEST BANK OF THE MISSISSIPPI RIVER (EAST OF HARVEY CANAL), LOUISIANA.

(a) IN GENERAL.—The project to prevent flood damage and for hurricane damage reduction, west bank of the Mississippi River (east of Harvey Canal), Louisiana, authorized by section 401(b) of the Water Resources Development Act of 1986 (100 Stat. 4128) and section 101(a)(17) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to direct the Secretary to continue Federal operation and maintenance of the portion of the project included in the report of the Chief of Engineers dated May 1, 1995, referred to as ''Algiers Channel''.

(b) COMBINATION OF PROJECTS.—The Secretary shall carry out work authorized as part of the Westwego to Harvey Canal project, the East of Harvey Canal project, and the Lake Cataouatche modifications as a single project, to be known as the ''West Bank and Vicinity, New Orleans, Louisiana, Hurricane Protection Project'', with a combined total cost of $280,300,000.

SEC. 329. TOLCHESTER CHANNEL S-TURN, BALTIMORE, MARYLAND.

The project for navigation, Baltimore Harbor and Channels, Maryland, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 297), is modified to direct the Secretary to straighten the Tolchester Channel S-turn as part of project maintenance.

SEC. 330. SAULT SAINTE MARIE, CHIPPEWA COUNTY, MICHIGAN.

The project for navigation Sault Sainte Marie, Chippewa County, Michigan, authorized by section 1149 of the Water Resources Development Act of 1986 (100 Stat. 4254) and modified by section 330 of the Water Resources Development Act of 1996 (110 Stat. 3717), is further modified to provide that the amount to be paid by non-Federal interests under section 101(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)) and section 330(a) of the Water Resources Development Act of 1996 shall not include any interest payments.

SEC. 331. JACKSON COUNTY, MISSISSIPPI.

The project for environmental infrastructure, Jackson County, Mississippi, authorized by section 219(c)(5) of the Water Resources Development Act of 1992 (106 Stat. 4835) and modified by section 504 of the Water Resources Development Act of 1996 (110 Stat. 3757), is further modified to direct the Secretary to provide a credit, not to exceed $5,000,000, toward the non-Federal share of the cost of the project for the costs incurred by the Jackson County Board of Supervisors since February 8, 1994, in constructing the project, if the Secretary determines that the work is compatible with and integral to the project.

SEC. 332. BOIS BRULE DRAINAGE AND LEVEE DISTRICT, MISSOURI.

(a) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be allocated for the project for flood control, Bois Brule Drainage and Levee District, Missouri, authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), is $15,000,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project referred to in subsection (a) to take into account the change in Federal participation in the project under subsection (a).

(c) COST SHARING.—Nothing in this section affects any cost-sharing requirement applicable to the project referred to in subsection (a) under title I of the Water Resources Development Act of 1986 (33 U.S.C. 2211 et seq.).

SEC. 333. MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MISSOURI.

The project for flood control, Meramec River Basin, Valley Park Levee, Missouri, authorized by section 2(h) of the Act entitled ''An Act to deauthorize several projects within the jurisdiction of the Army Corps of Engineers'' (Public Law 97–128; 95 Stat. 1682) and modified by section 1128 of the Water Resources Developoment Act of 1986 (100 Stat. 4246), is further modified to authorize the Secretary to construct the project at a maximum Federal expenditure of $35,000,000, if the Secretary determines that the project as modified is technically sound, environmentally acceptable, and economically justified.

SEC. 334. MISSOURI RIVER MITIGATION PROJECT, MISSOURI, KANSAS, IOWA, AND NEBRASKA.

(a) IN GENERAL.—The project for mitigation of fish and wildlife losses, Missouri River Bank Stabilization and Navigation Project, Missouri, Kansas, Iowa, and Nebraska, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143) is modified to increase by 118,650 acres the amount of land and interests in land to be acquired for the project.

(b) STUDY.—

(1) IN GENERAL.—The Secretary, in conjunction with the States of Missouri, Kansas, Iowa, and Nebraska, shall conduct a study to determine the cost of restoring, under the authority of the Missouri River fish and wildlife mitigation project, a total of 118,650 acres of lost Missouri River fish and wildlife habitat.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall report to Congress on the results of the study.

SEC. 335. WOOD RIVER, GRAND ISLAND, NEBRASKA.

The project for flood control, Wood River, Grand Island, Nebraska, authorized by section 101(a)(19) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to authorize the Secretary to construct the project substantially in accordance with the report of the Corps of Engineers dated June 29, 1998, at a total cost of $17,039,000, with an estimated Federal cost of $9,730,000 and an estimated non-Federal cost of $7,309,000.

SEC. 336. ABSECON ISLAND, NEW JERSEY.

The project for storm damage reduction and shore protection, Brigantine Inlet to Great Egg Harbor Inlet, Absecon Island, New Jersey, authorized by section 101(b)(13) of the Water Resources Development Act of 1996 (110 Stat. 3668), is modified to provide that if, after October 12, 1996, the non-Federal interests carry out any work associated with the project that is later recommended by the Chief of Engineers and approved by the Secretary, the Secretary may provide the non-Federal interests credit toward the non-Federal share of the cost of the project in an amount equal to the Federal share of the cost of the work, without interest.

SEC. 337. NEW YORK HARBOR AND ADJACENT CHANNELS, PORT JERSEY, NEW JERSEY.

(a) IN GENERAL.—The project for navigation, New York Harbor and Adjacent Channels, New York and New Jersey, authorized by section 202(b) of the Water Resources Development Act of 1986 (100 Stat. 4098), is further modified to authorize the Secretary to construct the portion of the project that is located between Military Ocean Terminal Bayonne and Global Terminal in Bayonne, New Jersey, at a total cost of $103,267,000, with an estimated Federal cost of $76,909,000 and an estimated non-Federal cost of $26,358,000.

(b) LIMITATION.—No funds may be obligated to carry out work under the modification under subsection (a) until completion of a final report by the Chief of Engineers finding that the work is technically sound, environmentally acceptable, and economically justified.

SEC. 338. ARTHUR KILL, NEW YORK AND NEW JERSEY.

(a) IN GENERAL.—The project for navigation, Arthur Kill, New York and New Jersey, authorized by section 202(b) of the Water Resources Development Act of 1986 (100 Stat. 4098) and modified by section 301(b)(11) of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to authorize the Secretary to construct the project substantially in accordance with the report of the Corps of Engineers dated July 23, 1999, at a total cost of $315,700,000, with an estimated Federal cost of $183,200,000 and an estimated non-Federal cost of $132,500,000.

(b) CREDIT.—The Secretary may provide non-Federal interests—

(1) credit toward cash contributions required prior to and during construction and subsequent to construction for planning, engineering, and design and construction management work that is performed by non-Federal interests and that the Secretary determines is necessary to implement the project; and

(2) credit toward cash contributions required during construction and subsequent to construction for the costs of construction carried out by the non-Federal interest on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

SEC. 339. KILL VAN KULL AND NEWARK BAY CHANNELS, NEW YORK AND NEW JERSEY.

The project for navigation, Kill Van Kull and Newark Bay Channels, New York and New Jersey, authorized by chapter IV of title I of the Supplemental Appropriations Act, 1985 (99 Stat. 313), section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4095), and section 301(b)(12) of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to authorize the Secretary to provide the non-Federal interests credit toward cash contributions required—

(1) before, during, and after construction for planning, engineering and design, and construction management work that is performed by the non-Federal interests and that the Secretary determines is necessary to implement the project; and

(2) during and after construction for the costs of the construction that the non-Federal interests carry out on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

SEC. 340. NEW YORK CITY WATERSHED.

Section 552 of the Water Resources Development Act of 1996 (110 Stat. 3779) is amended—

(1) in subsection (d), by striking ''for the project to be carried out with such assistance'' and inserting '', or a public entity designated by the State director, to carry out the project with the assistance, subject to the project's meeting the certification requirement of subsection (c)(1)''; and

(2) in subsection (i), by striking ''$22,500,000'' and inserting ''$42,500,000''.

SEC. 341. NEW YORK STATE CANAL SYSTEM.

Section 553(e) of the Water Resources Development Act of 1996 (110 Stat. 3781) is amended by striking ''$8,000,000'' and inserting ''$18,000,000''.

SEC. 342. FIRE ISLAND INLET TO MONTAUK POINT, NEW YORK.

The project for combined beach erosion control and hurricane protection, Fire Island Inlet to Montauk Point, Long Island, New York, authorized by section 101(a) of the River and Harbor Act of 1960 (74 Stat. 483) and modified by the River and Harbor Act of 1962, the Water Resources Development Act of 1974, and the Water Resources Development Act of 1986, is further modified to direct the Secretary, in coordination with the heads of other Federal departments and agencies, to complete all procedures and reviews expeditiously and to adopt and submit to Congress, not later than 120 days after the date of enactment of this Act, a mutually acceptable shore erosion plan for the Fire Island Inlet to Moriches Inlet reach of the project.

SEC. 343. BROKEN BOW LAKE, RED RIVER BASIN, OKLAHOMA.

The project for flood control and water supply, Broken Bow Lake, Red River Basin, Oklahoma, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 309) and modified by section 203 of the Flood Control Act of 1962 (76 Stat. 1187), section 102(v) of the Water Resources Development Act of 1992 (106 Stat. 4808), and section 338 of the Water Resources Development Act of 1996 (110 Stat. 3720), is further modified to require the Secretary to make seasonal adjustments to the top of the conservation pool at the project, if the Secretary determines that the adjustments will be undertaken at no cost to the United States and will adequately protect affected water and related resources, as follows:

(1) Maintain an elevation of 599.5 from November 1 through March 31.

(2) Increase elevation gradually from 599.5 to 602.5 during April and May.

(3) Maintain an elevation of 602.5 from June 1 to September 30.

(4) Decrease elevation gradually from 602.5 to 599.5 during October.

SEC. 344. WILLAMETTE RIVER TEMPERATURE CONTROL, MCKENZIE SUBBASIN, OREGON.

(a) IN GENERAL.—The project for environmental restoration, Willamette River Temperature Control, McKenzie Subbasin, Oregon, authorized by section 101(a)(25) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to authorize the Secretary to construct the project substantially in accordance with the Feature Memorandum dated July 31, 1998, at a total cost of $64,741,000, if the Secretary determines that the project as modified is technically sound and environmentally acceptable.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) states the reasons for the increase in the cost of the project;

(2) outlines the steps that the Corps of Engineers is taking to control project costs, including the application of value engineering and other appropriate measures; and

(3) includes a cost estimate for, and recommendations on the advisability of, adding fish screens to the project.

SEC. 345. CURWENSVILLE LAKE, PENNSYLVANIA.

Section 562 of the Water Resources Development Act of 1996 (110 Stat. 3784) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(b) RECREATION FACILITIES.—The Secretary—

''(1) may provide design and construction assistance for recreational facilities at Curwensville Lake; and

''(2) may require the non-Federal interest to provide not more than 25 percent of the cost of designing and constructing the recreational facilities.''.

SEC. 346. DELAWARE RIVER, PENNSYLVANIA AND DELAWARE.

The project for navigation, Delaware River, Philadelphia to Wilmington, Pennsylvania and Delaware, authorized by section 3(a)(12) of the Water Resources Development Act of 1988 (102 Stat. 4014), is modified to authorize the Secretary to extend the channel of the Delaware River at Camden, New Jersey, to within 150 feet of the existing bulkhead and to relocate the 40-foot deep Federal navigation channel, eastward within Philadelphia Harbor, from the Ben Franklin Bridge to the Walt Whitman Bridge, into deep water, if the Secretary determines that the project as modified is technically sound, economically acceptable, and economically justified.

SEC. 347. MUSSERS DAM, PENNSYLVANIA.

Section 209 of the Water Resources Development Act of 1992 (106 Stat. 4830) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

SEC. 348. PHILADELPHIA, PENNSYLVANIA.

Section 564(c)(2) of the Water Resources Development Act of 1996 (110 Stat. 3785) is amended by striking ''$2,700,000'' and inserting ''$4,000,000''.

SEC. 349. NINE MILE RUN, ALLEGHENY COUNTY, PENNSYLVANIA.

If the Secretary determines that the documentation is integral to the project, the Secretary shall credit against the non-Federal share such costs, not to exceed $1,000,000, as are incurred by the non-Federal interests in preparing the environmental restoration report, planning and design-phase scientific and engineering technical services documentation, and other preconstruction documentation for the habitat restoration project, Nine Mile Run, Pennsylvania.

SEC. 350. RAYSTOWN LAKE, PENNSYLVANIA.

(a) RECREATION PARTNERSHIP INITIATIVE.—Section 519(b) of the Water Resources Development Act of 1996 (33 U.S.C. 2328 note; 110 Stat. 3765) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) ENGINEERING AND DESIGN SERVICES.—The Secretary may perform engineering and design services for project infrastructure expected to be associated with the development of the site at Raystown Lake, Hesston, Pennsylvania.''.

(b) CONSTRUCTION ASSISTANCE.—

(1) IN GENERAL.—Consistent with the master plan described in section 318 of the Water Resources Development Act of 1992 (106 Stat. 4848), the Secretary may provide a grant to Juniata College for the construction of facilities and structures at Raystown Lake, Pennsylvania, to interpret and understand environmental conditions and trends. As a condition of the receipt of financial assistance, officials at Juniata College shall coordinate the construction with the Baltimore District of the Army Corps of Engineers.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000.

SEC. 351. SOUTH CENTRAL PENNSYLVANIA.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 313(g)(1) of the Water Resources Development Act of 1992 (106 Stat. 4846; 110 Stat. 3723) is amended by striking ''$80,000,000'' and inserting ''$180,000,000''.

(b) CORPS OF ENGINEERS EXPENSES.—Section 313(g) of the Water Resources Development Act of 1992 (106 Stat. 4846) is amended by adding at the end the following:

''(4) CORPS OF ENGINEERS EXPENSES.—10 percent of the amounts appropriated to carry out this section for each of fiscal years 2000 through 2002 may be used by the Corps of Engineers district offices to administer and implement projects under this section at 100 percent Federal expense.''.

SEC. 352. FOX POINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND.

The project for hurricane-flood protection, Fox Point, Providence, Rhode Island, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 306), is modified to direct the Secretary to undertake the necessary repairs to the barrier, as identified in the Condition Survey and Technical Assessment dated April 1998, with Supplement dated August 1998, at a total cost of $3,000,000, with an estimated Federal cost of $1,950,000 and an estimated non-Federal cost of $1,050,000.

SEC. 353. COOPER RIVER, CHARLESTON HARBOR, SOUTH CAROLINA.

(a) IN GENERAL.—The project for rediversion, Cooper River, Charleston Harbor, South Carolina, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731) and modified by title I of the Energy and Water Development Appropriations Act, 1992 (105 Stat. 517), is further modified to authorize the Secretary to pay to the State of South Carolina not more than $3,750,000 if the Secretary and the State enter into a binding agreement for the State to perform all future operation of the fish lift at St. Stephen, South Carolina, including performance of studies to assess the efficacy of the fish lift.

(b) CONTENTS OF AGREEMENT.—The agreement under subsection (a) shall specify—

(1) the terms and conditions under which payment will be made; and

(2) the rights of, and remedies available to, the Federal Government to recover all or a portion of the payment if the State suspends or terminates operation of the fish lift or fails to operate the fish lift in a manner satisfactory to the Secretary.

(c) MAINTENANCE.—Maintenance of the fish lift shall remain a Federal responsibility.

SEC. 354. CLEAR CREEK, TEXAS.

Section 575 of the Water Resources Development Act of 1996 (110 Stat. 3789) is amended—

(1) in subsection (a)—

(A) by inserting ''or nonstructural actions'' after ''flood control works constructed''; and

(B) by inserting ''or nonstructural actions'' after ''construction of the project''; and

(2) in subsection (b)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(4) the project for flood control, Clear Creek, Texas, authorized by section 203 of the Flood Control Act of 1968 (82 Stat. 742).''.

SEC. 355. CYPRESS CREEK, TEXAS.

(a) IN GENERAL.—The project for flood control, Cypress Creek, Texas, authorized by section 3(a)(13) of the Water Resources Development Act of 1988 (102 Stat. 4014), is modified to authorize the Secretary to carry out a nonstructural flood control project at a total cost of $5,000,000.

(b) REIMBURSEMENT FOR WORK.—The Secretary may reimburse the non-Federal interest for the Cypress Creek project for work done by the non-Federal interest on the nonstructural flood control project in an amount equal to the estimate of the Federal share, without interest, of the cost of the work—

(1) if, after authorization and before initiation of construction of the nonstructural project, the Secretary approves the plans for construction of the nonstructural project by the non-Federal interest; and

(2) if the Secretary finds, after a review of studies and design documents prepared to carry out the nonstructural project, that construction of the nonstructural project is economically justified and environmentally acceptable.

SEC. 356. DALLAS FLOODWAY EXTENSION, DALLAS, TEXAS.

The project for flood control, Dallas Floodway Extension, Dallas, Texas, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1091) and modified by section 351 of the Water Resources Development Act of 1996 (110 Stat. 3724), is further modified to add environmental restoration and recreation as project purposes.

SEC. 357. UPPER JORDAN RIVER, UTAH.

The project for flood control, Upper Jordan River, Utah, authorized by section 101(a)(23) of the Water Resources Development Act of 1990 (104 Stat. 4610) and modified by section 301(a)(14) of the Water Resources Development Act of 1996 (110 Stat. 3709), is further modified to direct the Secretary to carry out the locally preferred project, entitled ''Upper Jordan River Flood Control Project, Salt Lake County, Utah—Supplemental Information'' and identified in the document of Salt Lake County, Utah, dated July 30, 1998, at a total cost of $12,870,000, with an estimated Federal cost of $8,580,000 and an estimated non-Federal cost of $4,290,000, if the Secretary determines that the project as modified is technically sound, environmentally acceptable, and economically justified.

SEC. 358. ELIZABETH RIVER, CHESAPEAKE, VIRGINIA.

Notwithstanding any other provision of law, after September 30, 1999, the city of Chesapeake, Virginia, shall not be obligated to make the annual cash contribution required under paragraph 1(9) of the Local Cooperation Agreement dated December 12, 1978, between the Government and the city for the project for navigation, southern branch of the Elizabeth River, Chesapeake, Virginia.

SEC. 359. COLUMBIA RIVER CHANNEL, WASHINGTON AND OREGON.

(a) IN GENERAL.—The project for navigation, Columbia River between Vancouver, Washington, and The Dalles, Oregon, authorized by the first section of the Act of July 24, 1946 (60 Stat. 637, chapter 595), is modified to authorize the Secretary to construct an alternate barge channel to traverse the high span of the Interstate Route 5 bridge between Portland, Oregon, and Vancouver, Washington, to a depth of 17 feet, with a width of approximately 200 feet through the high span of the bridge and a width of approximately 300 feet upstream of the bridge.

(b) DISTANCE UPSTREAM.—The channel shall continue upstream of the bridge approximately 2,500 feet to about river mile 107, then to a point of convergence with the main barge channel at about river mile 108.

(c) DISTANCE DOWNSTREAM.—

(1) SOUTHERN EDGE.—The southern edge of the channel shall continue downstream of the bridge approximately 1,500 feet to river mile 106+10, then turn northwest to tie into the edge of the Upper Vancouver Turning Basin.

(2) NORTHERN EDGE.—The northern edge of the channel shall continue downstream of the bridge to the Upper Vancouver Turning Basin.

SEC. 360. GREENBRIER RIVER BASIN, WEST VIRGINIA.

Section 579(c) of the Water Resources Development Act of 1996 (110 Stat. 3790) is amended by striking ''$12,000,000'' and inserting ''$47,000,000''.

SEC. 361. BLUESTONE LAKE, OHIO RIVER BASIN, WEST VIRGINIA.

Section 102(ff) of the Water Resources Development Act of 1992 (106 Stat. 4810) is amended by striking ''take such measures as are technologically feasible'' and inserting ''implement Plan C/G, as defined in the Evaluation Report of the District Engineer dated December 1996,''.

SEC. 362. MOOREFIELD, WEST VIRGINIA.

Effective October 1, 1999, the project for flood control, Moorefield, West Virginia, authorized by section 101(a)(25) of the Water Resources Development Act of 1990 (104 Stat. 4610), is modified to provide that the non-Federal interest shall not be required to pay the unpaid balance, including interest, of the non-Federal share of the cost of the project.

SEC. 363. WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL.

Section 581 of the Water Resources Development Act of 1996 (110 Stat. 3790) is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary may design and construct—

''(1) flood control measures in the Cheat and Tygart River basins, West Virginia, at a level of protection that is sufficient to prevent any future losses to communities in the basins from flooding such as occurred in January 1996, but not less than a 100-year level of protection; and

''(2) structural and nonstructural flood control, streambank protection, stormwater management, and channel clearing and modification measures in the lower Allegheny, lower Monongahela, West Branch Susquehanna, and Juniata River basins, Pennsylvania, at a level of protection that is sufficient to prevent any future losses to communities in the basins from flooding such as occurred in January 1996, but not less than a 100-year level of flood protection with respect to measures that incorporate levees or floodwalls.''.

SEC. 364. PROJECT REAUTHORIZATIONS.

Each of the following projects is authorized to be carried out by the Secretary, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, as appropriate:

(1) INDIAN RIVER COUNTY, FLORIDA.—The project for shore protection, Indian River County, Florida, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4134) and deauthorized under section 1001(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(1)).

(2) LIDO KEY BEACH, SARASOTA, FLORIDA.—

(A) IN GENERAL.—The project for shore protection, Lido Key Beach, Sarasota, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1819) and deauthorized under section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)), at a total cost of $5,200,000, with an estimated Federal cost of $3,380,000 and an estimated non-Federal cost of $1,820,000.

(B) PERIODIC NOURISHMENT.—The Secretary may carry out periodic nourishment for the project for a 50-year period at an estimated average annual cost of $602,000, with an estimated annual Federal cost of $391,000 and an estimated annual non-Federal cost of $211,000.

(3) CASS RIVER, MICHIGAN (VASSAR).—The project for flood protection, Cass River, Michigan (Vassar), authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 311) and deauthorized under section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)).

(4) SAGINAW RIVER, MICHIGAN (SHIAWASSEE FLATS).—The project for flood control, Saginaw River, Michigan (Shiawassee Flats), authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 311) and deauthorized under section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)).

(5) PARK RIVER, GRAFTON, NORTH DAKOTA.—The project for flood control, Park River, Grafton, North Dakota, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4121) and deauthorized under section 1001(a) of that Act (33 U.S.C. 579a(a)), at a total cost of $28,100,000, with an estimated Federal cost of $18,265,000 and an estimated non-Federal cost of $9,835,000.

(6) MEMPHIS HARBOR, MEMPHIS, TENNESSEE.—The project for navigation, Memphis Harbor, Memphis, Tennessee, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4145) and deauthorized pursuant to section 1001(a) of that Act (33 U.S.C 579a(a)), is authorized to be carried out by the Secretary.

SEC. 365. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—The following projects or portions of projects are not authorized after the date of enactment of this Act:

(1) BRIDGEPORT HARBOR, CONNECTICUT.—The portion of the project for navigation, Bridgeport Harbor, Connecticut, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 297), consisting of a 2.4-acre anchorage area, 9 feet deep, and an adjacent 0.6-acre anchorage, 6 feet deep, located on the west side of Johnsons River.

(2) CLINTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Clinton Harbor, Connecticut, authorized by section 2 of the Act of March 2, 1945 (59 Stat. 13, chapter 19), and House Document 240, 76th Congress, 1st Session, lying upstream of a line designated by the points N158,592.12, E660,193.92 and N158,444.58, E660,220.95.

(3) BASS HARBOR, MAINE.—The following portions of the project for navigation, Bass Harbor, Maine, authorized on May 7, 1962, under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577):

(A) Beginning at a bend in the project, N149040.00, E538505.00, thence running easterly about 50.00 feet along the northern limit of the project to a point N149061.55, E538550.11, thence running southerly about 642.08 feet to a point, N14877.64, E538817.18, thence running southwesterly about 156.27 feet to a point on the westerly limit of the project, N148348.50, E538737.02, thence running northerly about 149.00 feet along the westerly limit of the project to a bend in the project, N148489.22, E538768.09, thence running northwesterly about 610.39 feet along the westerly limit of the project to the point of origin.

(B) Beginning at a point on the westerly limit of the project, N148118.55, E538689.05, thence running southeasterly about 91.92 feet to a point, N148041.43, E538739.07, thence running southerly about 65.00 feet to a point, N147977.86, E538725.51, thence running southwesterly about 91.92 feet to a point on the westerly limit of the project, N147927.84, E538648.39, thence running northerly about 195.00 feet along the westerly limit of the project to the point of origin.

(4) BOOTHBAY HARBOR, MAINE.—The project for navigation, Boothbay Harbor, Maine, authorized by the Act of July 25, 1912 (37 Stat. 201, chapter 253).

(5) BUCKSPORT HARBOR, MAINE.—The portion of the project for navigation, Bucksport Harbor, Maine, authorized by the first section of the Act of June 13, 1902 (32 Stat. 331, chapter 1079), consisting of a 16-foot deep channel beginning at a point N268.748.16, E423.390.76, thence running north 47 degrees 02 minutes 23 seconds east 51.76 feet to a point N268.783.44, E423.428.64, thence running north 67 degrees 54 minutes 32 seconds west 1513.94 feet to a point N269.352.81, E422.025.84, thence running south 47 degrees 02 minutes 23 seconds west 126.15 feet to a point N269.266.84, E421.933.52, thence running south 70 degrees 24 minutes 28 seconds east 1546.79 feet to the point of origin.

(6) CARVERS HARBOR, VINALHAVEN, MAINE.—The portion of the project for navigation, Carvers Harbor, Vinalhaven, Maine, authorized by the Act of June 3, 1896 (commonly known as the ''River and Harbor Appropriations Act of 1896'') (29 Stat. 202, chapter 314), consisting of the 16-foot anchorage beginning at a point with coordinates N137,502.04, E895,156.83, thence running south 6 degrees 34 minutes 57.6 seconds west 277.660 feet to a point N137,226.21, E895,125.00, thence running north 53 degrees, 5 minutes 42.4 seconds west 127.746 feet to a point N137,302.92, E895022.85, thence running north 33 degrees 56 minutes 9.8 seconds east 239.999 feet to the point of origin.

(7) EAST BOOTHBAY HARBOR, MAINE.—Section 364 of the Water Resources Development Act of 1996 is amended by striking paragraph (9) (110 Stat. 3734) and inserting the following:

''(9) EAST BOOTHBAY HARBOR, MAINE.—The project for navigation, East Boothbay Harbor,

Maine, authorized by the first section of the Act entitled 'An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes', approved June 25, 1910 (36 Stat. 631, chapter 382).''.

(8) SEARSPORT HARBOR, SEARSPORT, MAINE.—The portion of the project for navigation, Searsport Harbor, Searsport, Maine, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173), consisting of the 35-foot turning basin beginning at a point with coordinates N225,008.38, E395,464.26, thence running north 43 degrees 49 minutes 53.4 seconds east 362.001 feet to a point N225,269.52, E395,714.96, thence running south 71 degrees 27 minutes 33.0 seconds east 1,309.201 feet to a point N224,853.22, E396,956.21, thence running north 84 degrees 3 minutes 45.7 seconds west 1,499.997 feet to the point of origin.

(9) WELLS HARBOR, MAINE.—The following portions of the project for navigation, Wells Harbor, Maine, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 480):

(A) The portion of the 6-foot channel the boundaries of which begin at a point with coordinates N177,992.00, E394,831.00, thence running south 83 degrees 58 minutes 14.8 seconds west 10.38 feet to a point N177,990.91, E394,820.68, thence running south 11 degrees 46 minutes 47.7 seconds west 991.76 feet to a point N177,020.04, E394,618.21, thence running south 78 degrees 13 minutes 45.7 seconds east 10.00 feet to a point N177,018.00, E394,628.00, thence running north 11 degrees 46 minutes 22.8 seconds east 994.93 feet to the point of origin.

(B) The portion of the 6-foot anchorage the boundaries of which begin at a point with coordinates N177,778.07, E394,336.96, thence running south 51 degrees 58 minutes 32.7 seconds west 15.49 feet to a point N177,768.53, E394,324.76, thence running south 11 degrees 46 minutes 26.5 seconds west 672.87 feet to a point N177,109.82, E394,187.46, thence running south 78 degrees 13 minutes 45.7 seconds east 10.00 feet to a point N177,107.78, E394,197.25, thence running north 11 degrees 46 minutes 25.4 seconds east 684.70 feet to the point of origin.

(C) The portion of the 10-foot settling basin the boundaries of which begin at a point with coordinates N177,107.78, E394,197.25, thence running north 78 degrees 13 minutes 45.7 seconds west 10.00 feet to a point N177,109.82, E394,187.46, thence running south 11 degrees 46 minutes 15.7 seconds west 300.00 feet to a point N176,816.13, E394,126.26, thence running south 78 degrees 12 minutes 21.4 seconds east 9.98 feet to a point N176,814.09, E394,136.03, thence running north 11 degrees 46 minutes 29.1 seconds east 300.00 feet to the point of origin.

(D) The portion of the 10-foot settling basin the boundaries of which begin at a point with coordinates N177,018.00, E394,628.00, thence running north 78 degrees 13 minutes 45.7 seconds west 10.00 feet to a point N177,020.04, E394,618.21, thence running south 11 degrees 46 minutes 44.0 seconds west 300.00 feet to a point N176,726.36, E394,556.97, thence running south 78 degrees 12 minutes 30.3 seconds east 10.03 feet to a point N176,724.31, E394,566.79, thence running north 11 degrees 46 minutes 22.4 seconds east 300.00 feet to the point of origin.

(10) FALMOUTH HARBOR, MASSACHUSETTS.—The portion of the project for navigation, Falmouth Harbor, Massachusetts, authorized by section 101 of the River and Harbor Act of 1948 (62 Stat. 1172) lying southeasterly of a line commencing at a point N199,286.41, E844,394.91, thence running north 66 degrees 52 minutes 3.31 seconds east 472.95 feet to a point N199,472.21, E844,829.83, thence running north 43 degrees 9 minutes 28.3 seconds east 262.64 feet to a point N199,633.80, E845,009.48, thence running north 21 degrees 40 minutes 11.26 seconds east 808.38 feet to a point N200,415.05, E845,307.98, thence running north 32 degrees 25 minutes 29.01 seconds east 160.76 feet to a point N200,550.75, E845,394.18, thence running north 24 degrees 56 minutes 42.29 seconds east 1,410.29 feet to a point N201,829.48, E845,988.97.

(11) GREEN HARBOR, MASSACHUSETTS.—The portion of the project for navigation, Green Harbor, Massachusetts, undertaken pursuant to section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), consisting of the 6-foot deep channel beginning at a point along the west limit of the existing project, north 395990.43, east 831079.16, thence running northwesterly about 752.85 feet to a point, north 396722.80, east 830904.76, thence running northwesterly about 222.79 feet to a point along the west limit of the existing project, north 396844.34, east 830718.04, thence running southwesterly about 33.72 feet along the west limit of the existing project to a point, north 396810.80, east 830714.57, thence running southeasterly about 195.42 feet along the west limit of the existing project to a point, north 396704.19, east 830878.35, thence running about 544.66 feet along the west limit of the existing project to a point, north 396174.35, east 831004.52, thence running southeasterly about 198.49 feet along the west limit of the existing project to the point of beginning.

(12) NEW BEDFORD AND FAIRHAVEN HARBOR, MASSACHUSETTS.—The following portions of the project for navigation, New Bedford and Fairhaven Harbor, Massachusetts:

(A) A portion of the 25-foot spur channel leading to the west of Fish Island, authorized by section 3 of the Act of March 3, 1909 (35 Stat. 816, chapter 264), beginning at a point with coordinates N232,173.77, E758,791.32, thence running south 27 degrees 36 minutes 52.8 seconds west 38.2 feet to a point N232,139.91, E758,773.61, thence running south 87 degrees 35 minutes 31.6 seconds west 196.84 feet to a point N232,131.64, E758,576.94, thence running north 47 degrees 47 minutes 48.4 seconds west 502.72 feet to a point N232,469.35, E758,204.54, thence running north 10 degrees 10 minutes 20.3 seconds west 438.88 feet to a point N232,901.33, E758,127.03, thence running north 79 degrees 49 minutes 43.1 seconds east 121.69 feet to a point N232,922.82, E758,246.81, thence running south 04 degrees 29 minutes 17.6 seconds east 52.52 feet to a point N232,870.46, E758,250.92, thence running south 23 degrees 56 minutes 11.2 seconds east 49.15 feet to a point N323,825.54, E758,270.86, thence running south 79 degrees 49 minutes 27.0 seconds west 88.19 feet to a point N232,809.96, E758,184.06, thence running south 10 degrees 10 minutes 25.7 seconds east 314.83 feet to a point N232,500.08, E758,239.67, thence running south 56 degrees 33 minutes 56.1 seconds east 583.07 feet to a point N232,178.82, E758,726.25, thence running south 85 degrees 33 minutes 16.0 seconds east to the point of origin.

(B) A portion of the 30-foot west maneuvering basin, authorized by the first section of the Act of July 3, 1930 (46 Stat. 918, chapter 847), beginning at a point with coordinates N232,139.91, E758,773.61, thence running north 81 degrees 49 minutes 30.1 seconds east 160.76 feet to a point N232,162.77, E758.932.74, thence running north 85 degrees 33 minutes 16.0 seconds west 141.85 feet to a point N232,173.77, E758,791.32, thence running south 27 degrees 36 minutes 52.8 seconds west to the point of origin.

(b) ANCHORAGE AREA, CLINTON HARBOR, CONNECTICUT.—The portion of the Clinton Harbor, Connecticut, navigation project referred to in subsection (a)(2) beginning at a point with coordinates N158,444.58, E660,220.95, thence running north 79 degrees 37 minutes 14 seconds east 833.31 feet to a point N158,594.72, E661,040.67, thence running south 80 degrees 51 minutes 53 seconds east 181.21 feet to a point N158,565.95, E661,219.58, thence running north 57 degrees 38 minutes 04 seconds west 126.02 feet to a point N158,633.41, E660,113.14, thence running south 79 degrees 37 minutes 14 seconds west 911.61 feet to a point N158,469.17, E660,216.44, thence running south 10 degrees 22 minutes 46 seconds east 25 feet returning to a point N158,444.58, E660,220.95, is redesignated as an anchorage area.

(c) WELLS HARBOR, MAINE.—

(1) PROJECT MODIFICATION.—The Wells Harbor, Maine, navigation project referred to in subsection (a)(9) is modified to authorize the Secretary to realign the channel and anchorage areas based on a harbor design capacity of 150 craft.

(2) REDESIGNATIONS.—

(A) 6-FOOT ANCHORAGE.—The following portions of the Wells Harbor, Maine, navigation project referred to in subsection (a)(9) shall be redesignated as part of the 6-foot anchorage:

(i) The portion of the 6-foot channel the boundaries of which begin at a point with coordinates N177,990.91, E394,820.68, thence running south 83 degrees 58 minutes 40.8 seconds west 94.65 feet to a point N177,980.98, E394,726.55, thence running south 11 degrees 46 minutes 22.4 seconds west 962.83 feet to a point N177,038.40, E394,530.10, thence running south 78 degrees 13 minutes 45.7 seconds east 90.00 feet to a point N177,020.04, E394,618.21, thence running north 11 degrees 46 minutes 47.7 seconds east 991.76 feet to the point of origin.

(ii) The portion of the 10-foot inner harbor settling basin the boundaries of which begin at a point with coordinates N177,020.04, E394,618.21, thence running north 78 degrees 13 minutes 30.5 seconds west 160.00 feet to a point N177,052.69, E394,461.58, thence running south 11 degrees 46 minutes 45.4 seconds west 299.99 feet to a point N176,759.02, E394,400.34, thence running south 78 degrees 13 minutes 17.9 seconds east 160 feet to a point N176,726.36, E394,556.97, thence running north 11 degrees 46 minutes 44.0 seconds east 300.00 feet to the point of origin.

(B) 6-FOOT CHANNEL.—The following portion of the Wells Harbor, Maine, navigation project referred to in subsection (a)(9) shall be redesignated as part of the 6-foot channel: the portion of the 6-foot anchorage the boundaries of which begin at a point with coordinates N178,102.26, E394,751.83, thence running south 51 degrees 59 minutes 42.1 seconds west 526.51 feet to a point N177,778.07, E394,336.96, thence running south 11 degrees 46 minutes 26.6 seconds west 511.83 feet to a point N177,277.01, E394,232.52, thence running south 78 degrees 13 minutes 17.9 seconds east 80.00 feet to a point N177,260.68, E394,310.84, thence running north 11 degrees 46 minutes 24.8 seconds east 482.54 feet to a point N177,733.07, E394,409.30, thence running north 51 degrees 59 minutes 41.0 seconds east 402.63 feet to a point N177,980.98, E394,726.55, thence running north 11 degrees 46 minutes 27.6 seconds east 123.89 feet to the point of origin.

(3) REALIGNMENT.—The 6-foot anchorage area described in paragraph (2)(B) shall be realigned to include the area located south of the inner harbor settling basin in existence on the date of enactment of this Act beginning at a point with coordinates N176,726.36, E394,556.97, thence running north 78 degrees 13 minutes 17.9 seconds west 160.00 feet to a point N176,759.02, E394,400.34, thence running south 11 degrees 47 minutes 03.8 seconds west 45 feet to a point N176,714.97, E394,391.15, thence running south 78 degrees 13 minutes 17.9 seconds 160.00 feet to a point N176,682.31, E394,547.78, thence running north 11 degrees 47 minutes 03.8 seconds east 45 feet to the point of origin.

(4) RELOCATION.—The Secretary may relocate the settling basin feature of the Wells Harbor, Maine, navigation project referred to in subsection (a)(9) to the outer harbor between the jetties.

(5) ADDITIONAL ACTIONS.—In carrying out the operation and the maintenance of the Wells Harbor, Maine, navigation project referred to in subsection (a)(9), the Secretary shall undertake each of the actions of the Corps of Engineers specified in section IV(B) of the memorandum of agreement relating to the project dated January 20, 1998, including the actions specified in section IV(B) that the parties agreed to ask the Corps of Engineers to undertake.

(6) CONSERVATION EASEMENT.—The Secretary of the Interior, acting through the Director of

the United States Fish and Wildlife Service, may accept a conveyance of the right, but not the obligation, to enforce a conservation easement to be held by the State of Maine over certain land owned by the town of Wells, Maine, that is adjacent to the Rachel Carson National Wildlife Refuge.

(d) ANCHORAGE AREA, GREEN HARBOR, MASSACHUSETTS.—The portion of the Green Harbor, Massachusetts, navigation project referred to in subsection (a)(11) consisting of a 6-foot deep channel that lies northerly of a line the coordinates of which are North 394825.00, East 831660.00 and North 394779.28, East 831570.64 is redesignated as an anchorage area.

SEC. 366. AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA.

(a) IN GENERAL.—The project for flood damage reduction, American and Sacramento Rivers, California, authorized by section 101(a)(1) of the Water Resources Development Act of 1996 (110 Stat. 3662–3663), is modified to direct the Secretary to include the following improvements as part of the overall project:

(1) Raising the left bank of the non-Federal levee upstream of the Mayhew Drain for a distance of 4,500 feet by an average of 2.5 feet.

(2) Raising the right bank of the American River levee from 1,500 feet upstream to 4,000 feet downstream of the Howe Avenue bridge by an average of 1 foot.

(3) Modifying the south levee of the Natomas Cross Canal for a distance of 5 miles to ensure that the south levee is consistent with the level of protection provided by the authorized levee along the east bank of the Sacramento River.

(4) Modifying the north levee of the Natomas Cross Canal for a distance of 5 miles to ensure that the height of the levee is equivalent to the height of the south levee as authorized by paragraph (3).

(5) Installing gates to the existing Mayhew Drain culvert and pumps to prevent backup of floodwater on the Folsom Boulevard side of the gates.

(6) Installing a slurry wall in the north levee of the American River from the east levee of the Natomas east Main Drain upstream for a distance of approximately 1.2 miles.

(7) Installing a slurry wall in the north levee of the American River from 300 feet west of Jacob Lane north for a distance of approximately 1 mile to the end of the existing levee.

(b) COST LIMITATIONS.—Section 101(a)(1)(A) of the Water Resources Development Act of 1996 (110 Stat. 3662) is amended by striking ''at a total cost of'' and all that follows through ''$14,225,000,'' and inserting the following: ''at a total cost of $91,900,000, with an estimated Federal cost of $68,925,000 and an estimated non-Federal cost of $22,975,000,''.

(c) COST SHARING.—For the purposes of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), the modifications authorized by this section shall be subject to the same cost sharing in effect for the project for flood damage reduction, American and Sacramento Rivers, California, authorized by section 101(a)(1) of the Water Resources Development Act of 1996 (110 Stat. 3662).

SEC. 367. MARTIN, KENTUCKY.

The project for flood control, Martin, Kentucky, authorized by section 202(a) of the Energy and Water Development Appropriations Act, 1981 (94 Stat. 1339), is modified to authorize the Secretary to take all necessary measures to prevent future losses that would occur as a result of a flood equal in magnitude to a 100-year frequency event.

SEC. 368. SOUTHERN WEST VIRGINIA PILOT PROGRAM.

Section 340(g) of the Water Resources Development Act of 1992 (106 Stat. 4856) is amended to read as follows:

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program under this section $40,000,000 for fiscal years beginning after September 30, 1992. Such sums shall remain available until expended.''.

SEC. 369. BLACK WARRIOR AND TOMBIGBEE RIVERS, JACKSON, ALABAMA.

(a) IN GENERAL.—The project for navigation, Black Warrior and Tombigbee Rivers, vicinity of Jackson, Alabama, authorized by section 106 of the Energy and Water Development Appropriations Act, 1987 (100 Stat. 3341–199), is modified to authorize the Secretary to acquire land for mitigation of the habitat losses attributable to the project, including the navigation channel, dredged material disposal areas, and other areas directly affected by construction of the project.

(b) CONSTRUCTION BEFORE ACQUISITION OF MITIGATION LAND.—Notwithstanding section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283), the Secretary may construct the project before acquisition of the mitigation land if the Secretary takes such actions as are necessary to ensure that any required mitigation land will be acquired not later than 2 years after initiation of construction of the new channel and that the acquisition will fully mitigate any adverse environmental impacts resulting from the project.

SEC. 370. TROPICANA WASH AND FLAMINGO WASH, NEVADA.

Any Federal costs associated with the Tropicana Wash and Flamingo Wash, Nevada, authorized by section 101(13) of the Water Resources Development Act of 1992 (106 Stat. 4803), incurred by the non-Federal interest to accelerate or modify construction of the project, in cooperation with the Corps of Engineers, shall be eligible for reimbursement by the Secretary.

SEC. 371. COMITE RIVER, LOUISIANA.

The Comite River Diversion Project for flood control, authorized as part of the project for flood control, Amite River and Tributaries, Louisiana, by section 101(11) of the Water Resources Development Act of 1992 (106 Stat. 4802) and modified by section 301(b)(5) of the Water Resources Development Act of 1996 (110 Stat. 3709), is further modified to authorize the Secretary to include the costs of highway relocations to be cost shared as a project construction feature.

SEC. 372. ST. MARYS RIVER, MICHIGAN.

The project for navigation, St. Marys River, Michigan, is modified to direct the Secretary to provide an additional foot of overdraft between Point Louise Turn and the Locks, Sault Sainte Marie, Michigan, consistent with the channels upstream of Point Louise Turn. The modification shall be carried out as operation and maintenance to improve navigation safety.

SEC. 373. CHARLEVOIX, MICHIGAN.

The Secretary shall review and, if consistent with authorized project purposes, reimburse the city of Charlevoix, Michigan, for the Federal share of costs associated with construction of the new revetment connection to the Federal navigation project at Charlevoix Harbor, Michigan.

SEC. 374. WHITE RIVER BASIN, ARKANSAS AND MISSOURI.

(a) IN GENERAL.—Subject to subsection (b), the project for flood control, power generation, and other purposes at the White River Basin, Arkansas and Missouri, authorized by section 4 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and modified by House Document 917, 76th Congress, 3d Session, and House Document 290, 77th Congress, 1st Session, approved August 18, 1941, and House Document 499, 83d Congress, 2d Session, approved September 3, 1954, and by section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711) is further modified to authorize the Secretary to provide minimum flows necessary to sustain tail water trout fisheries by reallocating the following amounts of project storage: Beaver Lake, 1.5 feet; Table Rock, 2 feet; Bull Shoals Lake, 5 feet; Norfork Lake, 3.5 feet; and Greers Ferry Lake, 3 feet.

(b) REPORT.—

(1) IN GENERAL.—No funds may be obligated to carry out work on the modification under subsection (a) until completion of a final report by the Chief of Engineers finding that the work is technically sound, environmentally acceptable, and economically justified.

(2) TIMING.—The Secretary shall submit the report to Congress not later than July 30, 2000.

(3) CONTENTS.—The report shall include determinations concerning whether—

(A) the modification under subsection (a) adversely affects other authorized project purposes; and

(B) Federal costs will be incurred in connection with the modification.

SEC. 375. WAURIKA LAKE, OKLAHOMA, WATER CONVEYANCE FACILITIES.

For the project for construction of the water conveyances authorized by the first section of Public Law 88–253 (77 Stat. 841), the requirements for the Waurika Project Master Conservancy District to repay the $2,900,000 in costs (including interest) resulting from the October 1991 settlement of the claim before the United States Claims Court, and to make a payment of $595,000 of the final cost representing a portion of the difference between the 1978 estimate of cost and the actual cost determined after completion of the project in 1991, are waived.

TITLE IV—STUDIES

SEC. 401. DEEP DRAFT HARBOR COST SHARING.

(a) IN GENERAL.—The Secretary shall undertake a study of non-Federal cost-sharing requirements for the construction and operation and maintenance of deep draft harbor projects to determine whether—

(1) cost sharing adversely affects United States port development or domestic and international trade; and

(2) any revision of the cost-sharing requirements would benefit United States domestic and international trade.

(b) RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than May 30, 2001, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives any recommendations that the Secretary may have in light of the study under subsection (a).

(2) CONSIDERATIONS.—In making recommendations, the Secretary shall consider—

(A) the potential economic, environmental, and budgetary impacts of any proposed revision of the cost-sharing requirements; and

(B) the effect that any such revision would have on regional port competition.

SEC. 402. BOYDSVILLE, ARKANSAS.

The Secretary shall conduct a study to determine the feasibility of the reservoir and associated improvements to provide for flood control, recreation, water quality, and fish and wildlife purposes in the vicinity of Boydsville, Arkansas.

SEC. 403. GREERS FERRY LAKE, ARKANSAS.

The Secretary shall conduct a study to determine the feasibility of constructing water intake facilities at Greers Ferry Lake, Arkansas.

SEC. 404. DEL NORTE COUNTY, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of designating a permanent disposal site for dredged material from Federal navigation projects in Del Norte County, California.

SEC. 405. FRAZIER CREEK, TULARE COUNTY, CALIFORNIA.

The Secretary shall conduct a study to determine—

(1) the feasibility of restoring Frazier Creek, Tulare County, California; and

(2) the Federal interest in flood control, environmental restoration, conservation of fish and wildlife resources, recreation, and water quality of the creek.

SEC. 406. MARE ISLAND STRAIT, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a general reevaluation to determine the Federal interest in reconfiguring the Mare Island Strait channel.

(b) CONSIDERATIONS.—In determining the Federal interest, the Secretary shall consider the benefits of economic activity associated with potential future uses of the channel and any other benefits that could be realized by increasing the width and depth of the channel to accommodate both current and potential future uses of the channel.

SEC. 407. STRAWBERRY CREEK, BERKELEY, CALIFORNIA.

The Secretary shall conduct a study to determine—

(1) the feasibility of restoring Strawberry Creek, Berkeley, California; and

(2) the Federal interest in environmental restoration, conservation of fish and wildlife resources, recreation, and water quality of the creek.

SEC. 408. SWEETWATER RESERVOIR, SAN DIEGO COUNTY, CALIFORNIA.

The Secretary shall conduct a study of the potential water quality problems and pollution abatement measures in the watershed in and around Sweetwater Reservoir, San Diego County, California.

SEC. 409. WHITEWATER RIVER BASIN, CALIFORNIA.

The Secretary shall complete a study to determine the feasibility of a flood damage reduction project in the Whitewater River basin (also known as ''Thousand Palms''), California.

SEC. 410. DESTIN-NORIEGA POINT, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of—

(1) restoring Noriega Point, Florida, to serve as a breakwater for Destin Harbor; and

(2) including Noriega Point as part of the East Pass, Florida, navigation project.

SEC. 411. LITTLE ECONLACKHATCHEE RIVER BASIN, FLORIDA.

The Secretary shall conduct a study of pollution abatement measures in the Little Econlackhatchee River basin, Florida.

SEC. 412. PORT EVERGLADES, BROWARD COUNTY, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of constructing a sand bypassing project at the Port Everglades Inlet, Florida.

SEC. 413. LAKE ALLATOONA, ETOWAH RIVER, AND LITTLE RIVER WATERSHED, GEORGIA.

(a) IN GENERAL.—The Secretary, in cooperation with the Administrator of the Environmental Protection Agency, may carry out the following water-related environmental restoration and resource protection investigations into restoring Lake Allatoona, the Etowah River, and the Little River watershed, Georgia:

(1) LAKE ALLATOONA/ETOWAH RIVER SHORELINE RESTORATION INVESTIGATION.—Feasibility phase investigation to identify and recommend to Congress structural and nonstructural measures to alleviate shore erosion and sedimentation problems along the shores of Lake Allatoona and the Etowah River.

(2) LITTLE RIVER ENVIRONMENTAL RESTORATION INVESTIGATION.—Feasibility phase investigation to evaluate environmental problems and recommend environmental restoration measures (including appropriate environmental structural and nonstructural measures) for the Little River watershed, Georgia.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the period beginning with fiscal year 2000—

(1) $850,000 to carry out subsection (a)(1); and

(2) $500,000 to carry out subsection (a)(2).

SEC. 414. BOISE, IDAHO.

The Secretary shall conduct a study to determine the feasibility of undertaking flood control on the Boise River in Boise, Idaho.

SEC. 415. GOOSE CREEK WATERSHED, OAKLEY, IDAHO.

The Secretary shall conduct a study to determine the feasibility of undertaking flood damage reduction, water conservation, ground water recharge, ecosystem restoration, and related activities along the Goose Creek watershed near Oakley, Idaho.

SEC. 416. LITTLE WOOD RIVER, GOODING, IDAHO.

The Secretary shall conduct a study to determine the feasibility of restoring and repairing the Lava Rock Little Wood River Containment System to prevent flooding in the city of Gooding, Idaho.

SEC. 417. SNAKE RIVER, LEWISTON, IDAHO.

The Secretary shall conduct a study to determine the feasibility of undertaking bank stabilization and flood control on the Snake River at Lewiston, Idaho.

SEC. 418. SNAKE RIVER AND PAYETTE RIVER, IDAHO.

The Secretary shall conduct a study to determine the feasibility of undertaking a flood control project along the Snake River and Payette River, in the vicinity of Payette, Idaho.

SEC. 419. UPPER DES PLAINES RIVER AND TRIBUTARIES, ILLINOIS AND WISCONSIN.

(a) IN GENERAL.—The Secretary shall conduct a study of the upper Des Plaines River and tributaries, Illinois and Wisconsin, upstream of the confluence with Salt Creek at Riverside, Illinois, to determine the feasibility of improvements in the interests of flood damage reduction, environmental restoration and protection, water quality, recreation, and related purposes.

(b) SPECIAL RULE.—In conducting the study, the Secretary may not exclude from consideration and evaluation flood damage reduction measures based on restrictive policies regarding the frequency of flooding, the drainage area, and the amount of runoff.

(c) CONSULTATION AND USE OF EXISTING DATA.—In carrying out this section, the Secretary shall—

(1) consult with appropriate Federal and State agencies; and

(2) make maximum use of data in existence on the date of enactment of this Act and ongoing programs and efforts of Federal agencies and States.

SEC. 420. CAMERON PARISH WEST OF CALCASIEU RIVER, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of undertaking a storm damage reduction and ecosystem restoration project for Cameron Parish west of Calcasieu River, Louisiana.

SEC. 421. COASTAL LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of using dredged material from maintenance activities at Federal navigation projects in coastal Louisiana to benefit coastal areas in the State.

SEC. 422. GRAND ISLE AND VICINITY, LOUISIANA.

In carrying out a study of the storm damage reduction benefits to Grand Isle and vicinity, Louisiana, the Secretary shall include benefits that a storm damage reduction project for Grand Isle and vicinity, Louisiana, may have on the mainland coast of Louisiana as project benefits attributable to the Grand Isle project.

SEC. 423. GULF INTRACOASTAL WATERWAY ECOSYSTEM, CHEF MENTEUR TO SABINE RIVER, LOUISIANA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking ecosystem restoration and protection measures along the Gulf Intracoastal Waterway from Chef Menteur to Sabine River, Louisiana.

(b) MATTERS TO BE ADDRESSED.—The study shall address saltwater intrusion, tidal scour, erosion, compaction, subsidence, wind and wave action, bank failure, and other problems relating to ecosystem restoration and protection.

SEC. 424. MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS.

(a) IN GENERAL.—The Secretary shall evaluate the January 1999 study commissioned by the Boston Parks and Recreation Department, Boston, Massachusetts, and entitled ''The Emerald Necklace Environmental Improvement Master Plan, Phase I Muddy River Flood Control, Water Quality and Habitat Enhancement'', to determine whether the plans outlined in the study for flood control, water quality, habitat enhancements, and other improvements to the Muddy River in Brookline and Boston, Massachusetts, are cost-effective, technically sound, environmentally acceptable, and in the Federal interest.

(b) REPORT.—Not later than June 30, 2000, the Secretary shall submit to Congress a report on the results of the evaluation.

SEC. 425. WESTPORT, MASSACHUSETTS.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking a navigation project for the town of Westport, Massachusetts.

(b) CONSIDERATIONS.—In determining the benefits of the project, the Secretary shall include the benefits derived from using dredged material for shore protection and storm damage reduction.

SEC. 426. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN.

(a) PLAN.—The Secretary, in coordination with State and local governments and appropriate Federal and provincial authorities of Canada, shall develop a comprehensive management plan for St. Clair River and Lake St. Clair.

(b) ELEMENTS.—The plan shall include the following elements:

(1) Identification of the causes and sources of environmental degradation.

(2) Continuous monitoring of organic, biological, metallic, and chemical contamination levels.

(3) Timely dissemination of information of contamination levels to public authorities, other interested parties, and the public.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes the plan developed under subsection (a) and recommendations for potential restoration measures.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $400,000.

SEC. 427. ST. CLAIR SHORES, MICHIGAN.

The Secretary shall conduct a study to determine the feasibility of constructing a flood control project at St. Clair Shores, Michigan.

SEC. 428. WOODTICK PENINSULA, MICHIGAN, AND TOLEDO HARBOR, OHIO.

The Secretary shall conduct a study to determine the feasibility of using dredged material from Toledo Harbor, Ohio, to provide erosion reduction, navigation, and ecosystem restoration at Woodtick Peninsula, Michigan.

SEC. 429. PASCAGOULA HARBOR, MISSISSIPPI.

(a) IN GENERAL.—The Secretary shall conduct a study to determine an alternative plan for dredged material management for the Pascagoula River portion of the project for navigation, Pascagoula Harbor, Mississippi, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4094).

(b) CONTENTS.—The study under subsection (a) shall—

(1) include an analysis of the feasibility of expanding the Singing River Island Disposal Area or constructing a new dredged material disposal facility; and

(2) identify methods of managing and reducing sediment transport into the Federal navigation channel.

SEC. 430. TUNICA LAKE WEIR, MISSISSIPPI.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of constructing an outlet weir at Tunica Lake, Tunica County, Mississippi, and Lee County, Arkansas, for the purpose of stabilizing water levels in the lake.

(b) ECONOMIC ANALYSIS.—In carrying out the study, the Secretary shall include as part of the economic analysis the benefits derived from

recreation uses at Tunica Lake and economic benefits associated with restoration of fish and wildlife habitat.

SEC. 431. YELLOWSTONE RIVER, MONTANA.

(a) STUDY.—The Secretary shall conduct a comprehensive study of the Yellowstone River from Gardiner, Montana, to the confluence of the Missouri River to determine the hydrologic, biological, and socioeconomic cumulative impacts on the river.

(b) CONSULTATION AND COORDINATION.—The Secretary shall conduct the study in consultation with the United States Fish and Wildlife Service, the United States Geological Survey, and the Natural Resources Conservation Service and with the full participation of the State of Montana and tribal and local entities, and provide for public participation.

(c) REPORT.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of the study.

SEC. 432. LAS VEGAS VALLEY, NEVADA.

(a) IN GENERAL.—The Secretary shall conduct a comprehensive study of water resources in the Las Vegas Valley, Nevada.

(b) OBJECTIVES.—The study shall identify problems and opportunities related to ecosystem restoration, water quality (particularly the quality of surface runoff), and flood control.

SEC. 433. SOUTHWEST VALLEY, ALBUQUERQUE, NEW MEXICO.

The Secretary shall conduct a study to determine the feasibility of undertaking a project for flood damage reduction in the Southwest Valley, Albuquerque, New Mexico.

SEC. 434. CAYUGA CREEK, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of undertaking a project for flood control for Cayuga Creek, New York.

SEC. 435. LAKE CHAMPLAIN, NEW YORK AND VERMONT.

The Secretary shall conduct a study to determine the feasibility of restoring Lake Champlain, New York and Vermont, to improve water quality, fish and wildlife habitat, and navigation.

SEC. 436. OSWEGO RIVER BASIN, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of establishing a flood forecasting system in the Oswego River basin, New York.

SEC. 437. WHITE OAK RIVER, NORTH CAROLINA.

The Secretary shall conduct a study to determine whether there is a Federal interest in a project for water quality, environmental restoration and protection, and related purposes on the White Oak River, North Carolina.

SEC. 438. ARCOLA CREEK WATERSHED, MADISON, OHIO.

The Secretary shall conduct a study to determine the feasibility of undertaking a project to provide environmental restoration and protection for the Arcola Creek watershed, Madison, Ohio.

SEC. 439. CLEVELAND HARBOR, CLEVELAND, OHIO.

The Secretary shall conduct a study to determine the feasibility of undertaking repairs and related navigation improvements at Dike 14, Cleveland, Ohio.

SEC. 440. TOUSSAINT RIVER, CARROLL TOWNSHIP, OHIO.

The Secretary shall conduct a study to determine the feasibility of undertaking navigation improvements on the Toussaint River, Carroll Township, Ohio.

SEC. 441. WESTERN LAKE ERIE BASIN, OHIO, INDIANA, AND MICHIGAN.

(a) IN GENERAL.—The Secretary shall conduct a study to develop measures to improve flood control, navigation, water quality, recreation, and fish and wildlife habitat in a comprehensive manner in the western Lake Erie basin, Ohio, Indiana, and Michigan, including watersheds of the Maumee, Ottawa, and Portage Rivers.

(b) COOPERATION.—In carrying out the study, the Secretary shall—

(1) cooperate with interested Federal, State, and local agencies and nongovernmental organizations; and

(2) consider all relevant programs of the agencies.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of the study, including findings and recommendations.

SEC. 442. SCHUYLKILL RIVER, NORRISTOWN, PENNSYLVANIA.

The Secretary shall conduct a study to determine the feasibility of undertaking a project for flood control for the Schuylkill River, Norristown, Pennsylvania.

SEC. 443. SOUTH CAROLINA COASTAL AREAS.

(a) IN GENERAL.—The Secretary shall review pertinent reports and conduct other studies and field investigations to determine the best available science and methods for management of contaminated dredged material and sediments in the coastal areas of South Carolina.

(b) FOCUS.—In carrying out subsection (a), the Secretary shall place particular focus on areas where the Corps of Engineers maintains deep draft navigation projects, such as Charleston Harbor, Georgetown Harbor, and Port Royal, South Carolina.

(c) COOPERATION.—The studies shall be conducted in cooperation with the appropriate Federal and State environmental agencies.

SEC. 444. SANTEE DELTA FOCUS AREA, SOUTH CAROLINA.

Not later than 18 months after the date of enactment of this Act, the Secretary shall complete a comprehensive study of the ecosystem in the Santee Delta focus area, South Carolina, to determine the feasibility of undertaking a project to enhance wetland habitat and public recreational opportunities in the area.

SEC. 445. WACCAMAW RIVER, SOUTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of undertaking a flood control project for the Waccamaw River in Horry County, South Carolina.

SEC. 446. DAY COUNTY, SOUTH DAKOTA.

The Secretary shall conduct—

(1) an investigation of flooding and other water resources problems between the James River and Big Sioux watersheds, South Dakota; and

(2) an assessment of flood damage reduction needs of the area.

SEC. 447. NIOBRARA RIVER AND MISSOURI RIVER, SOUTH DAKOTA.

The Secretary shall conduct a study of the Niobrara River watershed and the operations of Fort Randall Dam and Gavins Point Dam on the Missouri River, South Dakota, to determine the feasibility of alleviating the bank erosion, sedimentation, and related problems in the lower Niobrara River and the Missouri River below Fort Randall Dam.

SEC. 448. CORPUS CHRISTI, TEXAS.

The Secretary shall include, as part of the study authorized by a resolution of the Committee on Public Works and Transportation of the House of Representatives dated August 1, 1990, a review of two 175-foot-wide barge shelves on either side of the navigation channel at the Port of Corpus Christi, Texas.

SEC. 449. MITCHELL'S CUT CHANNEL (CANEY FORK CUT), TEXAS.

The Secretary shall conduct a study to determine the feasibility of undertaking a project for navigation, Mitchell's Cut Channel (Caney Fork Cut), Texas.

SEC. 450. MOUTH OF COLORADO RIVER, TEXAS.

The Secretary shall conduct a study to determine the feasibility of undertaking a project for navigation at the mouth of the Colorado River, Texas, to provide a minimum draft navigation channel extending from the Colorado River through Parkers Cut (also known as ''Tiger Island Cut''), or an acceptable alternative, to Matagorda Bay.

SEC. 451. SANTA CLARA RIVER, UTAH.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking measures to alleviate damage caused by flooding, bank erosion, and sedimentation along the watershed of the Santa Clara River, Utah, above the Gunlock Reservoir.

(b) CONTENTS.—The study shall include an analysis of watershed conditions and water quality, as related to flooding and bank erosion, along the Santa Clara River in the vicinity of Gunlock, Utah.

SEC. 452. MOUNT ST. HELENS, WASHINGTON.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking ecosystem restoration improvements throughout the Cowlitz and Toutle River basins, Washington, including the 6,000 acres of wetland, riverine, riparian, and upland habitats lost or altered due to the eruption of Mount St. Helens in 1980 and subsequent emergency actions.

(b) REQUIREMENTS.—In carrying out the study, the Secretary shall—

(1) work in close coordination with local governments, watershed entities, the State of Washington, and other Federal agencies; and

(2) place special emphasis on—

(A) conservation and restoration strategies to benefit species that are listed or proposed for listing as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(B) other watershed restoration objectives.

SEC. 453. KANAWHA RIVER, FAYETTE COUNTY, WEST VIRGINIA.

The Secretary shall conduct a study to determine the feasibility of developing a public port along the Kanawha River in Fayette County, West Virginia, at a site known as ''Longacre''.

SEC. 454. WEST VIRGINIA PORTS.

The Secretary shall conduct a study to determine the feasibility of expanding public port development in West Virginia along the Ohio River and the navigable portion of the Kanawha River from its mouth to river mile 91.0.

SEC. 455. JOHN GLENN GREAT LAKES BASIN PROGRAM.

(a) STRATEGIC PLANS.—

(1) STUDY.—The Secretary shall conduct a comprehensive study of the Great Lakes region to ensure the future use, management, and protection of water resources and related resources of the Great Lakes basin.

(2) REPORT.—

(A) IN GENERAL.—As expeditiously as possible, but not later than 3 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report outlining a strategic plan for Corps of Engineers programs and proposed Corps of Engineers projects in the Great Lakes basin.

(B) CONTENTS.—The plan shall include—

(i) details of projects in the Great Lakes region relating to—

(I) navigation improvements, maintenance, and operations for commercial and recreational vessels;

(II) environmental restoration activities;

(III) water level maintenance activities;

(IV) technical and planning assistance to States and remedial action planning committees;

(V) sediment transport analysis, sediment management planning, and activities to support prevention of excess sediment loadings;

(VI) flood damage reduction and shoreline erosion prevention; and

(VII) all other relevant activities of the Corps of Engineers; and

(ii) an analysis of factors limiting use of programs and authorities of the Corps of Engineers

in existence on the date of enactment of this Act in the Great Lakes basin, including the need for new or modified authorities.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for the period of fiscal years 2000 through 2003.

(b) GREAT LAKES BIOHYDROLOGICAL INFORMATION.—

(1) INVENTORY.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall request each Federal agency that may possess information relevant to the Great Lakes biohydrological system to provide an inventory of all such information in the possession of the agency.

(B) RELEVANT INFORMATION.—For the purpose of subparagraph (A), relevant information includes information on—

(i) ground and surface water hydrology;

(ii) natural and altered tributary dynamics;

(iii) biological aspects of the system influenced by and influencing water quantity and water movement;

(iv) meteorological projections and the impacts of weather conditions on Great Lakes water levels; and

(v) other Great Lakes biohydrological system data relevant to sustainable water use management.

(2) REPORT.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary, in consultation with the States, Indian tribes, and Federal agencies, and after requesting information from the provinces and the federal government of Canada, shall—

(i) compile the inventories of information;

(ii) analyze the information for consistency and gaps; and

(iii) submit to Congress, the International Joint Commission, and the Great Lakes States a report that includes recommendations on ways to improve the information base on the biohydrological dynamics of the Great Lakes ecosystem as a whole, so as to support environmentally sound decisions regarding diversions and consumptive uses of Great Lakes water.

(B) RECOMMENDATIONS.—The recommendations in the report under subparagraph (A) shall include recommendations relating to the resources and funds necessary for implementing improvement of the information base.

(C) CONSIDERATIONS.—In developing the report under subparagraph (A), the Secretary, in cooperation with the Secretary of State, the Secretary of Transportation, and the heads of other agencies as appropriate, shall consider and report on the status of the issues described and recommendations made in—

(i) the Report of the International Joint Commission to the Governments of the United States and Canada under the 1977 reference issued in 1985; and

(ii) the 1993 Report of the International Joint Commission to the Governments of Canada and the United States on Methods of Alleviating Adverse Consequences of Fluctuating Water Levels in the Great Lakes St. Lawrence Basin.

(c) GREAT LAKES RECREATIONAL BOATING.—Not later than 18 months after the date of enactment of this Act, the Secretary, using information and studies in existence on the date of enactment of this Act to the extent practicable, and in cooperation with the Great Lakes States, shall submit to Congress a report detailing the economic benefits of recreational boating in the Great Lakes basin, particularly at harbors benefiting from operation and maintenance projects of the Corps of Engineers.

(d) COOPERATION.—In undertaking activities under this section, the Secretary shall—

(1) encourage public participation; and

(2) cooperate, and, as appropriate, collaborate, with Great Lakes States, tribal governments, and Canadian federal, provincial, and tribal governments.

(e) WATER USE ACTIVITIES AND POLICIES.—The Secretary may provide technical assistance to the Great Lakes States to develop interstate guidelines to improve the consistency and efficiency of State-level water use activities and policies in the Great Lakes basin.

(f) COST SHARING.—The Secretary may seek and accept funds from non-Federal entities to be used to pay up to 25 percent of the cost of carrying out subsections (b), (c), (d), and (e).

SEC. 456. GREAT LAKES NAVIGATIONAL SYSTEM.

In consultation with the St. Lawrence Seaway Development Corporation, the Secretary shall review the Great Lakes Connecting Channel and Harbors Report dated March 1985 to determine the feasibility of undertaking any modification of the recommendations made in the report to improve commercial navigation on the Great Lakes navigation system, including locks, dams, harbors, ports, channels, and other related features.

SEC. 457. NUTRIENT LOADING RESULTING FROM DREDGED MATERIAL DISPOSAL.

(a) STUDY.—The Secretary shall conduct a study of nutrient loading that occurs as a result of discharges of dredged material into open-water sites in the Chesapeake Bay.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of the study.

SEC. 458. UPPER MISSISSIPPI AND ILLINOIS RIVERS LEVEES AND STREAMBANKS PROTECTION.

The Secretary shall conduct a study of erosion damage to levees and other flood control structures on the upper Mississippi and Illinois Rivers and the impact of increased barge and pleasure craft traffic on deterioration of the levees and other flood control structures.

SEC. 459. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN.

(a) DEVELOPMENT.—The Secretary shall develop a plan to address water resource and related land resource problems and opportunities in the upper Mississippi and Illinois River basins, from Cairo, Illinois, to the headwaters of the Mississippi River, in the interest of systemic flood damage reduction by means of—

(1) structural and nonstructural flood control and floodplain management strategies;

(2) continued maintenance of the navigation project;

(3) management of bank caving and erosion;

(4) watershed nutrient and sediment management;

(5) habitat management;

(6) recreation needs; and

(7) other related purposes.

(b) CONTENTS.—The plan under subsection (a) shall—

(1) contain recommendations on management plans and actions to be carried out by the responsible Federal and non-Federal entities;

(2) specifically address recommendations to authorize construction of a systemic flood control project for the upper Mississippi River; and

(3) include recommendations for Federal action where appropriate and recommendations for follow-on studies for problem areas for which data or current technology does not allow immediate solutions.

(c) CONSULTATION AND USE OF EXISTING DATA.—In carrying out this section, the Secretary shall—

(1) consult with appropriate Federal and State agencies; and

(2) make maximum use of data in existence on the date of enactment of this Act and ongoing programs and efforts of Federal agencies and States in developing the plan under subsection (a).

(d) COST SHARING.—

(1) DEVELOPMENT.—Development of the plan under subsection (a) shall be at Federal expense.

(2) FEASIBILITY STUDIES.—Feasibility studies resulting from development of the plan shall be subject to cost sharing under section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215).

(e) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that includes the plan under subsection (a).

SEC. 460. SUSQUEHANNA RIVER AND UPPER CHESAPEAKE BAY.

(a) IN GENERAL.—The Secretary shall conduct a study of controlling and managing waterborne debris in the interest of navigation, flood control, environmental restoration, and other purposes in the Susquehanna River Basin, New York, Pennsylvania, and Maryland, and the upper Chesapeake Bay, Maryland.

(b) EVALUATION OF TECHNOLOGIES AND PRACTICES.—The study shall include an evaluation of technologies and practices currently available, in use, or in development in the United States for debris removal programs at various dams and harbors and recommendations for applying those techniques and practices in the Susquehanna River and the upper Chesapeake Bay.

(c) COOPERATION.—The study shall be conducted in cooperation with State agencies and other Federal agencies, the Susquehanna River Basin Commission, and owners of major dams.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. CORPS ASSUMPTION OF NRCS PROJECTS.

(a) LLAGAS CREEK, CALIFORNIA.—The Secretary may complete the remaining reaches of the Natural Resources Conservation Service flood control project at Llagas Creek, California, undertaken pursuant to section 5 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1005), substantially in accordance with the Natural Resources Conservation Service watershed plan for Llagas Creek, Department of Agriculture, and in accordance with the requirements of local cooperation as specified in section 4 of that Act (16 U.S.C. 1004), at a total cost of $45,000,000, with an estimated Federal cost of $21,800,000 and an estimated non-Federal cost of $23,200,000.

(b) THORNTON RESERVOIR, COOK COUNTY, ILLINOIS.—

(1) IN GENERAL.—The Thornton Reservoir project, an element of the project for flood control, Chicagoland Underflow Plan, Illinois, authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (102 Stat. 4013), is modified to authorize the Secretary to include additional permanent flood control storage attributable to the Natural Resources Conservation Service Thornton Reservoir (Structure 84), Little Calumet River Watershed, Illinois, approved under the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.).

(2) LIMITATION.—No funds may be obligated to carry out work under the modification under paragraph (1) until completion and approval by the Secretary of a final report by the Chief of Engineers finding that the work is technically sound, environmentally acceptable, and economically justified.

(3) COST SHARING.—Costs for the Thornton Reservoir project shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(4) TRANSITIONAL STORAGE.—The Secretary of Agriculture may cooperate with non-Federal interests to provide, on a transitional basis, flood control storage for the Natural Resources Conservation Service Thornton Reservoir (Structure 84) project in the west lobe of the Thornton quarry.

(5) CREDIT TOWARD NON-FEDERAL SHARE.—The Secretary may credit toward the non-Federal share of the costs of the Thornton Reservoir project all design and construction costs incurred by the non-Federal interests before the

date of signing of the project cooperation agreement.

(6) REEVALUATION REPORT.—The Secretary shall determine the credits authorized by paragraph (5) that are integral to the Thornton Reservoir project and the current total project costs based on a limited reevaluation report.

SEC. 502. ENVIRONMENTAL INFRASTRUCTURE.

(a) IN GENERAL.—Section 219(e) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757) is amended by striking paragraphs (5) and (6) and inserting the following:

''(5) $25,000,000 for the project described in subsection (c)(2);

''(6) $20,000,000 for the project described in subsection (c)(9);

''(7) $30,000,000 for the project described in subsection (c)(16); and

''(8) $30,000,000 for the project described in subsection (c)(17).''.

(b) ADDITIONAL ASSISTANCE.—Section 219 of the Water Resources Development Act of 1992 is amended by adding at the end the following:

''(f) ADDITIONAL ASSISTANCE.—The Secretary may provide assistance under subsection (a) and assistance for construction for the following:

''(1) ATLANTA, GEORGIA.—The project described in subsection (c)(2), modified to include $25,000,000 for watershed restoration and development in the regional Atlanta watershed, including Big Creek and Rock Creek.

''(2) PATERSON, PASSAIC COUNTY, AND PASSAIC VALLEY, NEW JERSEY.—The project described in subsection (c)(9), modified to include $20,000,000 for drainage facilities to alleviate flooding problems on Getty Avenue in the vicinity of St. Joseph's Hospital for the city of Paterson, New Jersey, and Passaic County, New Jersey, and innovative facilities to manage and treat additional flows in the Passaic Valley, Passaic River basin, New Jersey.

''(3) NASHUA, NEW HAMPSHIRE.—$20,000,000 for a project to eliminate or control combined sewer overflows in the city of Nashua, New Hampshire.

''(4) FALL RIVER AND NEW BEDFORD, MASSACHUSETTS.—$15,000,000 for a project to eliminate or control combined sewer overflows in the cities of Fall River and New Bedford, Massachusetts.

''(5) FINDLAY TOWNSHIP, PENNSYLVANIA.—$11,000,000 for water and wastewater infrastructure in Findlay Township, Allegheny County, Pennsylvania.

''(6) DILLSBURG BOROUGH AUTHORITY, PENNSYLVANIA.—$2,000,000 for water and wastewater infrastructure in Franklin Township, York County, Pennsylvania.

''(7) HAMPDEN TOWNSHIP, PENNSYLVANIA.—$3,000,000 for water, sewer, and storm sewer improvements in Hampden Township, Pennsylvania.

''(8) TOWAMENCIN TOWNSHIP, PENNSYLVANIA.—$1,500,000 for sanitary sewer and water and wastewater infrastructure in Towamencin Township, Pennsylvania.

''(9) DAUPHIN COUNTY, PENNSYLVANIA.—$2,000,000 for a project to eliminate or control combined sewer overflows and water system rehabilitation for the city of Harrisburg, Dauphin County, Pennsylvania.

''(10) EASTERN SHORE AND SOUTHWEST VIRGINIA.—$20,000,000 for water supply and wastewater infrastructure projects in the counties of Accomac, Northampton, Lee, Norton, Wise, Scott, Russell, Dickenson, Buchanan, and Tazewell, Virginia.

''(11) NORTHEAST PENNSYLVANIA.—$20,000,000 for water related infrastructure in the counties of Lackawanna, Lycoming, Susquehanna, Wyoming, Pike, Wayne, Sullivan, Bradford, and Monroe, Pennsylvania, including assistance for the Mountoursville Regional Sewer Authority, Lycoming County, Pennsylvania.

''(12) CALUMET REGION, INDIANA.—$10,000,000 for water related infrastructure projects in the counties of Lake and Porter, Indiana.

''(13) CLINTON COUNTY, PENNSYLVANIA.—$1,000,000 for water related infrastructure in Clinton County, Pennsylvania.

''(14) PATTON TOWNSHIP, PENNSYLVANIA.—$1,400,000 for water related infrastructure in Patton Township, Pennsylvania.

''(15) NORTH FAYETTE TOWNSHIP, ALLEGHENY COUNTY, PENNSYLVANIA.—$500,000 for water related infrastructure in North Fayette Township, Allegheny County, Pennsylvania.

''(16) SPRINGDALE BOROUGH, PENNSYLVANIA.—$500,000 for water related infrastructure in Springdale Borough, Pennsylvania.

''(17) ROBINSON TOWNSHIP, PENNSYLVANIA.—$1,200,000 for water related infrastructure in Robinson Township, Pennsylvania.

''(18) UPPER ALLEN TOWNSHIP, PENNSYLVANIA.—$3,400,000 for water related infrastructure in Upper Allen Township, Pennsylvania.

''(19) JEFFERSON TOWNSHIP, GREENE COUNTY, PENNSYLVANIA.—$1,000,000 for water-related infrastructure in Jefferson Township, Greene County, Pennsylvania.

''(20) LUMBERTON, NORTH CAROLINA.—$1,700,000 for water and wastewater infrastructure projects in Lumberton, North Carolina.

''(21) BATON ROUGE, LOUISIANA.—$10,000,000 for water related infrastructure for the parishes of East Baton Rouge, Ascension, and Livingston, Louisiana.

''(22) EAST SAN JOAQUIN COUNTY, CALIFORNIA.—$25,000,000 for ground water recharge and conjunctive use projects in Stockton East Water District, California.

''(23) SACRAMENTO AREA, CALIFORNIA.—$25,000,000 for regional water conservation and recycling projects in Placer and El Dorado Counties and the San Juan Suburban Water District, California.

''(24) CUMBERLAND COUNTY, TENNESSEE.—$5,000,000 for water supply projects in Cumberland County, Tennessee.

''(25) LAKES MARION AND MOULTRIE, SOUTH CAROLINA.—$5,000,000 for water supply treatment and distribution projects in the counties of Calhoun, Clarendon, Colleton, Dorchester, Orangeberg, and Sumter, South Carolina.

''(26) BRIDGEPORT, CONNECTICUT.—$10,000,000 for a project to eliminate or control combined sewer overflows in the city of Bridgeport, Connecticut.

''(27) HARTFORD, CONNECTICUT.—$10,000,000 for a project to eliminate or control combined sewer overflows in the city of Hartford, Connecticut.

''(28) NEW HAVEN, CONNECTICUT.—$10,000,000 for a project to eliminate or control combined sewer overflows in the city of New Haven, Connecticut.

''(29) OAKLAND COUNTY, MICHIGAN.—$20,000,000 for a project to eliminate or control combined sewer overflows in the cities of Berkley, Ferndale, Madison Heights, Royal Oak, Birmingham, Hazel Park, Oak Park, Southfield, Clawson, Huntington Woods, Pleasant Ridge, and Troy, and the village of Beverly Hills, and the Charter Township of Royal Oak, Michigan.

''(30) DESOTO COUNTY, MISSISSIPPI.—$10,000,000 for a wastewater treatment project in the county of DeSoto, Mississippi.

''(31) KANSAS CITY, MISSOURI.—$15,000,000 for a project to eliminate or control combined sewer overflows in the city of Kansas City, Missouri.

''(32) ST. LOUIS, MISSOURI.—$15,000,000 for a project to eliminate or control combined sewer overflows in the city of St. Louis, Missouri.

''(33) ELIZABETH, NEW JERSEY.—$20,000,000 for a project to eliminate or control combined sewer overflows in the city of Elizabeth, New Jersey.

''(34) NORTH HUDSON, NEW JERSEY.—$10,000,000 for a project to eliminate or control combined sewer overflows in the city of North Hudson, New Jersey.

''(35) INNER HARBOR PROJECT, NEW YORK, NEW YORK.—$15,000,000 for a project to eliminate or control combined sewer overflows for the inner harbor project, New York, New York.

''(36) OUTER HARBOR PROJECT, NEW YORK, NEW YORK.—$15,000,000 for a project to eliminate or control combined sewer overflows for the outer harbor project, New York, New York.

''(37) LEBANON, NEW HAMPSHIRE.—$8,000,000 for a project to eliminate or control combined sewer overflows in the city of Lebanon, New Hampshire.

''(38) ASTORIA, OREGON.—$5,000,000 for a project to eliminate or control combined sewer overflows in the city of Astoria, Oregon.

''(39) CACHE COUNTY, UTAH.—$5,000,000 for a wastewater infrastructure project for Cache County, Utah.

''(40) LAWTON, OKLAHOMA.—$5,000,000 for a wastewater infrastructure project for the city of Lawton, Oklahoma.

''(41) LANCASTER, CALIFORNIA.—$1,500,000 for a project to provide water facilities for the Fox Field Industrial Corridor, Lancaster, California.

''(42) SAN RAMON VALLEY, CALIFORNIA.—$15,000,000 for a project for recycled water for San Ramon Valley, California.

''(43) HARBOR/SOUTH BAY, CALIFORNIA.—$15,000,000 for an industrial water reuse project for the Harbor/South Bay area, California.''.

SEC. 503. CONTAMINATED SEDIMENT DREDGING TECHNOLOGY.

(a) REVIEW OF INNOVATIVE DREDGING TECHNOLOGIES.—

(1) IN GENERAL.—Not later than June 1, 2001, the Secretary shall complete a review of innovative dredging technologies designed to minimize or eliminate contamination of a water column upon removal of contaminated sediments.

(2) TESTING.—

(A) SELECTION OF TECHNOLOGY.—After completion of the review under paragraph (1), the Secretary shall select, from among the technologies reviewed, the technology that the Secretary determines will best increase the effectiveness of removing contaminated sediments and significantly reduce contamination of the water column.

(B) AGREEMENT.—Not later than December 31, 2001, the Secretary shall enter into an agreement with a public or private entity to test the selected technology in the vicinity of Peoria Lakes, Illinois.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $2,000,000.

(b) ACCELERATED ADOPTION OF INNOVATIVE TECHNOLOGIES.—Section 8 of the Water Resources Development Act of 1988 (33 U.S.C. 2314) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b) ACCELERATED ADOPTION OF INNOVATIVE TECHNOLOGIES FOR MANAGEMENT OF CONTAMINATED SEDIMENTS.—

''(1) TEST PROJECTS.—The Secretary shall approve an appropriate number of projects to test, under actual field conditions, innovative technologies for environmentally sound management of contaminated sediments.

''(2) DEMONSTRATION PROJECTS.—The Secretary may approve an appropriate number of projects to demonstrate innovative technologies that have been pilot tested under paragraph (1).

''(3) CONDUCT OF PROJECTS.—Each pilot project under paragraph (1) and demonstration project under paragraph (2) shall be conducted by a university with proven expertise in the research and development of contaminated sediment treatment technologies and innovative applications using waste materials.

''(4) LOCATION.—At least 1 of the projects under this subsection shall be conducted in New England by the University of New Hampshire.''.

SEC. 504. DAM SAFETY.

(a) ASSISTANCE.—The Secretary may provide assistance to enhance dam safety at the following locations:

(1) Healdsburg Veteran's Memorial Dam, California.

(2) Kehly Run Dam, Pennsylvania.

(3) Sweet Arrow Lake Dam, Pennsylvania.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $6,000,000.

SEC. 505. GREAT LAKES REMEDIAL ACTION PLANS.

Section 401(a)(2) of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; 104 Stat. 4644; 110 Stat. 3763) is amended—

(1) by striking ''Non-Federal'' and inserting the following:

''(A) IN GENERAL.—Non-Federal''; and

(2) by adding at the end the following:

''(B) CONTRIBUTIONS BY ENTITIES.—Nonprofit public or private entities may contribute all or a portion of the non-Federal share.''.

SEC. 506. PROJECTS FOR IMPROVEMENT OF THE ENVIRONMENT.

Section 1135(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(c)) is amended—

(1) by striking ''If the Secretary'' and inserting the following:

''(1) IN GENERAL.—If the Secretary''; and

(2) by adding at the end the following:

''(2) CONTROL OF SEA LAMPREY.—Congress finds that—

''(A) the Great Lakes navigation system has been instrumental in the spread of sea lamprey and the associated impacts on its fishery; and

''(B) the use of the authority under this subsection for control of sea lamprey at any Great Lakes basin location is appropriate.''.

SEC. 507. MAINTENANCE OF NAVIGATION CHANNELS.

Section 509(a) of the Water Resources Development Act of 1996 (110 Stat. 3759) is amended by adding at the end the following:

''(12) Acadiana Navigation Channel, Louisiana.

''(13) Contraband Bayou, Louisiana, as part of the Calcasieu River and Pass Ship Channel.

''(14) Lake Wallula Navigation Channel, Washington.

''(15) Wadley Pass (also known as 'McGriff Pass'), Suwanee River, Florida.''.

SEC. 508. MEASUREMENTS OF LAKE MICHIGAN DIVERSIONS, ILLINOIS.

Section 1142(b) of the Water Resources Development Act of 1986 (100 Stat. 4253) is amended by striking ''$250,000 per fiscal year for each fiscal year beginning after September 30, 1986,'' and inserting ''$1,250,000 for each of fiscal years 1999 through 2003''.

SEC. 509. UPPER MISSISSIPPI RIVER ENVIRONMENTAL MANAGEMENT PROGRAM.

(a) AUTHORIZED ACTIVITIES.—Section 1103(e) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)) is amended by striking ''(e)(1)'' and all that follows through the end of paragraph (1) and inserting the following:

''(e) PROGRAM AUTHORITY.—

''(1) AUTHORITY.—

''(A) IN GENERAL.—The Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, may undertake, as identified in the master plan—

''(i) a program for the planning, construction, and evaluation of measures for fish and wildlife habitat rehabilitation and enhancement; and

''(ii) implementation of a long-term resource monitoring, computerized data inventory and analysis, and applied research program.

''(B) ADVISORY COMMITTEE.—In carrying out subparagraph (A)(i), the Secretary shall establish an independent technical advisory committee to review projects, monitoring plans, and habitat and natural resource needs assessments.''.

(b) REPORTS.—Section 1103(e) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)) is amended by striking paragraph (2) and inserting the following:

''(2) REPORTS.—Not later than December 31, 2004, and not later than December 31 of every sixth year thereafter, the Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, shall submit to Congress a report that—

''(A) contains an evaluation of the programs described in paragraph (1);

''(B) describes the accomplishments of each of the programs;

''(C) provides updates of a systemic habitat needs assessment; and

''(D) identifies any needed adjustments in the authorization of the programs.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 1103(e) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)) is amended—

(1) in paragraph (3)—

(A) by striking ''(1)(A)'' and inserting ''(1)(A)(i)''; and

(B) by striking ''Secretary not to exceed'' and all that follows before the period at the end and inserting ''Secretary $22,750,000 for fiscal year 1999 and each fiscal year thereafter'';

(2) in paragraph (4)—

(A) by striking ''(1)(B)'' and inserting ''(1)(A)(ii)''; and

(B) by striking ''Secretary not to exceed'' and all that follows before the period at the end and inserting ''Secretary $10,420,000 for fiscal year 1999 and each fiscal year thereafter''; and

(3) by striking paragraph (5) and inserting the following:

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1)(A)(i) $350,000 for each of fiscal years 1999 through 2009.''.

(d) TRANSFER OF AMOUNTS.—Section 1103(e) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)) is amended by striking paragraph (6) and inserting the following:

''(6) TRANSFER OF AMOUNTS.—For fiscal year 1999 and each fiscal year thereafter, the Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, may transfer not to exceed 20 percent of the amounts appropriated to carry out clause (i) or (ii) of paragraph (1)(A) to the amounts appropriated to carry out the other of those clauses.''.

(e) COST SHARING.—Section 1103(e)(7)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(7)(A)) is amended by inserting before the period at the end the following: ''and, in the case of any project requiring non-Federal cost sharing, the non-Federal share of the cost of the project shall be 35 percent''.

(f) HABITAT NEEDS ASSESSMENT.—Section 1103(h)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 652(h)(2)) is amended—

(1) by striking ''(2) The Secretary'' and inserting the following:

''(2) DETERMINATION.—

''(A) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(B) REQUIREMENTS.—The Secretary shall—

''(i) complete the ongoing habitat needs assessment conducted under this paragraph not later than September 30, 2000; and

''(ii) include in each report under subsection (e)(2) the most recent habitat needs assessment conducted under this paragraph.''.

(g) CONFORMING AMENDMENTS.—Section 1103 of the Water Resources Development Act of 1986 (33 U.S.C. 652) is amended—

(1) in subsection (e)(7)—

(A) in subparagraph (A), by striking ''(1)(A)'' and inserting ''(1)(A)(i)''; and

(B) in subparagraph (B), by striking ''paragraphs (1)(B) and (1)(C)'' and inserting ''paragraph (1)(A)(ii)''; and

(2) in subsection (f)(2)—

(A) by striking ''(2)(A)'' and inserting ''(2)''; and

(B) by striking subparagraph (B).

SEC. 510. ATLANTIC COAST OF NEW YORK.

Section 404(c) of the Water Resources Development Act of 1992 (106 Stat. 4863) is amended in the first sentence—

(1) by striking ''is'' and inserting ''are''; and

(2) by inserting after ''1997'' the following: '', and an additional total of $2,500,000 for fiscal years thereafter''.

SEC. 511. WATER CONTROL MANAGEMENT.

(a) IN GENERAL.—In evaluating potential improvements for water control management activities and consolidation of water control management centers, the Secretary may consider a regionalized water control management plan but may not implement such a plan until the date on which a report is submitted under subsection (b).

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate a report containing—

(1) a description of the primary objectives of streamlining water control management activities;

(2) a description of the benefits provided by streamlining water control management activities through consolidation of centers for those activities;

(3) a determination whether the benefits to users of establishing regional water control management centers will be retained in each district office of the Corps of Engineers that does not have a regional center;

(4) a determination whether users of regional centers will receive a higher level of benefits from streamlining water control management activities; and

(5) a list of the members of Congress who represent a district that includes a water control management center that is to be eliminated under a proposed regionalized plan.

SEC. 512. BENEFICIAL USE OF DREDGED MATERIAL.

The Secretary may carry out the following projects under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326):

(1) BODEGA BAY, CALIFORNIA.—A project to make beneficial use of dredged material from a Federal navigation project in Bodega Bay, California.

(2) SABINE REFUGE, LOUISIANA.—A project to make beneficial use of dredged material from Federal navigation projects in the vicinity of Sabine Refuge, Louisiana.

(3) HANCOCK, HARRISON, AND JACKSON COUNTIES, MISSISSIPPI.—A project to make beneficial use of dredged material from a Federal navigation project in Hancock, Harrison, and Jackson Counties, Mississippi.

(4) ROSE CITY MARSH, ORANGE COUNTY, TEXAS.—A project to make beneficial use of dredged material from a Federal navigation project in Rose City Marsh, Orange County, Texas.

(5) BESSIE HEIGHTS MARSH, ORANGE COUNTY, TEXAS.—A project to make beneficial use of dredged material from a Federal navigation project in Bessie Heights Marsh, Orange County, Texas.

SEC. 513. DESIGN AND CONSTRUCTION ASSISTANCE.

Section 507 of the Water Resources Development Act of 1996 (110 Stat. 3758) is amended by striking paragraph (2) and inserting the following:

''(2) Expansion and improvement of Long Pine Run Dam, Pennsylvania, and associated water infrastructure, in accordance with subsections (b) through (e) of section 313 of the Water Resources Development Act of 1992 (106 Stat. 4845), at a total cost of $20,000,000.''.

SEC. 514. MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJECT.

(a) DEFINITIONS.—In this section:

(1) MIDDLE MISSISSIPPI RIVER.—The term ''middle Mississippi River'' means the reach of the Mississippi River from the mouth of the Ohio River (river mile 0, upper Mississippi River) to the mouth of the Missouri River (river mile 195).

(2) MISSOURI RIVER.—The term ''Missouri River'' means the main stem and floodplain of the Missouri River (including reservoirs) from its confluence with the Mississippi River at St. Louis, Missouri, to its headwaters near Three Forks, Montana.

(3) PROJECT.—The term ''project'' means the project authorized by this section.

(b) PROTECTION AND ENHANCEMENT ACTIVITIES.—

(1) PLAN.—

(A) DEVELOPMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a plan for a project to protect and enhance fish and wildlife habitat of the Missouri River and the middle Mississippi River.

(B) ACTIVITIES.—

(i) IN GENERAL.—The plan shall provide for such activities as are necessary to protect and enhance fish and wildlife habitat without adversely affecting—

(I) the water-related needs of the region surrounding the Missouri River and the middle Mississippi River, including flood control, navigation, recreation, and enhancement of water supply; and

(II) private property rights.

(ii) REQUIRED ACTIVITIES.—The plan shall include—

(I) modification and improvement of navigation training structures to protect and enhance fish and wildlife habitat;

(II) modification and creation of side channels to protect and enhance fish and wildlife habitat;

(III) restoration and creation of island fish and wildlife habitat;

(IV) creation of riverine fish and wildlife habitat;

(V) establishment of criteria for prioritizing the type and sequencing of activities based on cost-effectiveness and likelihood of success; and

(VI) physical and biological monitoring for evaluating the success of the project, to be performed by the River Studies Center of the United States Geological Survey in Columbia, Missouri.

(2) IMPLEMENTATION OF ACTIVITIES.—

(A) IN GENERAL.—Using funds made available to carry out this section, the Secretary shall carry out the activities described in the plan.

(B) USE OF EXISTING AUTHORITY FOR UNCONSTRUCTED FEATURES OF THE PROJECT.—Using funds made available to the Secretary under other law, the Secretary shall design and construct any feature of the project that may be carried out using the authority of the Secretary to modify an authorized project, if the Secretary determines that the design and construction will—

(i) accelerate the completion of activities to protect and enhance fish and wildlife habitat of the Missouri River or the middle Mississippi River; and

(ii) be compatible with the project purposes described in this section.

(c) INTEGRATION OF OTHER ACTIVITIES.—

(1) IN GENERAL.—In carrying out the activities described in subsection (b), the Secretary shall integrate the activities with other Federal, State, and tribal activities.

(2) NEW AUTHORITY.—Nothing in this section confers any new regulatory authority on any Federal or non-Federal entity that carries out any activity authorized by this section.

(d) PUBLIC PARTICIPATION.—In developing and carrying out the plan and the activities described in subsection (b), the Secretary shall provide for public review and comment in accordance with applicable Federal law, including—

(1) providing advance notice of meetings;

(2) providing adequate opportunity for public input and comment;

(3) maintaining appropriate records; and

(4) compiling a record of the proceedings of meetings.

(e) COMPLIANCE WITH APPLICABLE LAW.—In carrying out the plan and the activities described in subsections (b) and (c), the Secretary shall comply with any applicable Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(f) COST SHARING.—

(1) NON-FEDERAL SHARE.—The non-Federal share of the cost of the project shall be 35 percent.

(2) FEDERAL SHARE.—The Federal share of the cost of any 1 activity described in subsection (b) shall not exceed $5,000,000.

(3) OPERATION AND MAINTENANCE.—The operation and maintenance of the project shall be a non-Federal responsibility.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to pay the Federal share of the cost of carrying out this section $30,000,000 for the period of fiscal years 2000 and 2001.

SEC. 515. IRRIGATION DIVERSION PROTECTION AND FISHERIES ENHANCEMENT ASSISTANCE.

(a) IN GENERAL.—The Secretary may provide technical planning and design assistance to non-Federal interests and may conduct other site-specific studies to formulate and evaluate fish screens, fish passages devices, and other measures to decrease the incidence of juvenile and adult fish inadvertently entering irrigation systems.

(b) COOPERATION.—Measures under subsection (a)—

(1) shall be developed in cooperation with Federal and State resource agencies; and

(2) shall not impair the continued withdrawal of water for irrigation purposes.

(c) PRIORITY.—In providing assistance under subsection (a), the Secretary shall give priority based on—

(1) the objectives of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(2) cost-effectiveness; and

(3) the potential for reducing fish mortality.

(d) NON-FEDERAL SHARE.—

(1) IN GENERAL.—The non-Federal share of the cost of measures under subsection (a) shall be 50 percent.

(2) IN-KIND CONTRIBUTIONS.—Not more than 50 percent of the non-Federal contribution may be made through the provision of services, materials, supplies, or other in-kind contributions.

(e) NO CONSTRUCTION ACTIVITY.—This section does not authorize any construction activity.

(f) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on—

(1) fish mortality caused by irrigation water intake devices;

(2) appropriate measures to reduce fish mortality;

(3) the extent to which those measures are currently being employed in arid States;

(4) the construction costs associated with those measures; and

(5) the appropriate Federal role, if any, to encourage the use of those measures.

SEC. 516. INNOVATIVE TECHNOLOGIES FOR WATERSHED RESTORATION.

The Secretary shall examine using, and, if appropriate, encourage the use of, innovative treatment technologies, including membrane technologies, for watershed and environmental restoration and protection projects involving water quality.

SEC. 517. EXPEDITED CONSIDERATION OF CERTAIN PROJECTS.

The Secretary shall expedite completion of the reports for the following projects and, if justified, proceed directly to project preconstruction, engineering, and design:

(1) Sluice Creek, Guilford, Connecticut, and Lighthouse Point Park, New Haven, Connecticut.

(2) Alafia Channel, Tampa Harbor, Florida, project for navigation.

(3) Little Calumet River, Indiana.

(4) Ohio River Greenway, Indiana, project for environmental restoration and recreation.

(5) Mississippi River, West Baton Rouge Parish, Louisiana, project for waterfront and riverine preservation, restoration, and enhancement modifications.

(6) Extension of locks 20, 21, 22, 24, and 25 on the upper Mississippi River and the La Grange and Peoria locks on the Illinois River, project to provide lock chambers 110 feet in width and 1,200 feet in length.

SEC. 518. DOG RIVER, ALABAMA.

The Secretary shall provide $1,500,000 for environmental restoration for a pilot project, in cooperation with non-Federal interests, to restore natural water depths in the Dog River, Alabama.

SEC. 519. LEVEES IN ELBA AND GENEVA, ALABAMA.

(a) ELBA, ALABAMA.—

(1) IN GENERAL.—The Secretary may repair and rehabilitate a levee in the city of Elba, Alabama, at a total cost of $12,900,000.

(2) COST SHARING.—The non-Federal share of the cost of repair and rehabilitation under paragraph (1) shall be 35 percent.

(b) GENEVA, ALABAMA.—

(1) IN GENERAL.—The Secretary may repair and rehabilitate a levee in the city of Geneva, Alabama, at a total cost of $16,600,000.

(2) COST SHARING.—The non-Federal share of the cost of repair and rehabilitation under paragraph (1) shall be 35 percent.

SEC. 520. NAVAJO RESERVATION, ARIZONA, NEW MEXICO, AND UTAH.

(a) IN GENERAL.—In cooperation with other appropriate Federal and local agencies, the Secretary shall undertake a survey of, and provide technical, planning, and design assistance for, watershed management, restoration, and development on the Navajo Indian Reservation, Arizona, New Mexico, and Utah.

(b) COST SHARING.—The Federal share of the cost of activities carried out under this section shall be 75 percent. Funds made available under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) may be used by the Navajo Nation in meeting the non-Federal share of the cost of the activities.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $12,000,000 for the period beginning with fiscal year 2000.

SEC. 521. BEAVER LAKE, ARKANSAS, WATER SUPPLY STORAGE REALLOCATION.

The Secretary shall reallocate approximately 31,000 additional acre-feet at Beaver Lake, Arkansas, to water supply storage at no cost to the Beaver Water District or the Carroll-Boone Water District, except that at no time shall the bottom of the conservation pool be at an elevation that is less than 1,076 feet, NGVD.

SEC. 522. BEAVER LAKE TROUT PRODUCTION FACILITY, ARKANSAS.

Not later than 2 years after the date of enactment of this Act, the Secretary, in conjunction with the State of Arkansas, shall prepare a plan for the mitigation of effects of the Beaver Dam project on Beaver Lake, including the benefits of and schedule for construction of the Beaver Lake trout production facility and related facilities.

SEC. 523. CHINO DAIRY PRESERVE, CALIFORNIA.

(a) TECHNICAL ASSISTANCE.—The Secretary, in coordination with the heads of other Federal agencies, shall provide technical assistance to State and local agencies in the study, design, and implementation of measures for flood damage reduction and environmental restoration and protection in the Santa Ana River watershed, California, with particular emphasis on structural and nonstructural measures in the vicinity of the Chino Dairy Preserve.

(b) COST SHARING.—The non-Federal share of the cost of activities assisted under subsection (a) shall be 50 percent.

(c) COMPREHENSIVE STUDY.—The Secretary shall conduct a feasibility study to determine

the most cost-effective plan for flood damage reduction and environmental restoration and protection in the vicinity of the Chino Dairy Preserve, Santa Ana River watershed, Orange County and San Bernardino County, California.

SEC. 524. ORANGE AND SAN DIEGO COUNTIES, CALIFORNIA.

(a) IN GENERAL.—The Secretary, in cooperation with local governments, may prepare special area management plans for Orange and San Diego Counties, California, to demonstrate the effectiveness of using the plans to provide information regarding aquatic resources.

(b) USE OF PLANS.—The Secretary may—

(1) use plans described in subsection (a) in making regulatory decisions; and

(2) issue permits consistent with the plans.

SEC. 525. RUSH CREEK, NOVATO, CALIFORNIA.

The Secretary shall carry out a project for flood control under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) at Rush Creek, Novato, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 526. SANTA CRUZ HARBOR, CALIFORNIA.

The Secretary may—

(1) modify the cooperative agreement with the Santa Cruz Port District, California, to reflect unanticipated additional dredging effort; and

(2) extend the agreement for 10 years.

SEC. 527. LOWER ST. JOHNS RIVER BASIN, FLORIDA.

(a) COMPUTER MODEL.—

(1) IN GENERAL.—The Secretary may apply the computer model developed under the St. Johns River basin feasibility study to assist non-Federal interests in developing strategies for improving water quality in the Lower St. Johns River basin, Florida.

(2) COST SHARING.—The non-Federal share of the cost of activities assisted under paragraph (1) shall be 50 percent.

(b) TOPOGRAPHIC SURVEY.—The Secretary may provide 1-foot contour topographic survey maps of the Lower St. Johns River basin, Florida, to non-Federal interests for analyzing environmental data and establishing benchmarks for subbasins.

SEC. 528. MAYO'S BAR LOCK AND DAM, COOSA RIVER, ROME, GEORGIA.

(a) IN GENERAL.—The Secretary may provide technical assistance (including planning, engineering, and design assistance) for the reconstruction of the Mayo's Bar Lock and Dam, Coosa River, Rome, Georgia.

(b) NON-FEDERAL SHARE.—The non-Federal share of the cost of activities assisted under subsection (a) shall be 50 percent.

SEC. 529. COMPREHENSIVE FLOOD IMPACT RESPONSE MODELING SYSTEM, CORALVILLE RESERVOIR AND IOWA RIVER WATERSHED, IOWA.

(a) IN GENERAL.—The Secretary, in cooperation with the University of Iowa, shall conduct a study and develop a comprehensive flood impact response modeling system for Coralville Reservoir and the Iowa River watershed, Iowa.

(b) STUDY.—The study shall include—

(1) an evaluation of the combined hydrologic, geomorphic, environmental, economic, social, and recreational impacts of operating strategies within the watershed;

(2) creation of an integrated, dynamic flood impact model; and

(3) the development of a rapid response system to be used during flood and emergency situations.

(c) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit a report to Congress on the results of the study and modeling system and such recommendations as the Secretary determines to be appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,000,000.

SEC. 530. ADDITIONAL CONSTRUCTION ASSISTANCE IN ILLINOIS.

The Secretary may carry out the project for Georgetown, Illinois, and the project for Olney, Illinois, referred to in House Report Number 104–741, accompanying the Safe Drinking Water Act Amendments of 1996 (Public Law 104–182).

SEC. 531. KANOPOLIS LAKE, KANSAS.

(a) WATER STORAGE.—The Secretary shall offer to the State of Kansas the right to purchase water storage in Kanapolis Lake, Kansas, at the average of—

(1) the cost calculated in accordance with the terms of the memorandum of understanding entitled ''Memorandum of Understanding Between the State of Kansas and the U.S. Department of the Army Concerning the Purchase of Municipal and Industrial Water Supply Storage'', dated December 11, 1985; and

(2) the cost calculated in accordance with procedures established as of the date of enactment of this Act by the Secretary to determine the cost of water storage at other projects under the Secretary's jurisdiction.

(b) EFFECTIVE DATE.—For the purposes of this section, the effective date of the memorandum of understanding referred to in subsection (a)(1) shall be deemed to be the date of enactment of this Act.

SEC. 532. SOUTHERN AND EASTERN KENTUCKY.

Section 531 of the Water Resources Development Act of 1996 (110 Stat. 3773) is amended—

(1) in subsection (b)—

(A) by striking ''and surface'' and inserting ''surface''; and

(B) by striking ''development.'' and inserting ''development, and small stream flooding, local storm water drainage, and related problems.'';

(2) in subsection (d)(1), by adding at the end the following: ''Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project undertaken under this section, with the consent of the affected local government, a non-Federal interest may include a nonprofit entity.''; and

(3) in subsection (h), by striking ''$10,000,000'' and inserting ''$25,000,000''.

SEC. 533. SOUTHEAST LOUISIANA.

Section 533(c) of the Water Resources Development Act of 1996 (110 Stat. 3775) is amended by striking ''$100,000,000'' and inserting ''$250,000,000''.

SEC. 534. SNUG HARBOR, MARYLAND.

(a) IN GENERAL.—The Secretary, in coordination with the Director of the Federal Emergency Management Agency, may—

(1) provide technical assistance to the residents of Snug Harbor, in the vicinity of Berlin, Maryland, for the purpose of flood damage reduction;

(2) conduct a study of a project consisting of nonstructural measures for flood damage reduction in the vicinity of Snug Harbor, Maryland, taking into account the relationship of both the Ocean City Inlet and Assateague Island to the flooding; and

(3) after completion of the study, carry out the project under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(b) FEMA ASSISTANCE.—The Director, in coordination with the Secretary and under the authorities of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), may provide technical assistance and nonstructural measures for flood damage mitigation in the vicinity of Snug Harbor, Maryland.

(c) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of assistance under this section shall not exceed $3,000,000.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of assistance under this section shall be determined in accordance with title I of the Water Resources Development Act of 1986 (33 U.S.C. 2211 et seq.) or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), as appropriate.

SEC. 535. WELCH POINT, ELK RIVER, CECIL COUNTY, AND CHESAPEAKE CITY, MARYLAND.

(a) SPILLAGE OF DREDGED MATERIALS.—The Secretary shall carry out a study to determine whether the spillage of dredged materials that were removed as part of the project for navigation, Inland Waterway from Delaware River to Chesapeake Bay, Delaware and Maryland, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1030, chapter 831), is a significant impediment to vessels transiting the Elk River near Welch Point, Maryland. If the Secretary determines that the spillage is an impediment to navigation, the Secretary may conduct such dredging as may be required to permit navigation on the river.

(b) DAMAGE TO WATER SUPPLY.—The Secretary shall carry out a study to determine whether additional compensation is required to fully compensate the city of Chesapeake, Maryland, for damage to the city's water supply resulting from dredging of the Chesapeake and Delaware Canal project. If the Secretary determines that such additional compensation is required, the Secretary may provide the compensation to the city of Chesapeake.

SEC. 536. CAPE COD CANAL RAILROAD BRIDGE, BUZZARDS BAY, MASSACHUSETTS.

(a) ALTERNATIVE TRANSPORTATION.—The Secretary may provide up to $300,000 for meeting the need for alternative transportation that may arise as a result of the operation, maintenance, repair, and rehabilitation of the Cape Cod Canal Railroad Bridge.

(b) OPERATION AND MAINTENANCE CONTRACT RENEGOTIATION.—Not later than 60 days after the date of enactment of this Act, the Secretary shall enter into negotiation with the owner of the railroad right-of-way for the Cape Cod Canal Railroad Bridge for the purpose of establishing the rights and responsibilities for the operation and maintenance of the Bridge. The Secretary may include in any new contract the termination of the prior contract numbered ER–W175–ENG–1.

SEC. 537. ST. LOUIS, MISSOURI.

(a) DEMONSTRATION PROJECT.—The Secretary, in consultation with local officials, shall conduct a demonstration project to improve water quality in the vicinity of St. Louis, Missouri.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,700,000 to carry out this section.

SEC. 538. BEAVER BRANCH OF BIG TIMBER CREEK, NEW JERSEY.

At the request of the State of New Jersey or a political subdivision of the State, using authority under law in effect on the date of enactment of this Act, the Secretary may—

(1) compile and disseminate information on floods and flood damage, including identification of areas subject to inundation by floods; and

(2) provide technical assistance regarding floodplain management for the Beaver Branch of Big Timber Creek, New Jersey.

SEC. 539. LAKE ONTARIO AND ST. LAWRENCE RIVER WATER LEVELS, NEW YORK.

On request, the Secretary may provide technical assistance to the International Joint Commission and the St. Lawrence River Board of Control in undertaking studies on the effects of fluctuating water levels on the natural environment, recreational boating, property flooding, and erosion along the shorelines of Lake Ontario and the St. Lawrence River in New York. The Commission and the Board are encouraged to conduct such studies in a comprehensive and thorough manner before implementing any change to Water Regulation Plan 1958–D.

SEC. 540. NEW YORK-NEW JERSEY HARBOR, NEW YORK AND NEW JERSEY.

(a) IN GENERAL.—The Secretary shall conduct a study to analyze the economic and environmental benefits and costs of potential sediment management and contaminant reduction measures.

(b) COOPERATIVE AGREEMENTS.—In conducting the study, the Secretary may enter into cooperative agreements with non-Federal interests to investigate, develop, and support measures for sediment management and reduction of sources of contaminant that affect navigation in the Port of New York-New Jersey and the environmental conditions of the New York-New Jersey Harbor estuary.

SEC. 541. SEA GATE REACH, CONEY ISLAND, NEW YORK, NEW YORK.

The Secretary may construct a project for shoreline protection that includes a beachfill with revetment and T-groin for the Sea Gate Reach on Coney Island, New York, as identified in the March 1998 report prepared for the Corps of Engineers, New York District, entitled ''Field Data Gathering, Project Performance Analysis and Design Alternative Solutions to Improve Sandfill Retention'', at a total cost of $9,000,000, with an estimated Federal cost of $5,850,000 and an estimated non-Federal cost of $3,150,000.

SEC. 542. WOODLAWN, NEW YORK.

(a) IN GENERAL.—The Secretary shall provide planning, design, and other technical assistance to non-Federal interests for identifying and mitigating sources of contamination at Woodlawn Beach in Woodlawn, New York.

(b) COST SHARING.—The non-Federal share of the cost of assistance provided under subsection (a) shall be 50 percent.

SEC. 543. FLOODPLAIN MAPPING, NEW YORK.

(a) IN GENERAL.—The Secretary shall provide assistance for a project to develop maps identifying 100- and 500-year flood inundation areas in the State of New York.

(b) REQUIREMENTS.—Maps developed under the project shall include hydrologic and hydraulic information and shall accurately show the flood inundation of each property by flood risk in the floodplain. The maps shall be produced in a high resolution format and shall be made available to all flood prone areas in the State of New York in an electronic format.

(c) PARTICIPATION OF FEMA.—The Secretary and the non-Federal interests for the project shall work with the Director of the Federal Emergency Management Agency to ensure the validity of the maps developed under the project for flood insurance purposes.

(d) FORMS OF ASSISTANCE.—In carrying out the project, the Secretary may enter into contracts or cooperative agreements with the non-Federal interests or provide reimbursements of project costs.

(e) FEDERAL SHARE.—The Federal share of the cost of the project shall be 50 percent.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for the period beginning with fiscal year 2000.

SEC. 544. TOUSSAINT RIVER, CARROLL TOWNSHIP, OTTAWA COUNTY, OHIO.

The Secretary may provide technical assistance for the removal of military ordnance from the Toussaint River, Carroll Township, Ottawa County, Ohio.

SEC. 545. SARDIS RESERVOIR, OKLAHOMA.

(a) IN GENERAL.—The Secretary shall accept from the State of Oklahoma or an agent of the State an amount, determined under subsection (b), as prepayment of 100 percent of the water supply cost obligation of the State under Contract No. DACW56–74–JC–0314 for water supply storage at Sardis Reservoir, Oklahoma.

(b) DETERMINATION OF AMOUNT.—The amount to be paid by the State of Oklahoma under subsection (a) shall be subject to adjustment in accordance with accepted discount purchase methods for Federal Government properties as determined by an independent accounting firm designated by the Director of the Office of Management and Budget. The cost of the determination shall be paid for by the State of Oklahoma or an agent of the State.

(c) EFFECT.—Nothing in this section affects any of the rights or obligations of the parties to the contract referred to in subsection (a).

SEC. 546. SKINNER BUTTE PARK, EUGENE, OREGON.

(a) STUDY.—The Secretary shall conduct a study of the south bank of the Willamette River, in the area of Skinner Butte Park from Ferry Street Bridge to the Valley River footbridge, to determine the feasibility of carrying out a project to stabilize the river bank, and to restore and enhance riverine habitat, using a combination of structural and bioengineering techniques.

(b) FEDERAL PARTICIPATION.—If, on completion of the study, the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, the Secretary may participate with non-Federal interests in the project.

(c) COST SHARING.—The non-Federal share of the cost of the project shall be 35 percent.

(d) LAND, EASEMENTS, AND RIGHTS-OF-WAY.—

(1) IN GENERAL.—The non-Federal interest shall provide land, easements, rights-of-way, relocations, and dredged material disposal areas necessary for construction of the project.

(2) CREDIT TOWARD NON-FEDERAL SHARE.—The value of the land, easements, rights-of-way, relocations, and dredged material disposal areas provided by the non-Federal interests shall be credited toward the non-Federal share.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for the period beginning with fiscal year 2000.

SEC. 547. WILLAMETTE RIVER BASIN, OREGON.

(a) IN GENERAL.—The Secretary, the Director of the Federal Emergency Management Agency, the Administrator of the Environmental Protection Agency, and the heads of other appropriate Federal agencies shall, using authorities under law in effect on the date of enactment of this Act, assist the State of Oregon in developing and implementing a comprehensive basin-wide strategy in the Willamette River basin, Oregon, for coordinated and integrated management of land and water resources to improve water quality, reduce flood hazards, ensure sustainable economic activity, and restore habitat for native fish and wildlife.

(b) TECHNICAL ASSISTANCE, STAFF, AND FINANCIAL SUPPORT.—The heads of the Federal agencies may provide technical assistance, staff, and financial support for development of the basin-wide management strategy.

(c) FLEXIBILITY.—The heads of the Federal agencies shall exercise flexibility to reduce barriers to efficient and effective implementation of the basin-wide management strategy.

SEC. 548. BRADFORD AND SULLIVAN COUNTIES, PENNSYLVANIA.

The Secretary may provide assistance for water-related environmental infrastructure and resource protection and development projects in Bradford and Sullivan Counties, Pennsylvania, using the funds and authorities provided in title I of the Energy and Water Development Appropriations Act, 1999 (Public Law 105–245), under the heading ''CONSTRUCTION, GENERAL'' (112 Stat. 1840) for similar projects in Lackawanna, Lycoming, Susquehanna, Wyoming, Pike, and Monroe Counties, Pennsylvania.

SEC. 549. ERIE HARBOR, PENNSYLVANIA.

The Secretary may reimburse the appropriate non-Federal interest not more than $78,366 for architectural and engineering costs incurred in connection with the Erie Harbor basin navigation project, Pennsylvania.

SEC. 550. POINT MARION LOCK AND DAM, PENNSYLVANIA.

(a) IN GENERAL.—The project for navigation, Point Marion Lock and Dam, borough of Point Marion, Pennsylvania, authorized by section 301(a) of the Water Resources Development Act of 1986 (100 Stat. 4110), is modified to direct the Secretary, in the operation and maintenance of the project, to mitigate damages to the shoreline, at a total cost of $2,000,000.

(b) ALLOCATION.—The cost of the mitigation shall be allocated as an operation and maintenance cost of a Federal navigation project.

SEC. 551. SEVEN POINTS' HARBOR, PENNSYLVANIA.

(a) IN GENERAL.—The Secretary may, at full Federal expense, construct a breakwater at the entrance to Seven Points' Harbor, Pennsylvania.

(b) OPERATION AND MAINTENANCE COSTS.—All operation and maintenance costs associated with the facility constructed under this section shall be the responsibility of the lessee of the marina complex at Seven Points' Harbor.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $850,000.

SEC. 552. SOUTHEASTERN PENNSYLVANIA.

Section 566(b) of the Water Resources Development Act of 1996 (110 Stat. 3786) is amended by inserting ''environmental restoration,'' after ''water supply and related facilities,''.

SEC. 553. UPPER SUSQUEHANNA-LACKAWANNA, PENNSYLVANIA, WATERSHED MANAGEMENT AND RESTORATION STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of a comprehensive floodplain management and watershed restoration project for the Upper Susquehanna-Lackawanna Watershed, Pennsylvania.

(b) GEOGRAPHIC INFORMATION SYSTEM.—In conducting the study, the Secretary shall use a geographic information system.

(c) PLANS.—The study shall formulate plans for comprehensive floodplain management and environmental restoration.

(d) CREDIT TOWARD NON-FEDERAL SHARE.—Non-Federal interests may receive credit toward the non-Federal share for in-kind services and materials that contribute to the study. The Secretary may credit non-Corps Federal assistance provided to the non-Federal interest toward the non-Federal share of the costs of the study to the maximum extent authorized by law.

SEC. 554. AGUADILLA HARBOR, PUERTO RICO.

The Secretary shall conduct a study to determine whether erosion and additional storm damage risks that exist in the vicinity of Aguadilla Harbor, Puerto Rico, are the result of a Federal navigation project. If the Secretary determines that such erosion and additional storm damage risks are the result of the project, the Secretary shall take appropriate measures to mitigate the erosion and storm damage.

SEC. 555. OAHE DAM TO LAKE SHARPE, SOUTH DAKOTA, STUDY.

Section 441 of the Water Resources Development Act of 1996 (110 Stat. 3747) is amended—

(1) by inserting ''(a) INVESTIGATION.—'' before ''The Secretary''; and

(2) by adding at the end the following:

''(b) REPORT.—Not later than September 30, 1999, the Secretary shall submit to Congress a report on the results of the investigation under this section. The report shall include the examination of financing options for regular maintenance and preservation of the lake. The report shall be prepared in coordination and cooperation with the Natural Resources Conservation Service, other Federal agencies, and State and local officials.''.

SEC. 556. NORTH PADRE ISLAND STORM DAMAGE REDUCTION AND ENVIRONMENTAL RESTORATION PROJECT.

The Secretary is directed to carry out a project for ecosystem restoration and storm damage reduction at North Padre Island, Corpus Christi Bay, Texas, at a total estimated cost of $30,000,000, with an estimated Federal cost of $19,500,000 and an estimated non-Federal cost of $10,500,000, if the Secretary determines that the work is technically sound and environmentally acceptable. The Secretary shall make such a determination not later than 270 days after the date of enactment of this Act.

SEC. 557. NORTHERN WEST VIRGINIA.

The projects described in the following reports are authorized to be carried out by the Secretary substantially in accordance with the plans, and

subject to the conditions, recommended in the reports, and subject to a favorable report of the Chief of Engineers:

(1) PARKERSBURG, WEST VIRGINIA.—Report of the Corps of Engineers entitled ''Parkersburg/Vienna Riverfront Park Feasibility Study'', dated June 1998, at a total cost of $8,400,000, with an estimated Federal cost of $4,200,000, and an estimated non-Federal cost of $4,200,000.

(2) WEIRTON, WEST VIRGINIA.—Report of the Corps of Engineers entitled ''Feasibility Master Plan for Weirton Port and Industrial Center, West Virginia Public Port Authority'', dated December 1997, at a total cost of $18,000,000, with an estimated Federal cost of $9,000,000, and an estimated non-Federal cost of $9,000,000.

(3) ERICKSON/WOOD COUNTY, WEST VIRGINIA.—Report of the Corps of Engineers entitled ''Feasibility Master Plan for Erickson/Wood County Port District, West Virginia Public Port Authority'', dated July 7, 1997, at a total cost of $28,000,000, with an estimated Federal cost of $14,000,000, and an estimated non-Federal cost of $14,000,000.

SEC. 558. MISSISSIPPI RIVER COMMISSION.

Section 8 of the Act of May 15, 1928 (33 U.S.C. 702h; 45 Stat. 537, chapter 569) (commonly known as the ''Flood Control Act of 1928''), is amended by striking ''$7,500'' and inserting ''$21,500''.

SEC. 559. COASTAL AQUATIC HABITAT MANAGEMENT.

(a) IN GENERAL.—The Secretary may cooperate with the Secretaries of Agriculture and the Interior, the Administrators of the Environmental Protection Agency and the National Oceanic and Atmospheric Administration, other appropriate Federal, State, and local agencies, and affected private entities, in the development of a management strategy to address problems associated with toxic microorganisms and the resulting degradation of ecosystems in the tidal and nontidal wetlands and waters of the United States.

(b) ASSISTANCE.—As part of the management strategy, the Secretary may provide planning, design, and other technical assistance to each participating State in the development and implementation of nonregulatory measures to mitigate environmental problems and restore aquatic resources.

(c) COST SHARING.—The Federal share of the cost of measures undertaken under this section shall not exceed 65 percent.

(d) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $7,000,000 for the period beginning with fiscal year 2000.

SEC. 560. ABANDONED AND INACTIVE NONCOAL MINE RESTORATION.

(a) IN GENERAL.—The Secretary may provide technical, planning, and design assistance to Federal and non-Federal interests for carrying out projects to address water quality problems caused by drainage and related activities from abandoned and inactive noncoal mines.

(b) SPECIFIC MEASURES.—Assistance provided under subsection (a) may be in support of projects for the purposes of—

(1) managing drainage from abandoned and inactive noncoal mines;

(2) restoring and protecting streams, rivers, wetlands, other waterbodies, and riparian areas degraded by drainage from abandoned and inactive noncoal mines; and

(3) demonstrating management practices and innovative and alternative treatment technologies to minimize or eliminate adverse environmental effects associated with drainage from abandoned and inactive noncoal mines.

(c) NON-FEDERAL SHARE.—The non-Federal share of the cost of assistance under subsection (a) shall be 50 percent, except that the Federal share with respect to projects located on land owned by the United States shall be 100 percent.

(d) EFFECT ON AUTHORITY OF SECRETARY OF THE INTERIOR.—Nothing in this section affects the authority of the Secretary of the Interior under title IV of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231 et seq.).

(e) TECHNOLOGY DATABASE FOR RECLAMATION OF ABANDONED MINES.—The Secretary may provide assistance to non-Federal and nonprofit entities to develop, manage, and maintain a database of conventional and innovative, cost-effective technologies for reclamation of abandoned and inactive noncoal mine sites. Such assistance shall be provided through the Rehabilitation of Abandoned Mine Sites Program managed by the Sacramento District Office of the Corps of Engineers.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000.

SEC. 561. BENEFICIAL USE OF WASTE TIRE RUBBER.

(a) IN GENERAL.—The Secretary shall, when appropriate, encourage the beneficial use of waste tire rubber (including crumb rubber and baled tire products) recycled from tires.

(b) INCLUDED BENEFICIAL USES.—Beneficial uses under subsection (a) may include marine pilings, underwater framing, floating docks with built-in flotation, utility poles, and other uses associated with transportation and infrastructure projects receiving Federal funds.

(c) USE OF WASTE TIRE RUBBER.—The Secretary shall encourage the use, when appropriate, of waste tire rubber (including crumb rubber) in projects described in subsection (b).

SEC. 562. SITE DESIGNATION.

Section 102(c)(4) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1412(c)(4)) is amended in the third sentence by striking ''January 1, 2000'' and inserting ''January 1, 2003''.

SEC. 563. LAND CONVEYANCES.

(a) TORONTO LAKE AND EL DORADO LAKE, KANSAS.—

(1) IN GENERAL.—The Secretary shall convey to the State of Kansas, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the 2 parcels of land described in paragraph (2) on which correctional facilities operated by the Kansas Department of Corrections are situated.

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are—

(A) the parcel located in Butler County, Kansas, adjacent to the El Dorado Lake Project, consisting of approximately 32.98 acres; and

(B) the parcel located in Woodson County, Kansas, adjacent to the Toronto Lake Project, consisting of approximately 51.98 acres.

(3) CONDITIONS.—

(A) USE OF LAND.—A conveyance of a parcel under paragraph (1) shall be subject to the condition that all right, title, and interest in and to the parcel shall revert to the United States if the parcel is used for a purpose other than that of a correctional facility.

(B) COSTS.—The Secretary may require such additional terms, conditions, reservations, and restrictions in connection with the conveyance as the Secretary determines are necessary to protect the interests of the United States, including a requirement that the State pay all reasonable administrative costs associated with the conveyance.

(b) PIKE COUNTY, MISSOURI.—

(1) LAND EXCHANGE.—Subject to paragraphs (3) and (4), at such time as Holnam Inc. conveys all right, title, and interest in and to the parcel of land described in paragraph (2)(A) to the United States, the Secretary shall convey all right, title, and interest in the parcel of land described in paragraph (2)(B) to Holnam Inc.

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are the following:

(A) NON-FEDERAL LAND.—152.45 acres with existing flowage easements situated in Pike County, Missouri, described as a portion of Government Tract Number FM–9 and all of Government Tract Numbers FM–11, FM–10, FM–12, FM–13, and FM–16, owned and administered by Holnam Inc.

(B) FEDERAL LAND.—152.61 acres situated in Pike County, Missouri, known as Government Tract Numbers FM–17 and a portion of FM–18, administered by the Corps of Engineers.

(3) CONDITIONS.—The exchange of land under paragraph (1) shall be subject to the following conditions:

(A) DEEDS.—

(i) NON-FEDERAL LAND.—The conveyance of the land described in paragraph (2)(A) to the Secretary shall be by a warranty deed acceptable to the Secretary.

(ii) FEDERAL LAND.—The instrument of conveyance used to convey the land described in paragraph (2)(B) to Holnam Inc. shall contain such reservations, terms, and conditions as the Secretary considers necessary to allow the United States to operate and maintain the Mississippi River 9-Foot Navigation Project.

(B) REMOVAL OF IMPROVEMENTS.—Holnam Inc. may remove any improvements on the land described in paragraph (2)(A). The Secretary may require Holnam Inc. to remove any improvements on the land described in paragraph (2)(A). In either case, Holnam Inc. shall hold the United States harmless from liability, and the United States shall not incur cost associated with the removal or relocation of any of the improvements.

(C) TIME LIMIT FOR EXCHANGE.—The land exchange under paragraph (1) shall be completed not later than 2 years after the date of enactment of this Act.

(D) LEGAL DESCRIPTION.—The Secretary shall provide the legal description of the land described in paragraph (2). The legal description shall be used in the instruments of conveyance of the land.

(E) ADMINISTRATIVE COSTS.—The Secretary shall require Holnam Inc. to pay reasonable administrative costs associated with the exchange.

(4) VALUE OF PROPERTIES.—If the appraised fair market value, as determined by the Secretary, of the land conveyed to Holnam Inc. by the Secretary under paragraph (1) exceeds the appraised fair market value, as determined by the Secretary, of the land conveyed to the United States by Holnam Inc. under paragraph (1), Holnam Inc. shall make a payment equal to the excess in cash or a cash equivalent to the United States.

(c) CANDY LAKE PROJECT, OSAGE COUNTY, OKLAHOMA.—

(1) DEFINITIONS.—In this subsection:

(A) FAIR MARKET VALUE.—The term ''fair market value'' means the amount for which a willing buyer would purchase and a willing seller would sell a parcel of land, as determined by a qualified, independent land appraiser.

(B) PREVIOUS OWNER OF LAND.—The term ''previous owner of land'' means a person (including a corporation) that conveyed, or a descendant of a deceased individual who conveyed, land to the Corps of Engineers for use in the Candy Lake project in Osage County, Oklahoma.

(2) CONVEYANCES.—

(A) IN GENERAL.—The Secretary shall convey all right, title, and interest of the United States in and to the land acquired by the United States for the Candy Lake project in Osage County, Oklahoma.

(B) PREVIOUS OWNERS OF LAND.—

(i) IN GENERAL.—The Secretary shall give a previous owner of land the first option to purchase the land described in subparagraph (A).

(ii) APPLICATION.—

(I) IN GENERAL.—A previous owner of land that desires to purchase the land described in paragraph (1) that was owned by the previous owner of land, or by the individual from whom

the previous owner of land is descended, shall file an application to purchase the land with the Secretary not later than 180 days after the official date of notice to the previous owner of land under paragraph (3).

(II) FIRST TO FILE HAS FIRST OPTION.—If more than 1 application is filed to purchase a parcel of land described in subparagraph (A), the first option to purchase the parcel of land shall be determined in the order in which applications for the parcel of land were filed.

(iii) IDENTIFICATION OF PREVIOUS OWNERS OF LAND.—As soon as practicable after the date of enactment of this Act, the Secretary shall, to the extent practicable, identify each previous owner of land.

(iv) CONSIDERATION.—Consideration for land conveyed under this subsection shall be the fair market value of the land.

(C) DISPOSAL.—Any land described in subparagraph (A) for which an application to purchase the land has not been filed under subparagraph (B)(ii) within the applicable time period shall be disposed of in accordance with law.

(D) EXTINGUISHMENT OF EASEMENTS.—All flowage easements acquired by the United States for use in the Candy Lake project in Osage County, Oklahoma, are extinguished.

(3) NOTICE.—

(A) IN GENERAL.—The Secretary shall notify—

(i) each person identified as a previous owner of land under paragraph (2)(B)(iii), not later than 90 days after identification, by United States mail; and

(ii) the general public, not later than 90 days after the date of enactment of this Act, by publication in the Federal Register.

(B) CONTENTS OF NOTICE.—Notice under this paragraph shall include—

(i) a copy of this subsection;

(ii) information sufficient to separately identify each parcel of land subject to this subsection; and

(iii) specification of the fair market value of each parcel of land subject to this subsection.

(C) OFFICIAL DATE OF NOTICE.—The official date of notice under this subsection shall be the later of—

(i) the date on which actual notice is mailed; or

(ii) the date of publication of the notice in the Federal Register.

(d) LAKE HUGO, OKLAHOMA, AREA LAND CONVEYANCE.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall convey at fair market value to Choctaw County Industrial Authority, Oklahoma, the parcels of land described in paragraph (2).

(2) LAND DESCRIPTION.—

(A) IN GENERAL.—The parcel of land to be conveyed under paragraph (1) is the parcel lying above elevation 445.2 feet (NGVD) located in the S½N½SE¼ and the S½SW¼ of Section 13 and the N½NW¼ of Section 24, T 6 S, R 18 E, of the Indian Meridian, in Choctaw County, Oklahoma, the parcel also being part of the Sawyer Bluff Public Use Area and including parts of Hugo Lake Tracts 134 and 139, and more particularly described as follows: Beginning at a point on the east line of Section 13, the point being 100.00 feet north of the southeast corner of S½N½SE¼ of Section 13; thence S 01° 36′ 24″ 100.00 to a Corps of Engineers brass-capped monument at the southeast corner of S½N½SE¼ of Section 13; thence S 88° 16′ 57″ W, along the south line of the S½N½SE¼ of Section 13, 2649.493 feet, more or less, to a Corps of Engineers brass-capped monument on the centerline of Section 13; thence S 01° 20′ 53″ E, along the centerline of Section 13, 1316.632 feet to a Corps of Engineers brass-capped monument; thence S 00° 41′ 35″ E, along the centerline of Section 24, 1000.00 feet, more or a less, to a point lying 50.00 feet north and 300.00 feet, more or less, east of Road B of the Sawyer Bluff Public Use Area; thence westerly and northwesterly, parallel to Road B, to the approximate location of the 445.2-foot contour; thence meandering northerly along the 445.2-foot contour to a point approximately 100.00 feet west and 100.00 feet north of the southwest corner of the S½N½SE¼ of Section 13; thence east, paralleling the south line of the S½N½SE¼ of Section 13, 2649.493 feet, more or less, to the point of beginning.

(B) SURVEY.—The exact description and acreage of the parcel shall be determined by a metes and bounds survey provided by the Choctaw County Industrial Authority.

(e) CONVEYANCE OF PROPERTY IN MARSHALL COUNTY, OKLAHOMA.—

(1) IN GENERAL.—The Secretary shall convey to the State of Oklahoma all right, title, and interest of the United States in and to real property located in Marshall County, Oklahoma, and included in the Lake Texoma (Denison Dam), Oklahoma and Texas, project, consisting of approximately 1,580 acres and leased to the State of Oklahoma for public park and recreation purposes.

(2) CONSIDERATION.—Consideration for the conveyance under paragraph (1) shall be the fair market value of the real property, as determined by the Secretary. All costs associated with the conveyance under paragraph (1) shall be paid by the State of Oklahoma.

(3) DESCRIPTION.—The exact acreage and legal description of the real property to be conveyed under paragraph (1) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be paid by the State of Oklahoma.

(4) ENVIRONMENTAL COMPLIANCE.—Before making the conveyance under paragraph (1), the Secretary shall—

(A) conduct an environmental baseline survey to determine whether there are levels of contamination for which the United States would be responsible under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) ensure that the conveyance complies with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(5) OTHER TERMS AND CONDITIONS.—The conveyance under paragraph (1) shall be subject to such other terms and conditions as the Secretary considers appropriate to protect the interests of the United States, including reservation by the United States of a flowage easement over all portions of the real property to be conveyed that are at or below elevation 645.0 NGVD.

(f) SUMMERFIELD CEMETERY ASSOCIATION, OKLAHOMA.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall transfer to the Summerfield Cemetery Association, Oklahoma, all right, title, and interest of the United States in and to the land described in paragraph (3) for use as a cemetery.

(2) REVERSION.—If the land to be transferred under this subsection ever ceases to be used as a not-for-profit cemetery or for another public purpose, the land shall revert to the United States.

(3) DESCRIPTION.—The land to be conveyed under this subsection is the approximately 10 acres of land located in Leflore County, Oklahoma, and described as follows:

INDIAN BASIN MERIDIAN

SECTION 23, TOWNSHIP 5 NORTH, RANGE 23 EAST

SW SE SW NW
NW NE NW SW
N½ SW SW NW.

(4) CONSIDERATION.—The conveyance under this subsection shall be without consideration. All costs associated with the conveyance shall be paid by the Summerfield Cemetery Association, Oklahoma.

(5) OTHER TERMS AND CONDITIONS.—The conveyance under this subsection shall be subject to such other terms and conditions as the Secretary considers necessary to protect the interests of the United States.

(g) DEXTER, OREGON.—

(1) IN GENERAL.—The Secretary shall convey to the Dexter Sanitary District all right, title, and interest of the United States in and to a parcel of land consisting of approximately 5 acres located at Dexter Lake, Oregon, under lease to the Dexter Sanitary District.

(2) CONSIDERATION.—Land to be conveyed under this subsection shall be conveyed without consideration. If the land is no longer held in public ownership or no longer used for wastewater treatment purposes, title to the land shall revert to the Secretary.

(3) TERMS AND CONDITIONS.—The conveyance by the United States shall be subject to such terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(4) SURVEYS.—The exact acreage and description of the land to be conveyed under paragraph (1) shall be determined by such surveys as the Secretary considers necessary. The cost of the surveys shall be borne by the Dexter Sanitary District.

(h) CHARLESTON, SOUTH CAROLINA.—The Secretary may convey the property of the Corps of Engineers known as the ''Equipment and Storage Yard'', located on Meeting Street in Charleston, South Carolina, in as-is condition for fair market value, with all proceeds from the conveyance to be applied by the Corps of Engineers, Charleston District, to offset a portion of the costs of moving or leasing an office facility in the city of Charleston, South Carolina.

(i) RICHARD B. RUSSELL DAM AND LAKE, SOUTH CAROLINA.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the Secretary shall convey to the State of South Carolina all right, title, and interest of the United States in and to the parcels of land described in paragraph (2)(A) that are being managed, as of the date of enactment of this Act, by the South Carolina Department of Natural Resources for fish and wildlife mitigation purposes for the Richard B. Russell Dam and Lake, South Carolina, project authorized by section 203 of the Flood Control Act of 1966 (80 Stat. 1420) and modified by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4140).

(2) LAND DESCRIPTION.—

(A) IN GENERAL.—The parcels of land to be conveyed are described in Exhibits A, F, and H of Army Lease No. DACW21–1–93–0910 and associated supplemental agreements or are designated in red in Exhibit A of Army License No. DACW21–3–85–1904, excluding all designated parcels in the license that are below elevation 346 feet mean sea level or that are less than 300 feet measured horizontally from the top of the power pool.

(B) MANAGEMENT OF EXCLUDED PARCELS.—Management of the excluded parcels shall continue in accordance with the terms of Army License No. DACW21–3–85–1904 until the Secretary and the State enter into an agreement under paragraph (6).

(C) SURVEY.—The exact acreage and legal description of the land shall be determined by a survey satisfactory to the Secretary, with the cost of the survey borne by the State.

(3) COSTS OF CONVEYANCE.—The State shall be responsible for all costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

(4) PERPETUAL STATUS.—

(A) IN GENERAL.—All land conveyed under this subsection shall be retained in public ownership and shall be managed in perpetuity for fish and wildlife mitigation purposes in accordance with a plan approved by the Secretary.

(B) REVERSION.—If any parcel of land is not managed for fish and wildlife mitigation purposes in accordance with the plan, title to the parcel shall revert to the United States.

(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms

and conditions in connection with the conveyance under this subsection as the Secretary considers appropriate to protect the interests of the United States.

(6) FISH AND WILDLIFE MITIGATION AGREEMENT.—

(A) IN GENERAL.—The Secretary may pay the State of South Carolina not more than $4,850,000, subject to the Secretary and the State entering into a binding agreement for the State to manage for fish and wildlife mitigation purposes in perpetuity the parcels of land conveyed under this subsection and excluded parcels designated in Exhibit A of Army License No. DACW21–3–85–1904.

(B) FAILURE OF PERFORMANCE.—The agreement shall specify the terms and conditions under which payment will be made and the rights of, and remedies available to, the Federal Government to recover all or a portion of the payment if the State fails to manage any parcel in a manner satisfactory to the Secretary.

(j) CLARKSTON, WASHINGTON.—

(1) IN GENERAL.—The Secretary shall convey to the Port of Clarkston, Washington, all right, title, and interest of the United States in and to a portion of the land described in the Department of the Army lease No. DACW68–1–97–22, consisting of approximately 31 acres, the exact boundaries of which shall be determined by the Secretary and the Port of Clarkston.

(2) ADDITIONAL LAND.—The Secretary may convey to the Port of Clarkston, Washington, such additional land located in the vicinity of Clarkston, Washington, as the Secretary determines to be excess to the needs of the Columbia River Project and appropriate for conveyance.

(3) TERMS AND CONDITIONS.—The conveyances made under paragraphs (1) and (2) shall be subject to such terms and conditions as the Secretary considers necessary to protect the interests of the United States, including a requirement that the Port of Clarkston pay all administrative costs associated with the conveyances, including the cost of land surveys and appraisals and costs associated with compliance with applicable environmental laws (including regulations).

(4) USE OF LAND.—The Port of Clarkston shall be required to pay the fair market value, as determined by the Secretary, of any land conveyed under paragraphs (1) and (2) that is not retained in public ownership and used for public park or recreation purposes, except that the Secretary shall have a right of reverter to reclaim possession and title to any such land.

(k) MATEWAN, WEST VIRGINIA.—

(1) IN GENERAL.—The United States shall convey by quitclaim deed to the town of Matewan, West Virginia, all right, title, and interest of the United States in and to 4 parcels of land that the Secretary determines to be excess to the structural project for flood control constructed by the Corps of Engineers along the Tug Fork River under section 202 of the Energy and Water Development Appropriation Act, 1981 (94 Stat. 1339).

(2) PROPERTY DESCRIPTION.—The parcels of land referred to in paragraph (1) are as follows:

(A) A certain parcel of land in the State of West Virginia, Mingo County, town of Matewan, being more particularly bounded and described as follows:

Beginning at a point on the southerly right-of-way line of a 40-foot-wide street right-of-way (known as McCoy Alley), having an approximate coordinate value of N228,695, E1,662,397, in the line common to the land designated as U.S.A. Tract No. 834, and the land designated as U.S.A. Tract No. 837, said point being South 51°52′ East 81.8 feet from an iron pin and cap marked M–12 on the boundary of the Matewan Area Structural Project, on the north right-of-way line of said street, at a corner common to designated U.S.A. Tracts Nos. 834 and 836; thence, leaving the right-of-way of said street, with the line common to the land of said Tract No. 834, and the land of said Tract No. 837.

South 14°37′ West 46 feet to the corner common to the land of said Tract No. 834, and the land of said Tract No. 837; thence, leaving the land of said Tract No. 837, severing the lands of said Project.

South 14°37′ West 46 feet.

South 68°07′ East 239 feet.

North 26°05′ East 95 feet to a point on the southerly right-of-way line of said street; thence, with the right-of-way of said street, continuing to sever the lands of said Project.

South 63°55′ East 206 feet; thence, leaving the right-of-way of said street, continuing to sever the lands of said Project.

South 26°16′ West 63 feet; thence, with a curve to the left having a radius of 70 feet, a delta of 33°58′, an arc length of 41 feet, the chord bearing.

South 09°17′ West 41 feet; thence, leaving said curve, continuing to sever the lands of said Project.

South 07°42′ East 31 feet to a point on the right-of-way line of the floodwall; thence, with the right-of-way of said floodwall, continuing to sever the lands of said Project.

South 77°04′ West 71 feet.

North 77°10′ West 46 feet.

North 67°07′ West 254 feet.

North 67°54′ West 507 feet.

North 57°49′ West 66 feet to the intersection of the right-of-way line of said floodwall with the southerly right-of-way line of said street; thence, leaving the right-of-way of said floodwall and with the southerly right-of-way of said street, continuing to sever the lands of said Project.

North 83°01′ East 171 feet.

North 89°42′ East 74 feet.

South 83°39′ East 168 feet.

South 83°38′ East 41 feet.

South 77°26′ East 28 feet to the point of beginning, containing 2.59 acres, more or less.

The bearings and coordinate used in this subparagraph are referenced to the West Virginia State Plane Coordinate System, South Zone.

(B) A certain parcel of land in the State of West Virginia, Mingo County, town of Matewan, being more particularly bounded and described as follows:

Beginning at an iron pin and cap designated Corner No. M2–2 on the southerly right-of-way line of the Norfolk and Western Railroad, having an approximate coordinate value of N228,755 E1,661,242, and being at the intersection of the right-of-way line of the floodwall with the boundary of the Matewan Area Structural Project; thence, leaving the right-of-way of said floodwall and with said Project boundary, and the southerly right-of-way of said Railroad.

North 59°45′ East 34 feet.

North 69°50′ East 44 feet.

North 58°11′ East 79 feet.

North 66°13′ East 102 feet.

North 69°43′ East 98 feet.

North 77°39′ East 18 feet.

North 72°39′ East 13 feet to a point at the intersection of said Project boundary, and the southerly right-of-way of said Railroad, with the westerly right-of-way line of State Route 49/10; thence, leaving said Project boundary, and the southerly right-of-way of said Railroad, and with the westerly right-of-way of said road.

South 03°21′ East 100 feet to a point at the intersection of the westerly right-of-way of said road with the right-of-way of said floodwall; thence, leaving the right-of-way of said road, and with the right-of-way line of said floodwall.

South 79°30′ West 69 feet.

South 78°28′ West 222 feet.

South 80°11′ West 65 feet.

North 38°40′ West 14 feet to the point of beginning, containing 0.53 acre, more or less.

The bearings and coordinate used in this subparagraph are referenced to the West Virginia State Plane Coordinate System, South Zone.

(C) A certain parcel of land in the State of West Virginia, Mingo County, town of Matewan, being more particularly bounded and described as follows:

Beginning at a point on the southerly right-of-way line of the Norfolk and Western Railroad, having an approximate coordinate value of N228,936 E1,661,672, and being at the intersection of the easterly right-of-way line of State Route 49/10 with the boundary of the Matewan Area Structural Project; thence, leaving the right-of-way of said road, and with said Project boundary, and the southerly right-of-way of said Railroad.

North 77°49′ East 89 feet to an iron pin and cap designated as U.S.A. Corner No. M–4.

North 79°30′ East 74 feet to an iron pin and cap designated as U.S.A. Corner No. M–5–1; thence, leaving the southerly right-of-way of said Railroad, and continuing with the boundary of said Project.

South 06°33′ East 102 to an iron pipe and cap designated U.S.A. Corner No. M–6–1 on the northerly right-of-way line of State Route 49/28; thence, leaving the boundary of said Project, and with the right-of-way of said road, severing the lands of said Project.

North 80°59′ West 171 feet to a point at the intersection of the Northerly right-of-way line of said State Route 49/28 with the easterly right-of-way line of said State Route 49/10; thence, leaving the right-of-way of said State Route 49/28 and with the right-of-way of said State Route 49/10.

North 03°21′ West 42 feet to the point of beginning, containing 0.27 acre, more or less.

The bearings and coordinate used in this subparagraph are referenced to the West Virginia State Plane Coordinate System, South Zone.

(D) A certain parcel of land in the State of West Virginia, Mingo County, town of Matewan, being more particularly bounded and described as follows:

Beginning at a point at the intersection of the easterly right-of-way line of State Route 49/10 with the right-of-way line of the floodwall, having an approximate coordinate value of N228,826 E1,661,679; thence, leaving the right-of-way of said floodwall, and with the right-of-way of said State Route 49/10.

North 03°21′ West 23 feet to a point at the intersection of the easterly right-of-way line of said State Route 49/10 with the southerly right-of-way line of State Route 49/28; thence, leaving the right-of-way of said State Route 49/10 and with the right-of-way of said State Route 49/28.

South 80°59′ East 168 feet.

North 82°28′ East 45 feet to an iron pin and cap designated as U.S.A. Corner No. M–8–1 on the boundary of the Western Area Structural Project; thence, leaving the right-of-way of said State Route 49/28, and with said Project boundary.

South 08°28′ East 88 feet to an iron pin and cap designated as U.S.A. Corner No. M–9–1 point on the northerly right-of-way line of a street (known as McCoy Alley); thence, leaving said Project boundary and with the northerly right-of-way of said street.

South 83°01′ West 38 feet to a point on the right-of-way line of said floodwall; thence, leaving the right-of-way of said street, and with the right-of-way of said floodwall.

North 57°49′ West 180 feet.

South 79°30′ West 34 feet to a point of beginning, containing 0.24 acre, more or less.

The bearings and coordinate used in this subparagraph are referenced to the West Virginia State Plane Coordinate System, South Zone.

(l) MCNARY NATIONAL WILDLIFE REFUGE.—

(1) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the McNary National Wildlife Refuge is transferred from the Secretary to the Secretary of the Interior.

(2) LAND EXCHANGE WITH THE PORT OF WALLA WALLA, WASHINGTON.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior may exchange approximately 188 acres of land located south of Highway 12 and comprising a portion of the McNary National

Wildlife Refuge for approximately 122 acres of land owned by the Port of Walla Walla, Washington, and located at the confluence of the Snake River and the Columbia River.

(B) TERMS AND CONDITIONS.—The land exchange under subparagraph (A) shall be carried out in accordance with such terms and conditions as the Secretary of the Interior determines to be necessary to protect the interests of the United States, including a requirement that the Port pay—

(i) reasonable administrative costs (not to exceed $50,000) associated with the exchange; and

(ii) any excess (as determined by the Secretary of the Interior) of the fair market value of the parcel conveyed by the Secretary of the Interior over the fair market value of the parcel conveyed by the Port.

(C) USE OF FUNDS.—The Secretary of the Interior may retain any funds received under subparagraph (B)(ii) and, without further Act of appropriation, may use the funds to acquire replacement habitat for the Mid-Columbia River National Wildlife Refuge Complex.

(3) MANAGEMENT.—The McNary National Wildlife Refuge and land conveyed by the Port of Walla Walla, Washington, under paragraph (2) shall be managed in accordance with applicable laws, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 564. MCNARY POOL, WASHINGTON.

(a) EXTINGUISHMENT OF REVERSIONARY INTERESTS AND USE RESTRICTIONS.—With respect to each deed listed in subsection (b)—

(1) the reversionary interests and the use restrictions relating to port or industrial purposes are extinguished;

(2) the human habitation or other building structure use restriction is extinguished in each area where the elevation is above the standard project flood elevation; and

(3) the use of fill material to raise low areas above the standard project flood elevation is authorized, except in any low area constituting wetland for which a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) would be required.

(b) AFFECTED DEEDS.—The deeds with the following county auditor's file numbers are referred to in subsection (a):

(1) Auditor's File Numbers 521608 and 529071 of Benton County, Washington.

(2) Auditor's File Numbers 262980, 263334, 318437, and 404398 of Franklin County, Washington.

(3) Auditor's File Numbers 411133, 447417, 447418, 462156, 563333, and 569593 of Walla Walla County, Washington.

(4) Auditor's File Number 285215 of Umatilla County, Oregon, executed by the United States.

(c) NO EFFECT ON OTHER RIGHTS.—Nothing in this section affects the remaining rights and interests of the Corps of Engineers for authorized project purposes.

SEC. 565. NAMINGS.

(a) FRANCIS BLAND FLOODWAY DITCH, ARKANSAS.—

(1) DESIGNATION.—8-Mile Creek in Paragould, Arkansas, shall be known and designated as the ''Francis Bland Floodway Ditch''.

(2) LEGAL REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the creek referred to in paragraph (1) shall be deemed to be a reference to the ''Francis Bland Floodway Ditch''.

(b) LAWRENCE BLACKWELL MEMORIAL BRIDGE, ARKANSAS.—

(1) DESIGNATION.—The bridge over lock and dam numbered 4 on the Arkansas River, Arkansas, constructed as part of the project for navigation on the Arkansas River and tributaries, shall be known and designated as the ''Lawrence Blackwell Memorial Bridge''.

(2) LEGAL REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the bridge referred to in paragraph (1) shall be deemed to be a reference to the ''Lawrence Blackwell Memorial Bridge''.

(c) JOHN H. CHAFEE NATIONAL WILDLIFE REFUGE.—Title II of Public Law 100–610 (16 U.S.C. 668dd note; 102 Stat. 3176) is amended—

(1) in the title heading, by striking ''PETTAQUAMSCUTT COVE'' and inserting ''JOHN H. CHAFEE'';

(2) in section 201—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) John H. Chafee has been a steadfast champion for the conservation of fish, wildlife, and natural resources throughout a distinguished career of public service to the people of Rhode Island and the United States.'';

(3) in section 202, by striking ''Pettaquamscutt Cove'' and inserting ''John H. Chafee''; and

(4) in section 203(1), by striking ''Pettaquamscutt Cove'' and inserting ''John H. Chafee''.

SEC. 566. FOLSOM DAM AND RESERVOIR ADDITIONAL STORAGE AND ADDITIONAL FLOOD CONTROL STUDIES.

(a) FOLSOM FLOOD CONTROL STUDIES.—

(1) IN GENERAL.—The Secretary, in consultation with the State of California and local water resources agencies, shall undertake a study of increasing surcharge flood control storage at the Folsom Dam and Reservoir.

(2) LIMITATIONS.—The study of the Folsom Dam and Reservoir undertaken under paragraph (1) shall assume that there is to be no increase in conservation storage at the Folsom Reservoir.

(3) REPORT.—Not later than March 1, 2000, the Secretary shall transmit to Congress a report on the results of the study under this subsection.

(b) AMERICAN AND SACRAMENTO RIVERS FLOOD CONTROL STUDY.—

(1) IN GENERAL.—The Secretary shall undertake a study of all levees on the American River and on the Sacramento River downstream and immediately upstream of the confluence of such Rivers to access opportunities to increase potential flood protection through levee modifications.

(2) DEADLINE FOR COMPLETION.—Not later than March 1, 2000, the Secretary shall transmit to Congress a report on the results of the study undertaken under this subsection.

SEC. 567. WALLOPS ISLAND, VIRGINIA.

(a) EMERGENCY ACTION.—The Secretary shall take emergency action to protect Wallops Island, Virginia, from damaging coastal storms, by improving and extending the existing seawall, replenishing and renourishing the beach, and constructing protective dunes.

(b) REIMBURSEMENT.—The Secretary may seek reimbursement from other Federal agencies whose resources are protected by the emergency action taken under subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $8,000,000.

SEC. 568. DETROIT RIVER, MICHIGAN.

(a) GREENWAY CORRIDOR STUDY.—The Secretary shall conduct a study to determine the feasibility of a project for shoreline protection, frontal erosion, and associated purposes in the Detroit River shoreline area from the Belle Isle Bridge to the Ambassador Bridge in Detroit, Michigan.

(b) POTENTIAL MODIFICATIONS.—As part of the study, the Secretary shall review potential project modifications to any Corps of Engineers project within the Detroit River shoreline area.

(c) REPAIR AND REHABILITATION.—

(1) IN GENERAL.—The Secretary may repair and rehabilitate the seawalls on the Detroit River in Detroit, Michigan, if the Secretary determines that such work is technically sound, environmentally acceptable, and economically justified.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1) $1,000,000 for the period beginning with fiscal year 2000.

SEC. 569. NORTHEASTERN MINNESOTA.

(a) DEFINITION OF NORTHEASTERN MINNESOTA.—In this section, the term ''northeastern Minnesota'' means the counties of Cook, Lake, St. Louis, Koochiching, Itasca, Cass, Crow Wing, Aitkin, Carlton, Pine, Kanabec, Mille Lacs, Morrison, Benton, Sherburne, Isanti, and Chisago, Minnesota.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in northeastern Minnesota.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in northeastern Minnesota, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. The credit for the design work shall not exceed 6 percent of the total construction costs of the project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000 for the period beginning with fiscal year 2000, to remain available until expended.

SEC. 570. ALASKA.

(a) DEFINITION OF NATIVE CORPORATION.—In this section, the term ''Native Corporation'' has the meaning given the term in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in Alaska.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Alaska, including projects for wastewater treatment and related facilities, water supply and related facilities, and surface water resource protection and development.

(d) OWNERSHIP REQUIREMENTS.—The Secretary may provide assistance for a project under this section only if the project is publicly owned or is owned by a Native Corporation.

(e) LOCAL COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. The credit for the design work shall not exceed 6 percent of the total construction costs of the project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including a recommendation concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for the period beginning with fiscal year 2000, to remain available until expended.

SEC. 571. CENTRAL WEST VIRGINIA.

(a) DEFINITION OF CENTRAL WEST VIRGINIA.—In this section, the term ''central West Virginia'' means the counties of Mason, Jackson, Putnam, Kanawha, Roane, Wirt, Calhoun, Clay, Nicholas, Braxton, Gilmer, Lewis, Upshur, Randolph, Pendleton, Hardy, Hampshire, Morgan, Berkeley, and Jefferson, West Virginia.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in central West Virginia.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in central West Virginia, including projects for wastewater treatment and related facilities, water supply and related facilities, and surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. The credit for the design work shall not exceed 6 percent of the total construction costs of the project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including a recommendation concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for the period beginning with fiscal year 2000, to remain available until expended.

SEC. 572. SACRAMENTO METROPOLITAN AREA WATERSHED RESTORATION, CALIFORNIA.

(a) LIMITATION.—The Secretary may undertake studies to determine the extent of ground water contamination and the feasibility of prevention and cleanup of such contamination resulting from the acts of a Federal department or agency—

(1) at or in the vicinity of McClellan Air Force Base, Mather Air Force Base, or Sacramento Army Depot, California; or

(2) at any place in the Sacramento metropolitan area watershed where the Federal Government would be a responsible party under any Federal environmental law.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for the period beginning with fiscal year 2000.

SEC. 573. ONONDAGA LAKE, NEW YORK.

(a) IN GENERAL.—The Secretary shall—

(1) plan, design, and construct projects that are consistent with the Onondaga Lake Management Plan and comply with the amended consent judgment and the project labor agreement for the environmental restoration, conservation, and management of Onondaga Lake, New York; and

(2) provide, in coordination with the Administrator of the Environmental Protection Agency, financial assistance, including grants to the State of New York and political subdivisions of the State, for the development and implementation of projects to restore, conserve, and manage the lake.

(b) PARTNERSHIP.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall establish and lead a partnership with appropriate Federal agencies (including the Environmental Protection Agency) and the State of New York and political subdivisions of the State for the purpose of development and implementation of the projects.

(2) COORDINATION WITH ACTIONS UNDER OTHER LAW.—

(A) IN GENERAL.—The partnership shall coordinate the actions taken under this section with actions to restore and conserve Onondaga Lake taken under other provisions of Federal or State law.

(B) NO EFFECT ON OTHER LAW.—Except as provided in subsection (g), this section does not alter, modify, or affect any other provision of Federal or State law.

(3) TERMINATION.—Unless the Secretary and the Governor of the State of New York agree otherwise, the partnership established under this subsection shall terminate not later than the date that is 15 years after the date of enactment of this Act.

(c) REVISIONS TO THE ONONDAGA LAKE MANAGEMENT PLAN.—

(1) IN GENERAL.—In consultation with the partnership established under subsection (b) and after providing for public review and comment, the Secretary and the Administrator of the Environmental Protection Agency shall approve revisions to the Onondaga Lake Management Plan if the Governor of the State of New York concurs in the approval.

(2) NO EFFECT ON MODIFICATION OF AMENDED CONSENT JUDGMENT.—Paragraph (1) has no effect on the conditions under which the amended consent judgment referred to in subsection (a)(1) may be modified.

(d) COST SHARING.—

(1) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project constructed under subsection (a) shall be not less than 30 percent of the total cost of the project and may be provided through the provision of in-kind services.

(2) ADMINISTRATION AND MANAGEMENT.—The Secretary's administration and management of the project shall be at full Federal expense.

(e) NO EFFECT ON LIABILITY.—The provision of financial assistance under this section shall not relieve from liability any person that would otherwise be liable under Federal or State law for damages, response costs, natural resource damages, restitution, equitable relief, or any other relief.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

(g) REPEAL.—Title IV of the Great Lakes Critical Programs Act of 1990 (104 Stat. 3010) and section 411 of the Water Resources Development Act of 1990 (104 Stat. 4648) are repealed effective on the date that is 1 year after the date of enactment of this Act.

SEC. 574. EAST LYNN LAKE, WEST VIRGINIA.

The Secretary shall defer any decision relating to the leasing of mineral resources underlying East Lynn Lake, West Virginia, project lands to the Federal entity vested with such leasing authority.

SEC. 575. EEL RIVER, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine whether flooding in the city of Ferndale, California, is the result of the Federal flood control project on the Eel River.

(b) MITIGATION MEASURES.—If the Secretary determines that the flooding is the result of the project, the Secretary shall take appropriate measures (including dredging of the Salt River and construction of sediment ponds at the confluence of Francis, Reas, and Williams Creeks) to mitigate the flooding.

SEC. 576. NORTH LITTLE ROCK, ARKANSAS.

The Secretary—

(1) shall review a report prepared by the non-Federal interest concerning flood protection for the Dark Hollow area of North Little Rock, Arkansas; and

(2) if the Secretary determines that the report meets the evaluation and design standards of the Corps of Engineers and that the project is economically justified, technically sound, and environmentally acceptable, may carry out the project.

SEC. 577. UPPER MISSISSIPPI RIVER, MISSISSIPPI PLACE, ST. PAUL, MINNESOTA.

(a) IN GENERAL.—The Secretary may enter into a cooperative agreement to participate in a project for the planning, design, and construction of infrastructure and other improvements at Mississippi Place, St. Paul, Minnesota.

(b) COST SHARING.—

(1) IN GENERAL.—The Federal share of the cost of the project shall be 50 percent. The Federal share may be provided in the form of grants or reimbursements of project costs.

(2) CREDIT FOR NON-FEDERAL WORK.—The non-Federal interest shall receive credit toward the non-Federal share of the cost of the project for reasonable costs incurred by the non-Federal interest as a result of participation in the planning, design, and construction of the project.

(3) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit toward the non-Federal share of the cost of the project for land, easements, rights-of-way, and relocations provided by the non-Federal interest with respect to the project.

(4) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for the project shall be 100 percent.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $3,000,000 to carry out this section.

SEC. 578. DREDGING OF SALT PONDS IN THE STATE OF RHODE ISLAND.

The Secretary may acquire for the State of Rhode Island a dredge and associated equipment with the capacity to dredge approximately 100 cubic yards per hour for use by the State in dredging salt ponds in the State.

SEC. 579. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.

Section 567(a) of the Water Resources Development Act of 1996 (110 Stat. 3787) is amended by adding at the end the following:

''(3) The Chemung River watershed, New York, at an estimated Federal cost of $5,000,000.''.

SEC. 580. CUMBERLAND, MARYLAND, FLOOD PROJECT MITIGATION.

(a) IN GENERAL.—The project for flood control and other purposes, Cumberland, Maryland, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1574, chapter 688), is modified to authorize the Secretary to undertake, as a separate part of the project, restoration of the historic Chesapeake and Ohio Canal substantially in accordance with the Chesapeake and Ohio Canal National Historic Park, Cumberland, Maryland, Rewatering Design Analysis, dated February 1998, at a total cost of $15,000,000, with an estimated Federal cost of $9,750,000 and an estimated non-Federal cost of $5,250,000.

(b) IN-KIND SERVICES.—The non-Federal interest for the restoration project under subsection (a)—

(1) may provide all or a portion of the non-Federal share of project costs in the form of in-kind services; and

(2) shall receive credit toward the non-Federal share of project costs for design and construction work performed by the non-Federal interest before execution of a project cooperation agreement and for land, easements, and rights-of-way required for the restoration and acquired by the non-Federal interest before execution of such an agreement.

(c) OPERATION AND MAINTENANCE.—The operation and maintenance of the restoration project under subsection (a) shall be the full responsibility of the National Park Service.

SEC. 581. CITY OF MIAMI BEACH, FLORIDA.

Section 5(b)(3)(C)(i) of the Act of August 13, 1946 (33 U.S.C. 426h), is amended by inserting before the semicolon the following: '', including the city of Miami Beach, Florida''.

SEC. 582. RESEARCH AND DEVELOPMENT PROGRAM FOR COLUMBIA AND SNAKE RIVERS SALMON SURVIVAL.

Section 511 of the Water Resources Development Act of 1996 (16 U.S.C. 3301 note; Public Law 104–303) is amended by striking subsection (a) and all that follows and inserting the following:

''(a) SALMON SURVIVAL ACTIVITIES.—

''(1) IN GENERAL.—In conjunction with the Secretary of Commerce and Secretary of the Interior, the Secretary shall accelerate ongoing research and development activities, and may carry out or participate in additional research and development activities, for the purpose of developing innovative methods and technologies for improving the survival of salmon, especially salmon in the Columbia/Snake River Basin.

''(2) ACCELERATED ACTIVITIES.—Accelerated research and development activities referred to in paragraph (1) may include research and development related to—

''(A) impacts from water resources projects and other impacts on salmon life cycles;

''(B) juvenile and adult salmon passage;

''(C) light and sound guidance systems;

''(D) surface-oriented collector systems;

''(E) transportation mechanisms; and

''(F) dissolved gas monitoring and abatement.

''(3) ADDITIONAL ACTIVITIES.—Additional research and development activities referred to in paragraph (1) may include research and development related to—

''(A) studies of juvenile salmon survival in spawning and rearing areas;

''(B) estuary and near-ocean juvenile and adult salmon survival;

''(C) impacts on salmon life cycles from sources other than water resources projects;

''(D) cryopreservation of fish gametes and formation of a germ plasma repository for threatened and endangered populations of native fish; and

''(E) other innovative technologies and actions intended to improve fish survival, including the survival of resident fish.

''(4) COORDINATION.—The Secretary shall coordinate any activities carried out under this subsection with appropriate Federal, State, and local agencies, affected Indian tribes, and the Northwest Power Planning Council.

''(5) REPORT.—Not later than 3 years after the date of enactment of the Water Resources Development Act of 1999, the Secretary shall submit to Congress a report on the research and development activities carried out under this subsection, including any recommendations of the Secretary concerning the research and development activities.

''(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out research and development activities under paragraph (3).

''(b) ADVANCED TURBINE DEVELOPMENT.—

''(1) IN GENERAL.—In conjunction with the Secretary of Energy, the Secretary shall accelerate efforts toward developing and installing in Corps of Engineers-operated dams innovative, efficient, and environmentally safe hydropower turbines, including design of fish-friendly turbines, for use on the Columbia/Snake River hydrosystem.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $35,000,000 to carry out this subsection.

''(c) MANAGEMENT OF PREDATION ON COLUMBIA/SNAKE RIVER SYSTEM NATIVE FISHES.—

''(1) NESTING AVIAN PREDATORS.—In conjunction with the Secretary of Commerce and the Secretary of the Interior, and consistent with a management plan to be developed by the United States Fish and Wildlife Service, the Secretary shall carry out methods to reduce nesting populations of avian predators on dredge spoil islands in the Columbia River under the jurisdiction of the Secretary.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 to carry out research and development activities under this subsection.

''(d) IMPLEMENTATION.—Nothing in this section affects the authority of the Secretary to implement the results of the research and development carried out under this section or any other law.''.

SEC. 583. LARKSPUR FERRY CHANNEL, CALIFORNIA.

The Secretary shall work with the Secretary of Transportation on a proposed solution to

carry out the project to maintain the Larkspur Ferry Channel, Larkspur, California, authorized by section 601(d) of the Water Resources Development Act of 1986 (100 Stat. 4148).

SEC. 584. HOLES CREEK FLOOD CONTROL PROJECT, OHIO.

(a) IN GENERAL.—Notwithstanding any other provision of law, the non-Federal share of project costs for the project for flood control, Holes Creek, Ohio, shall not exceed the sum of—

(1) the total amount projected as the non-Federal share as of September 30, 1996, in the Project Cooperation Agreement executed on that date; and

(2) 100 percent of the amount of any increases in the cost of the locally preferred plan over the cost estimated in the Project Cooperation Agreement.

(b) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal interest any amount paid by the non-Federal interest in excess of the non-Federal share.

SEC. 585. SAN JACINTO DISPOSAL AREA, GALVESTON, TEXAS.

Section 108 of the Energy and Water Development Appropriations Act, 1994 (107 Stat. 1320), is amended—

(1) in the first sentence of subsection (a), by inserting ''all or any part of'' after ''absolute title to'';

(2) by striking subsection (b) and inserting the following:

''(b) COMPENSATION FOR CONVEYANCE.—

''(1) IN GENERAL.—Upon receipt of compensation from the City of Galveston, the Secretary shall convey the parcel, or any part of the parcel, as described in subsection (a).

''(2) FULL PARCEL.—If the full 605-acre parcel is conveyed, the compensation shall be—

''(A) conveyance to the Department of the Army of fee simple absolute title to a parcel of land containing approximately 564 acres on Pelican Island, Texas, in the Eneas Smith Survey, A–190, Pelican Island, city of Galveston, Galveston County, Texas, adjacent to property currently owned by the United States, with the fair market value of the parcel being determined in accordance with subsection (d); and

''(B) payment to the United States of an amount equal to the difference between the fair market value of the parcel to be conveyed under subsection (a) and the fair market value of the parcel to be conveyed under subparagraph (A).

''(3) PARTIAL PARCEL.—If the conveyance is 125 acres or less, compensation shall be an amount equal to the fair market value of the parcel to be conveyed, with the fair market value of the parcel being determined in accordance with subsection (d).''; and

(3) in the second sentence of subsection (c)—

(A) by inserting '', or any part of the parcel,'' after ''parcel''; and

(B) by inserting '', if any,'' after ''LCA''.

SEC. 586. WATER MONITORING STATION.

Section 584(b) of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended by striking ''$50,000'' and inserting ''$100,000''.

SEC. 587. OVERFLOW MANAGEMENT FACILITY, RHODE ISLAND.

Section 585 of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended—

(1) in subsection (a), by striking ''river'' and inserting ''sewer''; and

(2) in subsection (b), by striking ''$30,000,000'' and inserting ''$60,000,000''.

SEC. 588. LOWER CHENA RIVER, ALASKA.

The Secretary may expend up to $500,000 in fiscal year 2000 to complete the dredging project initiated on the Lower Chena River, Alaska.

SEC. 589. NUMANA DAM FISH PASSAGE, NEVADA.

After the date of enactment of this Act, the Secretary shall complete planning, design, and construction of the Numana Dam Fish Passage Project, currently being evaluated under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), under section 906(b) of that Act (33 U.S.C. 2283(b)).

SEC. 590. EMBREY DAM, VIRGINIA.

(a) IN GENERAL.—The Secretary shall remove the Embrey Dam on the Rappahannock River at Fredericksburg, Virginia, at full Federal expense.

(b) USE OF EXISTING STUDIES.—The Secretary shall expedite the feasibility study and preconstruction, engineering, and design of the project by using, to the maximum extent practicable, existing studies prepared by the State and non-Federal interests.

(c) AUTHORIZATION.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 591. ENVIRONMENTAL REMEDIATION, FRONT ROYAL, VIRGINIA.

(a) PARTICIPATION OF SECRETARY.—

(1) AUTHORIZATION.—The Secretary shall participate with other Federal departments and agencies in environmental restoration and remediation activities (including the demolition of contaminated buildings) at the Avtex Fibers facility in Front Royal, Virginia, at full Federal expense.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $12,000,000.

(b) PARTICIPATION OF SECRETARY OF DEFENSE.—

(1) REQUIREMENT.—The Secretary of Defense shall make available $5,000,000 for environmental restoration and remediation activities (including the demolition of contaminated buildings) at the Avtex Fibers facility in Front Royal, Virginia.

(2) SOURCE OF FUNDS.—The amount made available under paragraph (1) shall be derived from amounts in the Environmental Restoration Account, Formerly Used Defense Sites, established by section 2703 of title 10, United States Code.

SEC. 592. MISSISSIPPI.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in Mississippi.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Mississippi, including projects for wastewater treatment and related facilities, elimination or control of combined sewer overflows, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. The credit for the design work shall not exceed 6 percent of the total construction costs of the project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for the period beginning with fiscal year 2000, to remain available until expended.

SEC. 593. CENTRAL NEW MEXICO.

(a) DEFINITION OF CENTRAL NEW MEXICO.—In this section, the term ''central New Mexico'' means the counties of Bernalillo, Sandoval, and Valencia, New Mexico.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in central New Mexico.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in central New Mexico, including projects for wastewater treatment and related facilities, water supply, conservation, and related facilities, stormwater retention and remediation, environmental restoration, and surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. The credit for the design work shall not exceed 6 percent of the total construction costs of the project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for the period beginning with fiscal year 2000, to remain available until expended.

SEC. 594. OHIO.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide environmental assistance to non-Federal interests in Ohio.

(b) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Ohio, including projects for—

(1) wastewater treatment and related facilities;

(2) combined sewer overflow, water supply, storage, treatment, and related facilities;

(3) mine drainage;

(4) environmental restoration; and

(5) surface water resource protection and development.

(c) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(d) PROJECT COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a project cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each project cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities development plan or resource protection plan, including appropriate plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each project cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a project cooperation agreement with the Secretary.

(C) CREDIT FOR CERTAIN FINANCING COSTS.—In case of a delay in the reimbursement of the non-Federal share of the costs of a project, the non-Federal interest shall receive credit for reasonable interest and other associated financing costs necessary for the non-Federal interest to provide the non-Federal share of the project costs.

(D) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including costs associated with obtaining permits necessary for the placement of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed under an agreement entered into under this subsection shall be 100 percent.

(e) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(f) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $60,000,000.

SEC. 595. RURAL NEVADA AND MONTANA.

(a) DEFINITION OF RURAL NEVADA.—In this section, the term ''rural Nevada'' means—

(1) the counties of Lincoln, White Pine, Nye, Eureka, Elko, Humbardt, Pershing, Churchill, Storey, Lyon, Carson, Douglas, Mineral, Esmeralda, and Lander, Nevada;

(2) the portions of Washoe County, Nevada, that are located outside the cities of Reno and Sparks; and

(3) the portions of Clark County, Nevada, that are located outside the cities of Las Vegas, North Las Vegas, and Henderson and the unincorporated portion of the county in the Las Vegas Valley.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program for providing environmental assistance to non-Federal interests in rural Nevada and Montana.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in rural Nevada and Montana, including projects for—

(1) wastewater treatment and related facilities;

(2) water supply and related facilities;

(3) environmental restoration; and

(4) surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project costs.

(D) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for the period beginning with fiscal year 2001—

(1) $25,000,00 for rural Nevada; and

(2) $25,000,000 for Montana;

to remain available until expended.

SEC. 596. PHOENIX, ARIZONA.

Section 1608 of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–6) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) The Secretary, in cooperation with the city of Phoenix, Arizona, shall participate in the planning, design, and construction of the Phoenix Metropolitan Water Reclamation and

Reuse Project to utilize fully wastewater from the regional wastewater treatment plant for direct municipal, industrial, agricultural and environmental purposes, groundwater recharge and indirect potable reuse in the Phoenix metropolitan area.'';

(2) in subsection (b), by striking the first sentence; and

(3) by striking subsection (c).

SEC. 597. NATIONAL HARBOR, MARYLAND.

(a) IN GENERAL.—The first section of Public Law 99–215 (99 Stat. 1724) is amended in the first sentence of subsection (a)(2) by striking ''solely'' and inserting ''for transportation or''.

(b) REVISION OF QUITCLAIM DEED.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior shall—

(1) with the consent of the grantee, withdraw and revise any terms or conditions in the quitclaim deed of December 16, 1986, between the United States and the Maryland-National Capital Park and Planning Commission that limit the authority of the Maryland-National Capital Park and Planning Commission to use the property for transportation purposes; and

(2) prepare, execute, and record a deed that is consistent with this section and the amendment made by subsection (a).

(c) EFFECT ON ENVIRONMENTAL LAW.—Nothing in this section abrogates any requirement of any environmental law.

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

SEC. 601. DEFINITIONS.

In this title, the following definitions apply:

(1) COMMISSION.—The term ''Commission'' means the South Dakota Cultural Resources Advisory Commission established by section 605(j).

(2) RESTORATION.—The term ''restoration'' means mitigation of the habitat of wildlife.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(4) TERRESTRIAL WILDLIFE HABITAT.—The term ''terrestrial wildlife habitat'' means a habitat for a wildlife species (including game and nongame species) that existed or exists on an upland habitat (including a prairie grassland, woodland, bottom land forest, scrub, or shrub) or an emergent wetland habitat.

(5) WILDLIFE.—The term ''wildlife'' has the meaning given the term in section 8 of the Fish and Wildlife Coordination Act (16 U.S.C. 666b).

SEC. 602. TERRESTRIAL WILDLIFE HABITAT RESTORATION.

(a) TERRESTRIAL WILDLIFE HABITAT RESTORATION PLANS.—

(1) IN GENERAL.—In accordance with this subsection and in consultation with the Secretary and the Secretary of the Interior, the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe shall, as a condition of the receipt of funds under this title, each develop a plan for the restoration of terrestrial wildlife habitat loss that occurred as a result of flooding related to the Big Bend and Oahe projects carried out as part of the Pick-Sloan Missouri River Basin program.

(2) SUBMISSION OF PLAN TO SECRETARY.—On completion of a plan for terrestrial wildlife habitat restoration, the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe shall submit the plan to the Secretary.

(3) REVIEW BY SECRETARY AND SUBMISSION TO COMMITTEES.—The Secretary shall review the plan and submit the plan, with any comments, to the appropriate committees of the Senate and the House of Representatives.

(4) FUNDING FOR CARRYING OUT PLANS.—

(A) STATE OF SOUTH DAKOTA.—

(i) NOTIFICATION.—On receipt of the plan for terrestrial wildlife habitat restoration submitted by the State of South Dakota, each of the Committees referred to in paragraph (3) shall notify the Secretary of the receipt of the plan.

(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary shall make available to the State of South Dakota funds from the South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund established under section 603, to be used to carry out the plan for terrestrial wildlife habitat restoration submitted by the State and only after the Trust Fund is fully capitalized.

(B) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE.—

(i) NOTIFICATION.—On receipt of the plan for terrestrial wildlife habitat restoration submitted by the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, each of the Committees referred to in paragraph (3) shall notify the Secretary of the Treasury of the receipt of each of the plans.

(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary of the Treasury shall make available to the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe funds from the Cheyenne River Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund and the Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund, respectively, established under section 604, to be used to carry out the plan for terrestrial wildlife habitat restoration submitted by the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, respectively, and only after the Trust Fund is fully capitalized.

(C) TRANSITION PERIOD.—

(i) IN GENERAL.—During the period described in clause (ii), the Secretary shall—

(I) fund the terrestrial wildlife habitat restoration programs being carried out on the date of enactment of this Act on Oahe and Big Bend project land and the plans established under this section at a level that does not exceed the highest amount of funding that was provided for the programs during a previous fiscal year; and

(II) fund the activities described in sections 603(d)(3) and 604(d)(3).

(ii) PERIOD.—Clause (i) shall apply during the period—

(I) beginning on the date of enactment of this Act; and

(II) ending on the date on which funds are made available for use from the South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund under section 603(d)(3)(A)(i) and the Cheyenne River Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund and the Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund under section 604(d)(3)(A)(i).

(b) PROGRAMS FOR THE PURCHASE OF WILDLIFE HABITAT LEASES.—

(1) IN GENERAL.—The State of South Dakota may use funds made available under section 603(d)(3)(A)(iii) to develop a program for the purchase of wildlife habitat leases that meets the requirements of this subsection.

(2) DEVELOPMENT OF A PLAN.—

(A) IN GENERAL.—If the State of South Dakota, the Cheyenne River Sioux Tribe, or the Lower Brule Sioux Tribe elects to conduct a program under this subsection, the State of South Dakota, the Cheyenne River Sioux Tribe, or the Lower Brule Sioux Tribe (in consultation with the United States Fish and Wildlife Service and the Secretary and with an opportunity for public comment) shall develop a plan to lease land for the protection and development of wildlife habitat, including habitat for threatened and endangered species, associated with the Missouri River ecosystem.

(B) USE FOR PROGRAM.—The plan shall be used by the State of South Dakota, the Cheyenne River Sioux Tribe, or the Lower Brule Sioux Tribe in carrying out the program carried out under paragraph (1).

(3) CONDITIONS OF LEASES.—Each lease covered under a program carried out under paragraph (1) shall specify that the owner of the property that is subject to the lease shall provide—

(A) public access for sportsmen during hunting season; and

(B) public access for other outdoor uses covered under the lease, as negotiated by the landowner and the State of South Dakota, the Cheyenne River Sioux Tribe, or the Lower Brule Sioux Tribe.

(4) USE OF ASSISTANCE.—

(A) STATE OF SOUTH DAKOTA.—If the State of South Dakota conducts a program under this subsection, the State may use funds made available under section 603(d)(3)(A)(iii) to—

(i) acquire easements, rights-of-way, or leases for management and protection of wildlife habitat, including habitat for threatened and endangered species, and public access to wildlife on private property in the State of South Dakota;

(ii) create public access to Federal or State land through the purchase of easements or rights-of-way that traverse such private property; or

(iii) lease land for the creation or restoration of a wetland on such private property.

(B) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE.—If the Cheyenne River Sioux Tribe or the Lower Brule Sioux Tribe conducts a program under this subsection, the Tribe may use funds made available under section 604(d)(3)(A)(iii) for the purposes described in subparagraph (A).

(c) FEDERAL OBLIGATION FOR TERRESTRIAL WILDLIFE HABITAT MITIGATION FOR THE BIG BEND AND OAHE PROJECTS IN SOUTH DAKOTA.—The establishment of the trust funds under sections 603 and 604 and the development and implementation of plans for terrestrial wildlife habitat restoration developed by the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe in accordance with this section shall be considered to satisfy the Federal obligation under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) for terrestrial wildlife habitat mitigation for the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe for the Big Bend and Oahe projects carried out as part of the Pick-Sloan Missouri River Basin program.

SEC. 603. SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ''South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund'' (referred to in this section as the ''Fund'').

(b) FUNDING.—For the fiscal year during which this Act is enacted and each fiscal year thereafter until the aggregate amount deposited in the Fund under this subsection is equal to at least $108,000,000, the Secretary of the Treasury shall transfer $10,000,000 from the general fund of the Treasury to the Fund.

(c) INVESTMENTS.—

(1) IN GENERAL.—At the request of the Secretary, the Secretary of the Treasury shall invest the amounts deposited under subsection (b) only in interest-bearing obligations of the United States or in obligations guaranteed by the United States as to both principal and interest.

(2) INTEREST RATE.—The Secretary of the Treasury shall invest amounts in the fund in obligations that carry the highest rate of interest among available obligations of the required maturity.

(d) PAYMENTS.—

(1) IN GENERAL.—All amounts credited as interest under subsection (c) shall be available, without fiscal year limitation, to the State of South Dakota for use in accordance with paragraph (3) after the Fund has been fully capitalized.

(2) WITHDRAWAL AND TRANSFER OF FUNDS.—Subject to section 602(a)(4)(A), the Secretary shall withdraw amounts credited as interest under paragraph (1) and transfer the amounts

to the State of South Dakota for use as State funds in accordance with paragraph (3) after the Fund has been fully capitalized.

(3) USE OF TRANSFERRED FUNDS.—

(A) IN GENERAL.—Subject to subparagraph (B), the State of South Dakota shall use the amounts transferred under paragraph (2) only to—

(i) fully fund the annually scheduled work described in the terrestrial wildlife habitat restoration plan of the State developed under section 602(a); and

(ii) with any remaining funds—

(I) protect archaeological, historical, and cultural sites located along the Missouri River on land transferred to the State;

(II) fund all costs associated with the ownership, management, operation, administration, maintenance, and development of recreation areas and other lands that are transferred to the State of South Dakota by the Secretary;

(III) purchase and administer wildlife habitat leases under section 602(b);

(IV) carry out other activities described in section 602; and

(V) develop and maintain public access to, and protect, wildlife habitat and recreation areas along the Missouri River.

(B) PROHIBITION.—The amounts transferred under paragraph (2) shall not be used for the purchase of land in fee title.

(e) TRANSFERS AND WITHDRAWALS.—Except as provided in subsection (d), the Secretary may not transfer or withdraw any amount deposited under subsection (b).

(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury such sums as are necessary to pay the administrative expenses of the Fund.

SEC. 604. CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.

(a) ESTABLISHMENT.—There are established in the Treasury of the United States 2 funds to be known as the ''Cheyenne River Sioux Tribe Terrestrial Wildlife Restoration Trust Fund'' and the ''Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund'' (each of which is referred to in this section as a ''Fund'').

(b) FUNDING.—

(1) IN GENERAL.—Subject to paragraph (2), for the fiscal year during which this Act is enacted and each fiscal year thereafter until the aggregate amount deposited in the Funds under this subsection is equal to at least $57,400,000, the Secretary of the Treasury shall transfer $5,000,000 from the general fund of the Treasury to the Funds.

(2) ALLOCATION.—Of the total amount of funds deposited in the Funds for a fiscal year, the Secretary of the Treasury shall deposit—

(A) 74 percent of the funds into the Cheyenne River Sioux Tribe Terrestrial Wildlife Restoration Trust Fund; and

(B) 26 percent of the funds into the Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund.

(c) INVESTMENTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest the amounts deposited under subsection (b) only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(2) INTEREST RATE.—The Secretary of the Treasury shall invest amounts in the Funds in obligations that carry the highest rate of interest among available obligations of the required maturity.

(d) PAYMENTS.—

(1) IN GENERAL.—All amounts credited as interest under subsection (c) shall be available after the Trust Funds are fully capitalized, without fiscal year limitation, to the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe for their use in accordance with paragraph (3).

(2) WITHDRAWAL AND TRANSFER OF FUNDS.—Subject to section 602(a)(4)(B), the Secretary of the Treasury shall withdraw amounts credited as interest under paragraph (1) and transfer the amounts to the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe for use in accordance with paragraph (3).

(3) USE OF TRANSFERRED FUNDS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe shall use the amounts transferred under paragraph (2) only to—

(i) fully fund the annually scheduled work described in the terrestrial wildlife habitat restoration plan of the respective Tribe developed under section 602(a); and

(ii) with any remaining funds—

(I) protect archaeological, historical, and cultural sites located along the Missouri River on land transferred to the respective Tribe;

(II) fund all costs associated with the ownership, management, operation, administration, maintenance, and development of recreation areas and other lands that are transferred to the respective Tribe by the Secretary;

(III) purchase and administer wildlife habitat leases under section 602(b);

(IV) carry out other activities described in section 602; and

(V) develop and maintain public access to, and protect, wildlife habitat and recreation areas along the Missouri River.

(B) PROHIBITION.—The amounts transferred under paragraph (2) shall not be used for the purchase of land in fee title.

(e) TRANSFERS AND WITHDRAWALS.—Except as provided in subsection (d), the Secretary of the Treasury may not transfer or withdraw any amount deposited under subsection (b).

(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury such sums as are necessary to pay the administrative expenses of the Fund.

SEC. 605. TRANSFER OF FEDERAL LAND TO STATE OF SOUTH DAKOTA.

(a) IN GENERAL.—

(1) TRANSFER.—

(A) IN GENERAL.—The Secretary shall transfer to the Department of Game, Fish and Parks of the State of South Dakota (referred to in this section as the ''Department'') the land and recreation areas described in subsections (b) and (c) for fish and wildlife purposes, or public recreation uses, in perpetuity.

(B) PERMITS, RIGHTS-OF-WAY, AND EASEMENTS.—All permits, rights-of-way, and easements granted by the Secretary to the Oglala Sioux Tribe for land on the west side of the Missouri River between the Oahe Dam and Highway 14, and all permits, rights-of-way, and easements on any other land administered by the Secretary and used by the Oglala Sioux Rural Water Supply System, are granted to the Oglala Sioux Tribe in perpetuity to be held in trust under section 3(e) of the Mni Wiconi Project Act of 1988 (102 Stat. 2568).

(2) USES.—The Department shall maintain and develop the land outside the recreation areas for fish and wildlife purposes in accordance with—

(A) fish and wildlife purposes in effect on the date of enactment of this Act; or

(B) a plan developed under section 602.

(3) CORPS OF ENGINEERS.—The transfer shall not interfere with the Corps of Engineers operation of a project under this section for an authorized purpose of the project under the Act of December 22, 1944 (58 Stat. 887, chapter 665; 33 U.S.C. 701–1 et seq.), or other applicable law.

(4) SECRETARY.—The Secretary shall retain the right to inundate with water the land transferred to the Department under this section or draw down a project reservoir, as necessary to carry out an authorized purpose of a project.

(b) LAND TRANSFERRED.—The land described in this subsection is land that—

(1) is located above the top of the exclusive flood pool of the Oahe, Big Bend, Fort Randall, and Gavin's Point projects of the Pick-Sloan Missouri River Basin program;

(2) was acquired by the Secretary for the implementation of the Pick-Sloan Missouri River Basin program;

(3) is located outside the external boundaries of a reservation of an Indian Tribe; and

(4) is located within the State of South Dakota.

(c) RECREATION AREAS TRANSFERRED.—A recreation area described in this section includes the land and facilities within a recreation area that—

(1) the Secretary determines, at the time of the transfer, is a recreation area classified for recreation use by the Corps of Engineers on the date of enactment of this Act;

(2) is located outside the external boundaries of a reservation of an Indian Tribe;

(3) is located within the State of South Dakota;

(4) is not the recreation area known as ''Cottonwood'', ''Training Dike'', or ''Tailwaters''; and

(5) is located below Gavin's Point Dam in the State of South Dakota in accordance with boundary agreements and reciprocal fishing agreements between the State of South Dakota and the State of Nebraska in effect on the date of enactment of this Act, which agreements shall continue to be honored by the State of South Dakota as the agreements apply to any land or recreation areas transferred under this title to the State of South Dakota below Gavin's Point Dam and on the waters of the Missouri River.

(d) MAP.—

(1) IN GENERAL.—The Secretary, in consultation with the Department, shall prepare a map of the land and recreation areas transferred under this section.

(2) LAND.—The map shall identify—

(A) land reasonably expected to be required for project purposes during the 20-year period beginning on the date of enactment of this Act; and

(B) dams and related structures;

which shall be retained by the Secretary.

(3) AVAILABILITY.—The map shall be on file in the appropriate offices of the Secretary.

(e) SCHEDULE FOR TRANSFER.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Army and the Secretary of the Department shall jointly develop a schedule for transferring the land and recreation areas under this section.

(2) TRANSFER DEADLINE.—All land and recreation areas shall be transferred not later than 1 year after the full capitalization of the Trust Fund described in section 603.

(f) TRANSFER CONDITIONS.—The land and recreation areas described in subsections (b) and (c) shall be transferred in fee title to the Department on the following conditions:

(1) RESPONSIBILITY FOR DAMAGE.—The Secretary shall not be responsible for any damage to the land caused by flooding, sloughing, erosion, or other changes to the land caused by the operation of any project of the Pick-Sloan Missouri River Basin program (except as otherwise provided by Federal law).

(2) EASEMENTS, RIGHTS-OF-WAY, LEASES, AND COST-SHARING AGREEMENTS.—The Department shall maintain all easements, rights-of-way, leases, and cost-sharing agreements that are in effect as of the date of the transfer.

(g) HUNTING AND FISHING.—

(1) IN GENERAL.—Except as provided in this section, nothing in this title affects jurisdiction over the waters of the Missouri River below the water's edge and outside the exterior boundaries of an Indian reservation in South Dakota.

(2) JURISDICTION.—

(A) TRANSFERRED LAND.—On transfer of the land under this section to the State of South Dakota, jurisdiction over the land shall be the same as that over other land owned by the State of South Dakota.

(B) LAND BETWEEN THE MISSOURI RIVER WATER'S EDGE AND THE LEVEL OF THE EXCLUSIVE FLOOD POOL.—Jurisdiction over land between the Missouri River water's edge and the level of the exclusive flood pool outside Indian reservations in the State of South Dakota shall be the same as that exercised by the State on other land owned by the State, and that jurisdiction shall follow the fluctuations of the water's edge.

(C) FEDERAL LAND.—Jurisdiction over land and water owned by the Federal Government within the boundaries of the State of South Dakota that are not affected by this title shall remain unchanged.

(3) EASEMENTS AND ACCESS.—The Secretary shall provide the State of South Dakota with easements and access on land and water below the level of the exclusive flood pool outside Indian reservations in the State of South Dakota for recreational and other purposes (including for boat docks, boat ramps, and related structures), so long as the easements would not prevent the Corps of Engineers from carrying out its mission under the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 887)).

(h) APPLICABILITY OF LAW.—Notwithstanding any other provision of this Act, the following provisions of law shall apply to land transferred under this section:

(1) The National Historic Preservation Act (16 U.S.C. 470 et seq.), including sections 106 and 304 of that Act (16 U.S.C. 470f, 470w–3).

(2) The Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.), including sections 4, 6, 7, and 9 of that Act (16 U.S.C. 470cc, 470ee, 470ff, 470hh).

(3) The Native American Graves Protection Act and Repatriation Act (25 U.S.C. 3001 et seq.), including subsections (a) and (d) of section 3 of that Act (25 U.S.C. 3003).

(i) IMPACT AID.—The land transferred under subsection (a) shall be deemed to continue to be owned by the United States for purposes of section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702).

SEC. 606. TRANSFER OF CORPS OF ENGINEERS LAND FOR INDIAN TRIBES.

(a) IN GENERAL.—

(1) TRANSFER.—The Secretary of the Army shall transfer to the Secretary of the Interior the land and recreation areas described in subsections (b) and (c) for the use of the Indian Tribes in perpetuity.

(2) CORPS OF ENGINEERS.—The transfer shall not interfere with the Corps of Engineers operation of a project under this section for an authorized purpose of the project under the Act of December 22, 1944 (58 Stat. 887, chapter 665; 33 U.S.C. 701–1 et seq.), or other applicable law.

(3) SECRETARY OF THE ARMY.—The Secretary of the Army shall retain the right to inundate with water the land transferred to the Secretary of the Interior under this section or draw down a project reservoir, as necessary to carry out an authorized purpose of a project.

(4) TRUST.—The Secretary of the Interior shall hold in trust for the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe the land transferred under this section that is located within the external boundaries of the reservation of the Indian Tribes.

(b) LAND TRANSFERRED.—The land described in this subsection is land that—

(1) is located above the top of the exclusive flood pool of the Big Bend and Oahe projects of the Pick-Sloan Missouri River Basin program;

(2) was acquired by the Secretary of the Army for the implementation of the Pick-Sloan Missouri River Basin program; and

(3) is located within the external boundaries of the reservation of the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe.

(c) RECREATION AREAS TRANSFERRED.—A recreation area described in this section includes the land and facilities within a recreation area that—

(1) the Secretary determines, at the time of the transfer, is a recreation area classified for recreation use by the Corps of Engineers on the date of enactment of this Act;

(2) is located within the external boundaries of a reservation of an Indian Tribe; and

(3) is located within the State of South Dakota.

(d) MAP.—

(1) IN GENERAL.—The Secretary, in consultation with the governing bodies of the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, shall prepare a map of the land transferred under this section.

(2) LAND.—The map shall identify—

(A) land reasonably expected to be required for project purposes during the 20-year period beginning on the date of enactment of this Act; and

(B) dams and related structures;

which shall be retained by the Secretary.

(3) AVAILABILITY.—The map shall be on file in the appropriate offices of the Secretary.

(e) SCHEDULE FOR TRANSFER.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Chairmen of the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe shall jointly develop a schedule for transferring the land and recreation areas under this section.

(2) TRANSFER DEADLINE.—All land and recreation areas shall be transferred not later than 1 year after the full capitalization of the State and tribal Trust Fund described in section 604.

(f) TRANSFER CONDITIONS.—The land and recreation areas described in subsections (b) and (c) shall be transferred to, and held in trust by, the Secretary of the Interior on the following conditions:

(1) RESPONSIBILITY FOR DAMAGE.—The Secretary shall not be responsible for any damage to the land caused by flooding, sloughing, erosion, or other changes to the land caused by the operation of any project of the Pick-Sloan Missouri River Basin program (except as otherwise provided by Federal law).

(2) HUNTING AND FISHING.—

(A) IN GENERAL.—Except as provided in this section, nothing in this title affects jurisdiction over the waters of the Missouri River below the water's edge and within the exterior boundaries of the Cheyenne River Sioux and Lower Brule Sioux Tribe reservations.

(B) JURISDICTION.—

(i) IN GENERAL.—On transfer of the land to the respective tribes under this section, jurisdiction over the land and on land between the water's edge and the level of the exclusive flood pool within the respective Tribe's reservation boundaries shall be the same as that over land held in trust by the Secretary of the Interior on the Cheyenne River Sioux Reservation and the Lower Brule Sioux Reservation, and that jurisdiction shall follow the fluctuations of the water's edge.

(ii) JURISDICTION UNAFFECTED.—Jurisdiction over land and water owned by the Federal Government and held in trust for the Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe that is not affected by this title shall remain unchanged.

(C) EASEMENTS AND ACCESS.—The Secretary shall provide the Tribes with such easements and access on land and water below the level of the exclusive flood pool inside the respective Indian reservations for recreational and other purposes (including for boat docks, boat ramps, and related structures), so long as the easements would not prevent the Corps of Engineers from carrying out its mission under the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 887)).

(3) EASEMENTS, RIGHTS-OF-WAY, LEASES, AND COST-SHARING AGREEMENTS.—

(A) MAINTENANCE.—The Secretary of the Interior shall maintain all easements, rights-of-way, leases, and cost-sharing agreements that are in effect as of the date of the transfer.

(B) PAYMENTS TO COUNTY.—The Secretary of the Interior shall pay any affected county 100 percent of the receipts from the easements, rights-of-way, leases, and cost-sharing agreements described in subparagraph (A).

(g) EXTERIOR INDIAN RESERVATION BOUNDARIES.—Nothing in this section diminishes, changes, or otherwise affects the exterior boundaries of a reservation of an Indian Tribe.

SEC. 607. ADMINISTRATION.

(a) IN GENERAL.—Nothing in this title diminishes or affects—

(1) any water right of an Indian Tribe;

(2) any other right of an Indian Tribe, except as specifically provided in another provision of this title;

(3) any treaty right that is in effect on the date of enactment of this Act;

(4) any external boundary of an Indian reservation of an Indian Tribe;

(5) any authority of the State of South Dakota that relates to the protection, regulation, or management of fish, terrestrial wildlife, and cultural and archaeological resources, except as specifically provided in this title; or

(6) any authority of the Secretary, the Secretary of the Interior, or the head of any other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(H) the Federal Water Pollution Control Act (commonly known as the ''Clean Water Act'') (33 U.S.C. 1251 et seq.);

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) FEDERAL LIABILITY FOR DAMAGE.—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan Missouri River Basin program.

(c) FLOOD CONTROL.—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan Missouri River Basin program for purposes of meeting the requirements of the Act of December 22, 1944 (58 Stat. 887, chapter 665; 33 U.S.C. 701–1 et seq.).

SEC. 608. STUDY.

(a) IN GENERAL.—The Secretary shall arrange for the United States Geological Survey, in consultation with the Bureau of Indian Affairs and other appropriate Federal agencies, to complete, not later than October 31, 1999, a comprehensive study of the potential impacts of the transfer of land under sections 605(b) and 606(b), including potential impacts on South Dakota Sioux Tribes having water claims within the Missouri River Basin, on water flows in the Missouri River.

(b) NO TRANSFER PENDING DETERMINATION.—No transfer of land under section 605(b) or 606(b) shall occur until the Secretary determines, based on the study, that the transfer of land under either section will not significantly reduce the amount of water flow to the downstream States of the Missouri River.

(c) STATE WATER RIGHTS.—The results of the study shall not affect, and shall not be taken

into consideration in, any proceeding to quantify the water rights of any State.

(d) INDIAN WATER RIGHTS.—The results of the study shall not affect, and shall not be taken into consideration in, any proceeding to quantify the water rights of any Indian Tribe or tribal nation.

SEC. 609. AUTHORIZATION OF APPROPRIATIONS.

(a) SECRETARY.—There are authorized to be appropriated to the Secretary such sums as are necessary—

(1) to pay the administrative expenses incurred by the Secretary in carrying out this title;

(2) to fund the implementation of terrestrial wildlife habitat restoration plans under section 602(a) and other activities under sections 603(d)(3) and 604(d)(3); and

(3) to fund the annual expenses (not to exceed the Federal cost as of the date of enactment of this Act) of operating recreation areas to be transferred under sections 605(c) and 606(c) or leased by the State of South Dakota or Indian Tribes, until such time as the trust funds under sections 603 and 604 are fully capitalized.

(b) SECRETARY OF THE INTERIOR.—There are authorized to be appropriated to the Secretary of the Interior such sums as are necessary to pay the administrative expenses incurred by the Secretary of the Interior in carrying out this title.

And the House agree to the same.

BUD SHUSTER,
DON YOUNG,
SHERWOOD BOEHLERT,
RICHARD H. BAKER,
JOHN T. DOOLITTLE,
DON SHERWOOD,
JAMES L. OBERSTAR,
ROBERT A. BORSKI,
ELLEN TAUSCHER,
BRIAN BAIRD,
Managers on the Part of the House.

JOHN H. CHAFEE,
JOHN WARNER,
BOB SMITH,
GEORGE V. VOINOVICH,
MAX BAUCUS,
DANIEL MOYNIHAN,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The Managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 507), to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clerical changes.

TITLE I—WATER RESOURCES PROJECTS

SECTION 101. PROJECT AUTHORIZATIONS.

101(a) Projects with Chief's Reports

101(a)(1) Nome Harbor Improvements, Alaska. House §101(b)(1), Senate §101(b)(1).—Senate recedes with an amendment.

101(a)(2) Sand Point Harbor, Alaska. House §101(a)(1), Senate §101(a)(1).—Senate recedes.

101(a)(3) Seward Harbor, Alaska. House §101(b)(2), Senate §101(b)(2).—Senate recedes with an amendment.

101(a)(4) Rio Salado, Salt River, Phoenix and Tempe, Arizona. House §101(a)(2), Senate §101(a)(2).—Senate recedes.

101(a)(5) Tucson Drainage Area, Arizona. House §101(a)(3), Senate §101(a)(3).—House recedes.

101(a)(6) American and Sacramento Rivers, California. House §101(a)(4), Senate §101(a)(4).—Senate recedes with an amendment.

101(a)(7) Oakland Harbor, California. House §101(a)(5), Senate §101(b)(5).—Senate recedes.

101(a)(8) South Sacramento County Streams, California. House §101(a)(6), Senate §101(a)(6).—Senate recedes.

101(a)(9) Upper Guadalupe River, California. House §101(a)(7), Senate §101(a)(7).—House recedes.

101(a)(10) Yuba River Basin, California. House §101(a)(8), Senate §101(a)(8).—Senate recedes.

101(a)(11) Delaware Bay Coastline, Delaware and New Jersey-Broadkill Beach, Delaware. House §101(a)(9), Senate §101(a)(9).—Senate recedes.

101(a)(12) Delaware Bay Coastline, Delaware and New Jersey - Port Mahon, Delaware. House §101(a)(10), Senate §101(a)(10).—Senate recedes.

101(a)(13) Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware. House §101(a)(11), Senate §101(b)(7).—Senate recedes.

101(a)(14) Delaware Bay Coastline, Delaware and New Jersey: Villas and Vicinity, New Jersey. House §101(a)(12), Senate §101(b)(16).—Senate recedes.

101(a)(15) Delaware Coast from Cape Henelopen to Fenwick Island, Bethany Beach/South Bethany Beach, Delaware. House §101(a)(13), Senate §101(b)(8).—Senate recedes.

101(a)(16) Hillsboro and Okeechobee Aquifer, Florida. Senate §101(a)(11). No comparable House section.—House recedes.

101(a)(17) Jacksonville Harbor, Florida. House §101(a)(14), Senate §101(b)(9).—House recedes.

The conferees understand the Report of the Chief of Engineers for the navigation project at Jacksonville Harbor, Florida, recognizes that a re-evaluation of the project based on a potential change in the commercial navigation fleet could result in redesignation of the locally preferred plan as the National Economic Development Plan. Furthermore, if the locally preferred plan is redesignated as the National Economic Development Plan, cost sharing for the recommended plan shall be in accordance with section 101 of the Water Development Act of 1986.

101(a)(18) Tampa Harbor-Big Bend Channel, Florida. House §101(a)(15), Senate §101(a)(14).—House recedes.

101(a)(19) Brunswick Harbor, Georgia. House §101(a)(16), Senate §101(a)(15).—Senate recedes.

101(a)(20) Beargrass Creek, Kentucky. House §101(a)(17), Senate §101(a)(16).—Senate recedes.

101(a)(21) Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed. House §101(a)(18), Senate §101(a)(17).—House recedes.

101(a)(22) Baltimore Harbor Anchorages and Channels, Maryland and Virginia. House §101(a)(19), Senate §101(a)(18).—House recedes.

101(a)(23) Red River Lake at Crookston, Minnesota. House §101(a)(20), Senate §101(a)(19).—Senate recedes.

101(a)(24) Turkey Creek Basin, Kansas City, Missouri, and Kansas City, Kansas. House §101(a)(21), Senate §101(b)(13).—Senate recedes.

101(a)(25) Lower Cape May Meadows, Cape May Point, New Jersey. House §101(a)(22), Senate §101(b)(17).—House recedes with an amendment.

101(a)(26) Townsends Inlet to Cape May Inlet, New Jersey. House §101(a)(23), Senate §101(a)(20).—House recedes with an amendment.

101(a)(27) Guanajibo River, Puerto Rico. House §101(a)(24). No comparable Senate section.—Senate recedes.

101(a)(28) Rio Grande de Manati, Barceloneta, Puerto Rico. House §101(a)(25). No comparable Senate section.—Senate recedes.

101(a)(29) Rio Nigua at Salinas, Puerto Rico. House §101(a)(26). No comparable Senate section.—Senate recedes.

101(a)(30) Salt Creek, Graham, Texas. House §101(a)(27), Senate §101(a)(22).—Senate recedes.

101(b) Projects subject to report

The conference report includes project authorizations for which the Chief of Engineers has not yet completed a final report, but for which such reports are anticipated by December 31, 1999. These projects have been included in order to assure that projects anticipated to satisfy the necessary technical documentation by December 31, 1999 are not delayed in each case that the final reports can be completed by the end of 1999.

101(b)(1) Heritage Harbor, Wrangell, Alaska. No comparable House or Senate section.

101(b)(2) Arroyo Pasajero, California. House §518(1), Senate §101(b)(3).—House recedes.

The conferees understand that there may be potentially significant impacts on endangered species and state ecological reserve lands. Consequently, the conferees believe that a full range of reasonable alternatives should be considered.

101(b)(3) Hamilton Airfield, California. House §101(b)(3), Senate §101(b)(4).—House recedes.

In the Water Resources Development Act of 1996, Congress provided that publicly or privately owned upland sites may be considered for dredged material disposal. The Secretary should consider developing a management plan that addresses the equitable distribution of the dredged material in the San Francisco Bay area to various upland sites in cases where dredged material from Corps of Engineers construction or maintenance dredging is available for beneficial use or other upland disposal methods. In comparing the costs and benefits of public and private disposal options, the Secretary shall consider all costs and benefits, including all publicly funded costs, to ensure that an objective and equitable comparison of private and public facilities occurs.

101(b)(4) Success Dam, Tule River Basin, California. House §518(2), Senate §101(b)(6).—House recedes with an amendment.

101(b)(5) Delaware Bay Coastline, Delaware and New Jersey: Oakwood Beach, New Jersey. House §101(b)(4), Senate §101(b)(14).—House recedes with an amendment.

101(b)(6) Delaware Bay Coastline, Delaware and New Jersey: Reeds Beach and Pierces Point, New Jersey. House §101(b)(5), Senate §101(b)(15).—Senate recedes.

101(b)(7) Little Talbot Island, Duval County, Florida. House §101(b)(6), Senate §101(b)(10).—Senate recedes.

101(b)(8) Ponce de Leon Inlet, Florida. House §101(b)(7), Senate §101(b)(11).—Senate recedes.

101(b)(9) Savannah Harbor Expansion, Georgia. House §101(b)(8), Senate §101(b)(12).—Senate recedes.

101(b)(10) Des Plaines River, Illinois. House §101(b)(9). No comparable Senate section.—Senate recedes with an amendment.

101(b)(11) Reelfoot Lake, Kentucky and Tennessee. No comparable House or Senate section.

101(b)(12) Brigantine Inlet to Great Egg Harbor, Brigantine Island, New Jersey. House

§101(b)(10), Senate §101(b)(18).—Senate recedes with an amendment.

101(b)(13) Columbia River Channel, Oregon and Washington. House §101(b)(11), Senate §101(b)(19).—Senate recedes.

101(b)(14) Johnson Creek, Arlington, Texas. House §101(b)(12), Senate §101(b)(21).—Senate recedes.

101(b)(15) Howard Hanson Dam, Washington. House §101(b)(13), Senate §101(b)(22).—House recedes.

The managers recognize that the cost sharing for the Howard Hanson Dam project could appropriately be affected by the recent listing of the Puget Sound Chinook Salmon as a protected species under the Endangered Species Act. The United States Department of Commerce, National Marine Fisheries Service, has stated its intent to consult with both the Army Corps of Engineers and the City of Tacoma concerning responsibilities under the Endangered Species Act as it relates to the Howard Hanson Dam project and the City of Tacoma water diversion project. One of the purposes of the project being authorized is to develop a fish passage for downstream migration of salmon. When this consultation process is completed, the appropriate cost sharing allocation for the project may be different from that stated in the report of the Chief of Engineers. Therefore, it is the understanding of the managers that the Secretary, after consultation with the Secretary of Commerce, will, if appropriate, revise the allocation of cost sharing found in the final report of the Chief of Engineers to reflect the responsibilities under the Endangered Species Act for the protection of the threatened Puget Sound Chinook Salmon.

SEC. 102. SMALL FLOOD CONTROL PROJECTS

102(a)(1) Eyak River, Cordova, Alaska. Senate §322. No comparable House section.—House recedes.

102(a)(2) Salcha River and Piledriver Slough, Fairbanks, Alaska. Senate §321. No comparable House section.—House recedes.

102(a)(3) Lancaster, California. House §102(a)(1). No comparable Senate Section.—Senate recedes.

102(a)(4) Magpie Creek. California. No comparable House or Senate section.

102(a)(5) Gateway Triangle Area, Collier County, Florida. House §102(a)(2), Senate §104(1).—Senate recedes.

102(a)(6) Plant City, Florida. House §102(a)(3), Senate §104(m).—Senate recedes.

102(a)(7) Stone Island, Lake Monroe, Florida. House §102(a)(4). No comparable Senate section.—Senate recedes.

102(a)(8) Ohio River, Illinois. House §102(a)(5). No comparable Senate section.—Senate recedes.

102(a)(9) Hamilton Dam, Michigan. Senate §327. No comparable House section.—House recedes.

102(a)(10) Repaupo Creek, New Jersey. House §102(a)(6), Senate §303(2).—Senate recedes with an amendment.

102(a)(11) Irondequoit Creek, New York. Senate §303(3). No comparable House section.—House recedes.

102(a)(12) Owasco Lake Seawall, New York. House §102(7). No comparable Senate section.—Senate recedes.

102(a)(13) Port Clinton, Ohio. House §102(a)(8). No comparable Senate section.—Senate recedes.

102(a)(14) Abington Township, Pennsylvania. House §102(a)(10). No comparable Senate section.—Senate recedes.

102(a)(15) Port Indian, West Norriton Township, Montgomery County, Pennsylvania. House §102(a)(11). No comparable Senate section.—Senate recedes.

102(a)(16) Port Providence, Upper Providence Township, Pennsylvania. House

§102(a)(12). No comparable Senate section.—Senate recedes.

102(a)(17) Springfield Township, Montgomery County, Pennsylvania. House

§102(a)(13). No comparable Senate section.—Senate recedes.

102(a)(18) Tawney Run Creek, Pennsylvania. No comparable House or Senate section.

102(a)(19) Wissahickon Watershed, Pennsylvania. No comparable House or Senate section.

102(a)(20) Tioga County, Pennsylvania. Senate §303(3). No comparable House section.—House recedes.

102(a)(21) First Creek, Knoxville, Tennessee. House §102(a)14. No comparable Senate section.—Senate recedes.

102(a)(22) Metro Center Levee, Cumberland River, Nashville, Tennessee. House §102(a)15). No comparable Senate section.—Senate recedes.

102(b) Festus and Crystal City, Missouri. House §102(b). No comparable Senate section.—Senate recedes with an amendment.

102(b) Subsection (b) provides that the maximum Federal expenditure for the Festus and Crystal City, Missouri flood control project shall be $10,000,000 and directs the Secretary to make corresponding changes to the project cooperation agreement. Nothing in this subsection affects any applicable cost sharing requirements under the Water Resources Development Act of 1986.

SEC. 103. SMALL BANK STABILIZATION PROJECTS

103(a)(1) Arctic Ocean, Barrow, Alaska. Senate §305(a). No comparable House section.—House recedes.

103(a)(2) Saint Joseph River Indiana. House §103(1). No comparable Senate section.—Senate recedes.

103(a)(3) Saginaw River, Bay City, Michigan. House §103(2), Senate §305(b).—Senate recedes.

103(a)(4) Big Timber Creek, New Jersey. House §103(3). No comparable Senate section.—Senate recedes.

103(a)(5) Lake Shore Road, Athol Springs, New York. House §103(4). No comparable Senate section.—Senate recedes.

103(a)(6) Marist College, Poughkeepsie, New York. House §101(5). No comparable Senate section.—Senate recedes.

103(a)(7) Monroe County, Ohio. House §103(6). No comparable Senate section.—Senate recedes.

103(a)(8) Green Valley, West Virginia. House §103(7). No comparable Senate section - Senate recedes.

103(b) Yellowstone River, Billings, Montana. Senate §305(c). No comparable House section.—House recedes.

SEC. 104. SMALL NAVIGATION PROJECTS

104(1) Grand Marais, Arkansas. House §104(1). No comparable Senate section.—Senate recedes.

104(2) Fields Landing Channel, Humboldt Harbor, California. House §104(2), Senate §104(e).—Senate recedes.

104(3) San Mateo (Pillar Point Harbor), California. House §104(3). No comparable Senate section.—Senate recedes.

104(4) Agana Marina, Guam. House §104(4), Senate §104(yy).—Senate recedes.

104(5) Agat Marina, Guam. House §104(5), Senate §104(vv).—Senate recedes.

104(6) Apra Harbor Fuel Piers, Guam. House §104(6), Senate §104(xx).—Senate recedes.

104(7) Apra Harbor Pier F-6, Guam. House §104(7). No comparable Senate section.—Senate recedes.

104(8) Apra Harbor Seawall, Guam. House §104(8), Senate §104(ww).—Senate recedes.

104(9) Guam Harbor, Guam. House §104(9). No comparable Senate section.—Senate recedes.

104(10) Illinois River Near Chautauqua Park, Illinois. House §104(10). No comparable Senate section.—Senate recedes.

104(11) Whiting Shoreline Waterfront, Whiting, Indiana. House §104(11). No comparable Senate section.—Senate recedes.

104(12) Union River, Ellsworth, Maine. House §104(13). No comparable Senate section.—Senate recedes.

104(13) Naraguagus River, Machias, Maine. House §104(12). No comparable Senate section.—Senate recedes.

104(14) Detroit Waterfront, Michigan. House §104(14). No comparable Senate section.—Senate recedes.

104(15) Fortescue Inlet, Delaware Bay, New Jersey. House §104(15), Senate §304(9).—Senate recedes.

104(16) Braddock Bay, Greece, New York. Senate §304(10). No comparable House section.—House recedes.

104(17) Buffalo and LaSalle Park, New York. House §104(16). No comparable Senate section.—Senate recedes.

104(18) Sturgeon Point, New York. House §104(17). No comparable Senate section.—Senate recedes.

104(19) Fairpoint Harbor, Ohio. House §104(18). No comparable Senate section.—Senate recedes.

SEC. 105. SMALL PROJECTS FOR IMPROVEMENT OF THE ENVIRONMENT

House §105(a). No comparable Senate section.—Senate recedes.

105(b) Pine Flat Dam, Kings River, California. House §105(b), Senate §332.—House recedes.

SEC. 106. SMALL AQUATIC ECOSYSTEM RESTORATION PROJECTS

106(1) Contra Costa County, Bay Delta, California. House §106(1). No comparable Senate section.—Senate recedes.

106(2) Indian River, Florida. House §106(2). No comparable Senate section.—Senate recedes.

106(3) Little Wekiva River, Florida. House §106(3). No comparable Senate section.—Senate recedes.

106(4) Cook County, Illinois. House §106(4). No comparable Senate section.—Senate recedes.

106(5) Grand Batture Island, Mississippi. House §106(5). No comparable Senate section.—Senate recedes.

106(6) Hancock, Harrison, and Jackson Counties, Mississippi. House §106(6). No comparable Senate section.—Senate recedes.

106(7) Mississippi River and River Des Peres, St. Louis, Missouri. House §106(7), Senate §201(e)(3).—Senate recedes.

106(8) Hudson River, New York. House §106(8). No comparable Senate section.—Senate recedes.

106(9) Oneida Lake, New York. House §106(9). No comparable Senate section.—Senate recedes.

106(10) Otsego Lake, New York. House §106(10). No comparable Senate section.—Senate recedes.

106(11) North Fork of Yellow Creek, Ohio. House §106(11). No comparable Senate section.—Senate recedes.

106(12) Wheeling Creek Watershed, Ohio. House §106(12). No comparable Senate section.—Senate recedes.

106(13) Springfield Millrace, Oregon. House §106(13), Senate §306.—Senate recedes.

106(14) Upper Amazon Creek, Oregon. House §106(14). No comparable Senate section.—Senate recedes.

106(15) Lake Ontelaunee Reservoir, Berks County, Pennsylvania. House §106(15). No comparable Senate section.—Senate recedes.

106(16) Blackstone River Basin, Rhode Island and Massachusetts. House §106(16). No comparable Senate section.—Senate recedes.

TITLE II—GENERAL PROVISIONS

SEC. 201. SMALL FLOOD CONTROL AUTHORITY.

House §201, Senate §203.—House recedes.

SEC. 202. USE OF NON-FEDERAL FUNDS FOR COMPILING AND DISSEMINATING INFORMATION ON FLOODS AND FLOOD DAMAGES

House §202, Senate §204.—House recedes.

SEC. 203. CONTRIBUTIONS BY STATES AND POLITICAL SUBDIVISIONS

House §203, Senate §207.—House recedes.

SEC. 204. SEDIMENT DECONTAMINATION TECHNOLOGY

House §204, Senate §218.—Senate recedes.

SEC. 205. CONTROL OF AQUATIC PLANTS

House §205, Senate §214.—Senate recedes with an amendment.

SEC. 206. USE OF CONTINUING CONTRACTS REQUIRED FOR CONSTRUCTION OF CERTAIN PROJECTS

House §206. No comparable Senate section.—Senate recedes with an amendment.

SEC. 207. WATER RESOURCES DEVELOPMENT STUDIES FOR THE PACIFIC REGION

House §208, Senate §209.—Senate recedes.

SEC. 208. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION

House §209, Senate §331, Senate §102(k) and Senate §309.—Senate recedes to the House with an amendment to subsections (a) and (b) and a new subsection (d).

SEC. 209. BENEFICIAL USES OF DREDGED MATERIAL

House §210, Senate §206.—Senate recedes with an amendment.

SEC. 210. AQUATIC ECOSYSTEM RESTORATION

House §212, Senate §205.—Senate recedes with an amendment.

SEC. 211. WATERSHED MANAGEMENT, RESTORATION, AND DEVELOPMENT

House §213, Senate §216.—House recedes with amendments at subsections (1) and (3).

Under this section, the managers support providing technical assistance to the non-Federal interests in the communities of Springfield and Decatur, Illinois in the Illinois River Watershed for the purpose of identifying high nitrate levels in water supplies and assisting with methods for reducing such levels.

SEC. 212. FLOOD MITIGATION AND RIVERINE RESTORATION PILOT PROGRAM

House §214, Senate §201.—Senate recedes to the House with amendments at subsections (b)(e)(g) and (h).

SEC. 213. SHORE MANAGEMENT PROGRAM

House §215. No comparable Senate section.—Senate recedes with an amendment.

SEC. 214. SHORE DAMAGE PREVENTION OR MITIGATION

House §217, Senate §228.—House recedes with amendment.

SEC. 215. SHORE PROTECTION

House §218(a), Senate §202.—House recedes with an amendment.

House §218(b), Senate §211(a).—Senate recedes.

Senate §211(b). No comparable House section.—House recedes.

House §218(c). No comparable Senate section.—Senate recedes with an amendment.

House §218(d). No comparable Senate section.—Senate recedes.

SEC. 216. FLOOD PREVENTION COORDINATION

House §219. No comparable Senate section.—Senate recedes.

SEC. 217. DISPOSAL OF DREDGED MATERIAL ON BEACHES

Senate §219. No comparable House section.—House recedes with an amendment.

SEC. 218. ANNUAL PASSES FOR RECREATION

House §220. No comparable Senate section.—Senate recedes.

SEC. 219. NONSTRUCTURAL FLOOD CONTROL PROJECTS

House §222, Senate §213.—Senate recedes.

SEC. 220. LAKES PROGRAM

House §223, Senate §217.—Senate recedes with an amendment.

SEC. 221. ENHANCEMENT OF FISH AND WILDLIFE RESOURCES

House §225, Senate §220.—Senate recedes.

SEC. 222. PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS

House §226. No comparable Senate section.—Senate recedes.

SEC. 223. CONSTRUCTION OF FLOOD CONTROL PROJECTS BY NON-FEDERAL INTEREST

House §224, Senate §221.—Senate recedes with amendments.

SEC. 224. ENVIRONMENTAL DREDGING

House §228, Senate §212.—Senate recedes with an amendment.

SEC. 225. RECREATIONAL USER FEES

Senate §208. No comparable House section.—House recedes.

SEC. 226. SMALL STORM DAMAGE REDUCTION PROJECTS

Senate §227. No comparable House section.—House recedes.

SEC. 227. USE OF PRIVATE ENTERPRISES

Senate §232. No comparable House section.—House recedes with an amendment.

TITLE III—PROJECT RELATED PROVISIONS

SEC. 301. TENNESSEE-TOMBIGBEE WATERWAY WILDLIFE MITIGATION, ALABAMA AND MISSISSIPPI

No comparable House or Senate section.

SEC. 302. OUZINKIE HARBOR, ALASKA

House §302. No comparable Senate section.—Senate recedes to House with an amendment.

SEC. 303. ST. PAUL HARBOR, ST. PAUL, ALASKA

No comparable House or Senate section.

SEC. 304. LOGGY BAYOU, RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, OKLAHOMA, AND TEXAS

House §305. No comparable Senate section.—Senate recedes to House with an amendment.

SEC. 305. SACRAMENTO RIVER, GLENN-COLUSA, CALIFORNIA

House §306. No comparable Senate section.—Senate recedes with an amendment.

SEC. 306. SAN LORENZO RIVER, CALIFORNIA

House §307, Senate §102(a)(1).—House recedes with an amendment.

SEC. 307. TERMINUS DAM, KAWEAH RIVER, CALIFORNIA

House §308. No comparable Senate section.—Senate recedes with an amendment.

SEC. 308. DELAWARE RIVER, MAINSTEM AND CHANNEL DEEPENING, DELAWARE, NEW JERSEY, AND PENNSYLVANIA

House §309. No comparable Senate section.—Senate recedes.

SEC. 309. POTOMAC RIVER, WASHINGTON, DISTRICT OF COLUMBIA

House §310. No comparable Senate section.—Senate recedes with an amendment.

SEC. 310. BREVARD COUNTY, FLORIDA

House §311. No comparable Senate section.—Senate recedes with an amendment.

SEC. 311. BROWARD COUNTY AND HILLSBORO INLET, FLORIDA

House §312. No comparable Senate section.—Senate recedes.

SEC. 312. LEE COUNTY, CAPTIVA ISLAND SEGMENT, FLORIDA, PERIODIC BEACH NOURISHMENT

House §227(a), Senate §102(u).—House recedes.

SEC. 313. FORT PIERCE, FLORIDA

House §313, Senate §102(b)(1).—Senate recedes with an amendment.

SEC. 314. NASSAU COUNTY, FLORIDA

House §314. No comparable Senate section.—Senate recedes with an amendment.

SEC. 315. MIAMI HARBOR CHANNEL, FLORIDA

House §315. No comparable Senate section.—Senate recedes with an amendment.

SEC. 316. ST. AUGUSTINE, FLORIDA

House §363(d), Senate §102(a)(2).—Senate recedes.

SEC. 317. MILO CREEK, IDAHO

No comparable House or Senate section.

SEC. 318. LAKE MICHIGAN, ILLINOIS

House §316, Senate §102(l).—House recedes.

SEC. 319. SPRINGFIELD, ILLINOIS

House §317. No comparable Senate section.—Senate recedes.

SEC. 320. OGDEN DUNES, INDIANA

House §319. No comparable Senate section.—Senate recedes with an amendment.

SEC. 321. SAINT JOSEPH RIVER, SOUTH BEND, INDIANA

House §320. No comparable Senate section.—Senate recedes.

SEC. 322. WHITE RIVER, INDIANA

House §321, Senate §102(s).—House recedes.

SEC. 323. DUBUQUE, IOWA

Senate §102(n). No comparable House section.—House recedes.

SEC. 324. LAKE PONTCHARTRAIN, LOUISIANA

House §322, Senate §104(y).—Senate recedes with an amendment.

SEC. 325. LAROSE TO GOLDEN MEADOW, LOUISIANA

House §323, Senate §104(w).—Senate recedes with an amendment.

SEC. 326. LOUISIANA STATE PENITENTIARY LEVEE, LOUSIANA

House §324, Senate §102(o).—House recedes.

SEC. 327. TWELVE-MILE BAYOU, CADDO PARISH, LOUISIANA

House §325, Senate §104(a).—Senate recedes with an amendment.

SEC. 328. WEST BANK OF THE MISSISSIPPI RIVER (EAST OF HARVEY CANAL) LOUISIANA

House §326. No comparable Senate section.—Senate recedes with an amendment.

SEC. 329. TOLCHESTER CHANNEL S-TURN, BALTIMORE, MARYLAND

House §327, Senate §102(d).—House recedes.

SEC. 330. SAULT SAINTE MARIE, CHIPPEWA COUNTY, MICHIGAN

House §328. No comparable Senate section.—Senate recedes.

SEC. 331. JACKSON COUNTY, MISSISSIPPI

House §329, Senate §102(p).—House recedes.

SEC. 332. BOIS BRULE DRAINAGE AND LEVEE DISTRICT, MISSOURI

House §331. No comparable Senate section.—Senate recedes.

SEC. 333. MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MISSOURI

House §332. No comparable Senate section.—Senate recedes.

SEC. 334. MISSOURI RIVER MITIGATION PROJECT, MISSOURI, KANSAS, IOWA, AND NEBRASKA

House §333. No comparable Senate section.—Senate recedes.

SEC. 335. WOOD RIVER, GRAND ISLAND, NEBRASKA

House §334, Senate §102(a)(3).—Senate recedes.

SEC. 336. ABSECON ISLAND, NEW JERSEY

House §335, Senate §102(a)(4).—Senate recedes.

SEC. 337. NEW YORK HARBOR AND ADJACENT CHANNELS, PORT JERSEY, NEW JERSEY

House §336, Senate §102(b)(4).—Senate recedes with an amendment.

SEC. 338. ARTHUR KILL, NEW YORK AND NEW JERSEY

House §339, Senate §102(a)(5).—House recedes with an amendment.

SEC. 339. KILL VAN KULL AND NEWARK BAY CHANNELS, NEW YORK AND NEW JERSEY

No comparable House or Senate section.

SEC. 340. NEW YORK CITY WATERSHED

House §340, Senate §325.—Senate recedes with an amendment.

SEC. 341. NEW YORK STATE CANAL SYSTEM

House §341. No comparable Senate section.—Senate recedes.

SEC. 342. FIRE ISLAND INLET TO MONTAUK POINT, NEW YORK

House §342. No comparable Senate section.—Senate recedes with an amendment.

SEC. 343. BROKEN BOW LAKE, RED RIVER BASIN, OKLAHOMA

House §343. No comparable Senate section.—Senate recedes.

SEC. 344. WILLAMETTE RIVER TEMPERATURE CONTROL, MCKENZIE SUBBASIN, OREGON

House §344, Senate §102(b)(5).—Senate recedes with an amendment.

SEC. 345. CURWENSVILLE LAKE, PENNSYLVANIA

House §346. No comparable Senate section.—Senate recedes with an amendment.

SEC. 346. DELAWARE RIVER, PENNSYLVANIA AND DELAWARE

House §347. No comparable Senate section.—Senate recedes with an amendment.

SEC. 347. MUSSERS DAM, PENNSYLVANIA

House §348. No comparable Senate section.—Senate recedes.

SEC. 348. PHILADELPHIA, PENNSYLVANIA

No comparable House or Senate section.

SEC. 349. NINE-MILE RUN, ALLEGHENY COUNTY, PENNSYLVANIA

House §349, Senate §316.—House recedes.

SEC. 350. RAYSTOWN LAKE, PENNSYLVANIA

House §350. No comparable Senate section.—Senate recedes with an amendment.

SEC. 351. SOUTH CENTRAL, PENNSYLVANIA

House §351. No comparable Senate section.—Senate recedes.

SEC. 352. FOXPOINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND

Senate §102(t). No comparable House section.—House recedes.

SEC. 353. COOPER RIVER, CHARLESTON HARBOR, SOUTH CAROLINA

House §352, Senate §102(f).—House recedes.

SEC. 354. CLEAR CREEK, TEXAS

House §354. No comparable Senate section.—Senate recedes with an amendment.

SEC. 355. CYPRESS CREEK, TEXAS

House §355. No comparable Senate section.—Senate recedes.

SEC. 356. DALLAS FLOODWAY EXTENSION, DALLAS, TEXAS

House §356, Senate §102(g).—Senate recedes.

SEC. 357. UPPER JORDAN RIVER, UTAH

House §357. No comparable Senate section.—Senate recedes with an amendment.

SEC. 358. ELIZABETH RIVER, CHESAPEAKE, VIRGINIA

House §358, Senate §102(i).—House recedes.

SEC. 359. COLUMBIA RIVER CHANNEL, WASHINGTON AND OREGON

Senate §102(v). No comparable House section.—House recedes.

SEC. 360. GREENBRIER BASIN, WEST VIRGINIA

House §360. No comparable Senate section.—Senate recedes with an amendment.

SEC. 361. BLUESTONE LAKE, OHIO RIVER BASIN, WEST VIRGINIA

House §359. No comparable Senate section.—Senate recedes.

SEC. 362. MOOREFIELD, WEST VIRGINIA

House §361, Senate §102(j).—Senate recedes.

SEC. 363. WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL

House §362. No comparable Senate section.—Senate recedes.

SEC. 364. PROJECT REAUTHORIZATIONS

House §363(b), (c), (e), (f), (g) and (h), Senate §101(a)(12), (13), (21) and (b)(20).—Senate recedes with an amendment.

SEC. 365. PROJECT DEAUTHORIZATIONS

House §364(a)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (b), (c), Senate §103(a), (b), (c), (d), (e), (f), and 102(b)(3).—Senate recedes with an amendment.

SEC. 366. AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA

House §365. No comparable Senate section.—Senate recedes.

SEC. 367. MARTIN, KENTUCKY

House §366. No comparable Senate section.—Senate recedes.

SEC. 368. SOUTHERN WEST VIRGINIA PILOT PROGRAM

House §367. No comparable Senate section.—Senate recedes.

SEC. 369. BLACK WARRIOR AND TOMBIGBEE RIVERS, JACKSON, ALABAMA

House §368. No comparable Senate section.—Senate recedes with an amendment.

SEC. 370. TROPICANA WASH AND FLAMINGO WASH, NEVADA

House §369, Senate §102(e).—House recedes.

SEC. 371. COMITE RIVER, LOUISIANA

House §370. No comparable Senate section.—Senate recedes.

SEC. 372. ST. MARYS RIVER, MICHIGAN

House §371. No comparable Senate section.—Senate recedes.

SEC. 373. CHARLEVOIX, MICHIGAN

House §372, Senate §326.—House recedes.

SEC. 374. WHITE RIVER BASIN, ARKANSAS AND MISSOURI

Senate §104(d). No comparable House section.—House recedes with an amendment.

SEC. 375. WAURIKA LAKE, OKLAHOMA, WATER CONVEYANCE FACILITIES

House §555, Senate §102(a)(6).—Senate recedes with an amendment.

TITLE IV—STUDIES

SEC. 401. DEEP DRAFT HARBOR COST SHARING

House §211. No comparable Senate section.—House recedes with an amendment.

SEC. 402. BOYDSVILLE, ARKANSAS

Senate §104(b). No comparable House section.—House recedes.

SEC. 403. GREERS FERRY LAKE, ARKANSAS

House §303. No comparable Senate section.—Senate recedes with an amendment.

SEC. 404. DEL NORTE COUNTY, CALIFORNIA

House §428. No comparable Senate section.—Senate recedes.

SEC. 405. FRAZIER CREEK, TULARE COUNTY, CALIFORNIA

Senate §104(f). No comparable House section.—House recedes.

SEC. 406. MARE ISLAND STRAIT, CALIFORNIA

No comparable House or Senate section.

SEC. 407. STRAWBERRY CREEK, BERKELEY, CALIFORNIA

Senate §104(g). No comparable House section.—House recedes.

SEC. 408. SWEETWATER RESERVOIR, SAN DIEGO COUNTY, CALIFORNIA

House §404. No comparable Senate section.—Senate recedes.

SEC. 409. WHITEWATER RIVER BASIN, CALIFORNIA

House §405. No comparable Senate section.—Senate recedes with an amendment.

SEC. 410. DESTIN-NORIEGA POINT, FLORIDA

Senate §104(k). No comparable House section.—House recedes.

SEC. 411. LITTLE ECONLACKHATCHEE RIVER BASIN, FLORIDA

House §406. No comparable Senate section.—Senate recedes.

SEC. 412. PORT EVERGLADES INLET, FLORIDA

House §407, Senate §104(j).—Senate recedes with an amendment.

SEC. 413. LAKE ALLATOONA, ETOWAH RIVER, AND LITTLE RIVER WATERSHED, GEORGIA

House §533. No comparable Senate section.—Senate recedes with an amendment.

SEC. 414. BOISE, IDAHO

Senate §104(n). No comparable House section.—House recedes.

SEC. 415. GOOSE CREEK WATERSHED, OAKLEY, IDAHO

Senate §104(o). No comparable House section.—House recedes.

SEC. 416. LITTLE WOOD RIVER, GOODLING, IDAHO

Senate §104(p). No comparable House section.—House recedes.

SEC. 417. SNAKE RIVER, LEWISTON, IDAHO

Senate §104(q). No comparable House section.—House recedes.

SEC. 418. SNAKE RIVER AND PAYETTE RIVER, IDAHO

Senate §104(r). No comparable House Section.—House recedes.

SEC. 419. UPPER DES PLAINES RIVER AND TRIBUTARIES, ILLINOIS AND WISCONSIN

House §408. No comparable Senate section.—Senate recedes with an amendment.

SEC. 420. CAMERON PARISH WEST OF CALCASIEU RIVER, LOUISIANA

House §409, Senate §104(t).—House recedes.

SEC. 421. COASTAL LOUISIANA

Senate §104(u). No comparable House section.—House recedes with an amendment.

SEC. 422. GRAND ISLE AND VICINITY, LOUISIANA

House §410. No comparable Senate section.—Senate recedes.

SEC. 423. GULF INTRACOASTAL WATERWAY ECOSYSTEM, CHEF MENTEUR TO SABINE RIVER, LOUISIANA

Senate §104(x). No comparable House section.—House recedes.

SEC. 424. MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS

Senate §104(aa). No comparable House section Section recedes with an amendment.

SEC. 425. WESTPORT, MASSACHUSETTS

House §412. No comparable Senate section.—Senate recedes with an amendment.

SEC. 426. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN

House §429. No comparable Senate section.—Senate recedes.

SEC. 427. ST. CLAIR SHORES, MICHIGAN

Senate §104(cc). No comparable House section.—House recedes.

SEC. 428. WOODTICK PENINSULA, MICHIGAN, AND TOLEDO HARBOR, OHIO

Senate §104(dd). No comparable House section.—House recedes.

SEC. 429. PASCAGOULA HARBOR, MISSISSIPPI

Senate §104(ee). No comparable House section.—House recedes.

SEC. 430. TUNICA LAKE, WEIR, MISSISSIPPI

House §330, Senate §104(ff).—House recedes.

SEC. 431. YELLOWSTONE RIVER, MONTANA

Senate §104(hh). No comparable House section.—House recedes.

SEC. 432. LAS VEGAS VALLEY, NEVADA

Senate §104(ii). No comparable House section.—House recedes with an amendment.

SEC. 433. SOUTHWEST VALLEY, ALBUQUERQUE, NEW MEXICO

House §413. No comparable Senate section.—Senate recedes.

SEC. 434. CAYUGA CREEK, NEW YORK

House §414. No comparable Senate section.—Senate recedes.

SEC. 435. LAKE CHAMPLAIN, NEW YORK AND VERMONT

No comparable House or Senate section.

SEC. 436. OSWEGO RIVER BASIN, NEW YORK

Senate §104(jj). No comparable House section.—House recedes.

SEC. 437. WHITE OAK RIVER, NORTH CAROLINA

House §552. No comparable House or Senate section.—Senate recedes with an amendment.

SEC. 438. ARCOLA CREEK WATERSHED, MADISON, OHIO

House §415. No comparable Senate section.—Senate recedes.

SEC. 439. CLEVELAND HARBOR, CLEVELAND, OHIO

Senate §104(ll). No comparable House section.—House recedes.

SEC. 440. TOUSSAINT RIVER, CARROLL TOWNSHIP, OHIO

House §553, Senate §104(nn).—House recedes.

SEC. 441. WESTERN LAKE ERIE BASIN, OHIO, INDIANA, AND MICHIGAN

House §416, Senate §225.—Senate recedes.

SEC. 442. SCHUYLKILL RIVER, NORRISTOWN, PENNSYLVANIA

House §417. No comparable Senate section.—Senate recedes with an amendment.

SEC. 443. SOUTH CAROLINA COASTAL AREAS

Senate §104(rr). No comparable House section.—House recedes.

SEC. 444. SANTEE DELTA FOCUS AREA, SOUTH CAROLINA

House §427, Senate §104(oo).—House recedes.

SEC. 445. WACCAMAW RIVER, SOUTH CAROLINA

Senate §104(pp). No comparable House section.—House recedes.

SEC. 446. DAY COUNTY, SOUTH DAKOTA

House §419. No comparable Senate section.—Senate recedes.

SEC. 447. NIOBRARA RIVER AND MISSOURI RIVER, SOUTH DAKOTA

Senate §104(ss). No comparable House section.—House recedes.

SEC. 448. CORPUS CHRISTI, TEXAS

House §420. No comparable Senate section.—Senate recedes.

SEC. 449. MITCHELL'S CUT CHANNEL (CANEY FORK CUT), TEXAS

House §421. No comparable Senate section.—Senate recedes.

SEC. 450. MOUTH OF THE COLORADO RIVER, TEXAS

House §422. No comparable Senate section.—Senate recedes.

SEC. 451. SANTA CLARA RIVER, UTAH

Senate §104(tt). No comparable House section.—House recedes.

SEC. 452. MOUNT ST. HELENS, WASHINGTON

Senate §104(uu). No comparable House section.—House recedes.

SEC. 453. KANAWHA RIVER, FAYETTE COUNTY, WEST VIRGINIA

House §423. No comparable Senate section.—Senate recedes.

SEC. 454. WEST VIRGINIA PORTS

House §424. No comparable Senate section.—Senate recedes.

SEC. 455. JOHN GLENN GREAT LAKES BASIN PROGRAM

House §425, Senate §223.—House recedes with an amendment.

SEC. 456. GREAT LAKES NAVIGATIONAL SYSTEM

Senate §104(aaa). No comparable House section.—House recedes.

SEC. 457. NUTRIENT LOADING RESULTING FROM DREDGED MATERIAL DISPOSAL

House §426. No comparable Senate section.—Senate recedes.

SEC. 458. UPPER MISSISSIPPI AND ILLINOIS RIVERS LEVEES AND STREAMBANKS PROTECTION

House §401. No comparable Senate section.—Senate recedes.–

SEC. 459. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN

House §402, Senate §338.—House recedes with an amendment.

SEC. 460. SUSQUEHANNA RIVER AND UPPER CHESAPEAKE BAY

No comparable House or Senate section.

TITLE V—MISCELLANEOUS

SEC. 501. CORPS ASSUMPTION OF NRCS PROJECTS

501(a) Llagas Creek, California. House §501(a), Senate §101(a)(5).—Senate recedes.

501(b) Thornton Reservoir, Cook County, Illinois. House §501(b), Senate §102(b)(2).—House recedes.

SEC. 502. ENVIRONMENTAL INFRASTRUCTURE

House §502 and §517. No comparable Senate section.—Senate recedes with an amendment.

SEC. 503. CONTAMINATED SEDIMENT DREDGING TECHNOLOGY

House §503, Senate §230.—Senate recedes with an amendment.

SEC. 504. DAM SAFETY

House §504. No comparable Senate section.—Senate recedes with an amendment.

SEC. 505. GREAT LAKES REMEDIAL ACTION PLANS

House §505. No comparable Senate section.—Senate recedes.

SEC. 506. PROJECTS FOR THE IMPROVEMENT OF THE ENVIRONMENT

House §506, Senate §224.—House recedes.

SEC. 507. MAINTENANCE OF NAVIGATION CHANNELS

House §507, Senate §104(s) and §104(v).—Senate recedes with an amendment.

SEC. 508. MEASUREMENT OF LAKE MICHIGAN DIVERSIONS

House §508, Senate §102(m).—House recedes.

SEC. 509. UPPER MISSISSIPPI RIVER ENVIRONMENTAL MANAGEMENT PROGRAM

House §509, Senate §314.—House recedes with an amendment.

SEC. 510. ATLANTIC COAST OF NEW YORK MONITORING

House §510, Senate §229.—House recedes.

SEC. 511. WATER CONTROL MANAGEMENT

House §511. No comparable Senate section.—Senate recedes.

SEC. 512. BENEFICIAL USE OF DREDGED MATERIAL

House §512. No comparable Senate section.—Senate recedes.

SEC. 513. DESIGN AND CONSTRUCTION ASSISTANCE

House §513. No comparable Senate section.—Senate recedes.

SEC. 514. MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJECT

House §514, Senate §210.—House recedes.

SEC. 515. IRRIGATION DIVERSION PROTECTION AND FISHERIES ENHANCEMENT ASSISTANCE

House §515, Senate §226.—House recedes with an amendment.

SEC. 516. INNOVATIVE TECHNOLOGIES FOR WATERSHED RESTORATION

House §516. No comparable Senate section.—Senate recedes with an amendment.

SEC. 517. EXPEDITED CONSIDERATION OF CERTAIN PROJECTS.

House §318, §518 and §574, Senate §307 and §313.—Senate recedes with an amendment.

SEC. 518. DOG RIVER, ALABAMA

House §519. No comparable Senate section.—Senate recedes with an amendment.

SEC. 519. LEVEES IN ELBA AND GENEVA, ALABAMA

House §520 and 521, Senate §333.—House recedes.

SEC. 520. NAVAJO RESERVATION, ARIZONA, NEW MEXICO, AND UTAH

House §522. No comparable Senate section.—Senate recedes.

SEC. 521. BEAVER LAKE, ARKANSAS

House §524, Senate §102(c).—House recedes.

SEC. 522. BEAVER LAKE TROUT PRODUCTION FACILITY, ARKANSAS

House §525. No comparable Senate section.—Senate recedes with an amendment.

SEC. 523. CHINO DAIRY PRESERVE, CALIFORNIA

House §526. No comparable Senate section.—Senate recedes with an amendment.

SEC. 524. ORANGE AND SAN DIEGO COUNTIES, CALIFORNIA

House §528. No comparable Senate section.—Senate recedes with an amendment.

SEC. 525. RUSH CREEK, NOVATO, CALIFORNIA

House §527. No comparable Senate section.—Senate recedes with an amendment.

SEC. 526. SANTA CRUZ HARBOR, CALIFORNIA

House §530. No comparable Senate section.—Senate recedes with an amendment.

SEC. 527. LOWER ST. JOHNS RIVER BASIN, FLORIDA

House §532. No comparable Senate section.—Senate recedes.

SEC. 528. MAYO'S BAR LOCK AND DAM, COOSA RIVER, ROME, GEORGIA

House §534. No comparable Senate section.—Senate recedes.

SEC. 529. COMPREHENSIVE FLOOD IMPACT RESPONSE MODELING SYSTEM, CORALVILLE RESERVOIR AND IOWA RIVER WATERSHED, IOWA

House §535, Senate §318.—House recedes with an amendment.

SEC. 530. ADDITIONAL CONSTRUCTION ASSISTANCE IN ILLINOIS

House §536. No comparable Senate section.—Senate recedes.

SEC. 531. KANOPOLIS LAKE, KANSAS

House §537, Senate §324.—House recedes with an amendment.

SEC. 532. SOUTHERN AND EASTERN KENTUCKY

House §538. No comparable Senate section.—Senate recedes with an amendment.

SEC. 533. SOUTHEAST LOUISIANA

House §539. No comparable Senate section.—Senate recedes with an amendment.

Because the Corps of Engineers has entered into project cooperation agreements (PCA's) with respect to the projects identified in the Southeast Louisiana Project Technical Reports, dated April 1996, May 1996, and May 1996, the conferees understand that these projects meet the requirements of section 533(d) of WRDA 1996. This determination could only be modified by a subsequent determination made by the Chief of Engineers at his sole discretion.

SEC. 534. SNUG HARBOR, MARYLAND

House §540. No comparable Senate section.—Senate recedes.

SEC. 535. WELCH POINT, ELK RIVER, CECIL COUNTY, AND CHESAPEAKE CITY, MARYLAND

House §541. No comparable Senate section.—Senate recedes.

SEC. 536. CAPE COD CANAL RAILROAD BRIDGE, BUZZARDS BAY, MASSACHUSETTS

House §544. No comparable Senate section.—Senate recedes.

SEC. 537. ST. LOUIS, MISSOURI

House §545. No comparable Senate section.—Senate recedes.

SEC. 538. BEAVER BRANCH OF BIG TIMBER CREEK, NEW JERSEY

House §546. No comparable Senate section.—Senate recedes.

SEC. 539. LAKE ONTARIO AND ST. LAWRENCE RIVER WATER LEVELS, NEW YORK

House §547. No comparable Senate section.—Senate recedes with an amendment.

SEC. 540. NEW YORK-NEW JERSEY HARBOR, NEW YORK AND NEW JERSEY

House §548. No comparable Senate section.—Senate recedes with an amendment.

SEC. 541. SEA GATE REACH, CONEY ISLAND, NEW YORK, NEW YORK

House §549. No comparable Senate section.—Senate recedes.

SEC. 542. WOODLAWN, NEW YORK

House §550. No comparable Senate section.—Senate recedes.

SEC. 543. FLOODPLAIN MAPPING, NEW YORK

House §551. No comparable Senate section.—Senate recedes with an amendment.

SEC. 544. TOUSSAINT RIVER, CARROLL TOWNSHIP, OTTAWA COUNTY, OHIO

House §553, Senate §104(nn).—Senate recedes.

SEC. 545. SARDIS RESERVOIR, OKLAHOMA

House §554, Senate §312.—Senate recedes.

The conferees understand the State of Oklahoma may use a portion of the savings from the buy-out to reduce the loan necessary to build a water distribution system for the surrounding area residents. The conferees also understand that the Sardis Lake Authority, the Choctaw Nation of Oklahoma, and the State of Oklahoma may form an entity to benefit equally from the sale of surplus water from the appropriate agreed upon lake level of Sardis Lake.

SEC. 546. SKINNER BUTTE PARK, EUGENE, OREGON

House §556. No comparable Senate section.—Senate recedes with an amendment.

SEC. 547. WILLAMETTE RIVER BASIN, OREGON

House §557, Senate §201(e)(7).—Senate recedes with an amendment.

SEC. 548. BRADFORD AND SULLIVAN COUNTIES, PENNSYLVANIA

House §558. No comparable Senate section.—Senate recedes.

SEC. 549. ERIE HARBOR, PENNSYLVANIA

House §559. No comparable Senate section.—Senate recedes.

SEC. 550. POINT MARION LOCK AND DAM, PENNSYLVANIA

House §560, Senate §305(d).—Senate recedes.

SEC. 551. SEVEN POINTS' HARBOR, PENNSYLVANIA

House §561. No comparable Senate section.—Senate recedes with an amendment.

SEC. 552. SOUTHEASTERN PENNSYLVANIA

House §562. No comparable Senate section.—Senate recedes.

SEC. 553. UPPER SUSQUEHANNA-LACKAWANNA, PENNSYLVANIA, WATERSHED MANAGEMENT AND RESTORATION STUDY

House §563, Senate §104(qq).—House recedes.

SEC. 554. AGUADILLA HARBOR, PUERTO RICO

House §564. No comparable Senate section.—Senate recedes.

SEC. 555. OAHE DAM TO LAKE SHARPE, SOUTH DAKOTA, STUDY

House §565. No comparable Senate section.—Senate recedes.

SEC. 556. NORTH PADRE ISLAND STORM DRAINAGE REDUCTION AND ENVIRONMENTAL RESTORATION PROJECT

House §569, Senate §323.—House recedes with an amendment.

The conferees understand the authorized project is described in the Nueces County Commissioners Court report dated March 31, 1997.

SEC. 557. NORTHERN WEST VIRGINIA

House §570. No comparable Senate section.—Senate recedes with an amendment.

SEC. 558. MISSISSIPPI RIVER COMMISSION

House §572, Senate §231.—Senate recedes.

SEC. 559. COASTAL AQUATIC HABITAT MANAGEMENT

House §573. No comparable Senate section.—Senate recedes.

SEC. 560. ABANDONED AND INACTIVE NONCOAL MINE RESTORATION

House §575. No comparable Senate section.—Senate recedes.

SEC. 561. BENEFICIAL USE OF WASTE TIRE RUBBER

House §576. No comparable Senate section.—Senate recedes with an amendment.

SEC. 562. SITE DESIGNATION

House §577. No comparable Senate section.—Senate recedes with an amendment.

SEC. 563. LAND CONVEYANCES

House §578, Senate §334, §320, §102(q), §102(r), §339, §340.—Senate recedes with an amendment.

SEC. 564. MCNARY POOL, WASHINGTON

Senate §339. No comparable House section.—House recedes with an amendment.

SEC. 565. NAMINGS

House §579, Senate §308.—Senate recedes with an amendment.

SEC. 566. FOLSOM DAM AND RESERVOIR ADDITIONAL STORAGE AND WATER SUPPLY STUDIES.

House §580. No comparable Senate section.—Senate recedes.

SEC. 567. WALLOPS ISLAND, VIRGINIA

House §581. No comparable Senate section.—Senate recedes.

SEC. 568. DETROIT RIVER, DETROIT, MICHIGAN

House §582, Senate §104(bb).—Senate recedes with an amendment.

SEC. 569. NORTHEASTERN MINNESOTA

House §583. No comparable Senate section.—Senate recedes.

SEC. 570. ALASKA

House §584. No comparable Senate section.—Senate recedes.

SEC. 571. CENTRAL WEST VIRGINIA

House §585. No comparable Senate section.—Senate recedes.

SEC. 572. SACRAMENTO METROPOLITAN AREA WATERSHED RESTORATION, CALIFORNIA.

House §586. No comparable Senate section.—Senate recedes with an amendment.

SEC. 573. ONONDAGA LAKE

House §587. No comparable Senate section.—Senate recedes with an amendment.

SEC. 574. EAST LYNN LAKE, WEST VIRGINIA

House §588. No comparable Senate section.—Senate recedes.

SEC. 575. EEL RIVER, CALIFORNIA

House §589. No comparable Senate section.—Senate recedes.

SEC. 576. NORTH LITTLE ROCK, ARKANSAS

House §590. No comparable Senate section.—Senate recedes with an amendment.

SEC. 577. UPPER MISSISSIPPI RIVER, MISSISSIPPI PLACE, ST. PAUL, MINNESOTA

House §591. No comparable Senate section.—Senate recedes.

SEC. 578. DREDGING OF SALT PONDS IN THE STATE OF RHODE ISLAND.

Senate §301. No comparable House section.—House recedes.

SEC. 579. SUSQUEHANNA RIVER BASIN, PENNSYLVANIA

Senate §302. No comparable House section.—House recedes.

SEC. 580. CUMBERLAND, MARYLAND, FLOOD PROJECT MITIGATION

Senate §310. No comparable House section.—House recedes.

SEC. 581. CITY OF MIAMI BEACH, FLORIDA

Senate §311. No comparable House section.—House recedes.

SEC. 582. RESEARCH AND DEVELOPMENT PROGRAM FOR COLUMBIA AND SNAKE RIVERS SALMON SURVIVAL

Senate §315. No comparable House section.—House recedes.

SEC. 583. LARKSPUR FERRY CHANNEL, CALIFORNIA

Senate §317. No comparable House section.—House recedes.

SEC. 584. HOLES CREEK FLOOD CONTROL PROJECT, OHIO

Senate §328. No comparable House section.—House recedes.

SEC. 585. SAN JACINTO DISPOSAL AREA, GALVESTON, TEXAS

Senate §335. No comparable House section.—House recedes with an amendment.

SEC. 586. WATER MONITORING STATION

Senate §337. No comparable House section.—House recedes.

SEC. 587. OVERFLOW MANAGEMENT FACILITY, RHODE ISLAND

Senate §329. No comparable House section.—House recedes.

SEC. 588. LOWER CHENA RIVER, ALASKA

No comparable House or Senate section.

SEC. 589. NUMANA DAM FISH PASSAGE, NEVADA

No comparable House or Senate section.

SEC. 590. EMBREY DAM, VIRGINIA

No comparable House or Senate section.

SEC. 591. ENVIRONMENTAL REMEDIATION, FRONT ROYAL, VIRGINIA

No comparable House or Senate section.

SEC. 592. MISSISSIPPI

No comparable House or Senate section.

SEC. 593. CENTRAL NEW MEXICO

No comparable House or Senate section.

SEC. 594. OHIO

No comparable House or Senate section.

SEC. 595. RURAL NEVADA AND MONTANA

No comparable House or Senate section.

SEC. 596. PHOENIX, ARIZONA

No comparable House or Senate section.

SEC. 597. NATIONAL HARBOR, MARYLAND

No comparable House or Senate section.

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

Senate §401. No comparable House section.—House recedes with an amendment.

Miscellaneous

PASSAIC RIVER, NEW JERSEY

House §337. No comparable Senate section.—House recedes to Senate.

The conferees understand that the Transportation Equity Act for the 21st Century (P.L. 105–206) included funding for the design and construction of a facility for safe pedestrian access, specifically an esplanade in the vicinity of Joseph G. Minish Waterfront Park, Newark, New Jersey. The conferees understand it is the intent of the local proponents that the esplanade is to have an overall width of 600 feet. The conferees encourage the Corps of Engineers to provide appropriate technical assistance in the planning of such project to ensure its coordination with existing Corps' projects and activities along the Passaic River.

BUD SHUSTER,
DON YOUNG,
SHERWOOD BOEHLERT,
RICHARD H. BAKER,
JOHN T. DOOLITTLE,
DON SHERWOOD,
JAMES L. OBERSTAR,
ROBERT A. BORSKI,
ELLEN TAUSCHER,
BRIAN BAIRD,
Managers on the Part of the House.

JOHN H. CHAFEE,
JOHN WARNER,
BOB SMITH,
GEORGE V. VOINOVICH,
MAX BAUCUS,
DANIEL MOYNIHAN,
Managers on the Part of the Senate.

N O T I C E

Incomplete record of House proceedings. Today's House proceedings will be continued in the next issue of the Record.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, THURSDAY, AUGUST 5, 1999 No. 114

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rev. Michael Coleman, Park United Methodist Church, Hannibal, MO.

We are pleased to have you with us.

PRAYER

The guest Chaplain, Rev. Michael Coleman, offered the following prayer:

Almighty God, Your justice has shown us that the righteous observance of Your sacred law is necessary for an abiding and purposeful life. Your mercy has taught us that none stand before You in this life free of the influence of sin upon our natures. So today we call ourselves in humble obedience to this Chamber, for this session along with its purpose of caring for the welfare of Your people.

We stand here today, as a government of leaders—as well as a land of various peoples—united under Your Word. May we be inspired by Your words from II Chronicles 7:14: ''If my people which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then I will hear from heaven, and will forgive their sin, and will heal their land.''

Divine Creator, we humbly request these things, in the spirit of all that is holy, and in the power of Your creative influence. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN ASHCROFT, a Senator from the State of Missouri, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Virginia.

Mr. WARNER. Mr. President, on behalf of the Senate leader, I shall address the Senate momentarily about the calendar of events for the day, but I see my distinguished colleague from Missouri, Mr. ASHCROFT, who had the great foresight and wisdom to invite the Reverend Coleman as our guest Chaplain.

GUEST CHAPLAIN MICHAEL COLEMAN

Mr. ASHCROFT. Mr. President, I thank the Senator from Virginia. I thank in particular Rev. Mike Coleman, of Hannibal, MO, for coming to this Chamber today to call us to our highest and best. He prayed about justice and he prayed about mercy, he prayed about the components of attitude and spirit that will help us achieve that which the people have sent us to do. The real opportunity we have is to live at the maximums of our existence rather than to perform at the minimums. When we invite the presence of the Almighty as we begin these proceedings, we equip ourselves to point toward the maximums instead of to dwell on the minimums.

So as we approach this day, I thank Rev. Mike Coleman for coming from Hannibal, MO, hometown of Mark Twain. I think it was Mark Twain, the philosopher, who said there is nothing quite so embarrassing as a good example. Well, I do not think the Reverend is embarrassing to us, but he does set a good example as he calls us to our highest and best, and it is the prayer of all of us together with him that today we would serve the people with compassion and dignity and with justice and mercy.

I thank the Chair and I thank the Senator from Virginia for allowing me to make these remarks.

Mr. WARNER. Mr. President, I thank my colleague. It is a great pleasure for those of us who join in the opening of the Senate to have the Pledge of Allegiance to the flag. I have been here 21 years, and at long last this essential and I think necessary practice, which is celebrated all over America every day, particularly in the schools, and so forth, is now observed in the Senate.

The words of our guest Chaplain today were very stirring because this could be one of the final days in our Senate life before we go on a recess, which will enable us to join our families and spend some time with our constituents and others.

I thank the Senator.

Mr. BIDEN. Will the Senator yield for a brief comment?

Mr. WARNER. Yes.

Mr. BIDEN. I would like to welcome the guest Chaplain as well and say, in light of Mark Twain's reputation, Rev. Coleman could have helped him a great deal in his attitude with a little enlightenment in spiritual matters.

I think Hannibal could have used the Reverend back in the time of Mark Twain. It might have been a little bit different. I love Mark Twain, but he was a little wry. And I just want everyone to know I recognize the irony of the guest Chaplain being from Hannibal, MO, the home of Mark Twain.

Mr. ASHCROFT. Will the Senator yield?

Mr. BIDEN. I would be delighted.

Mr. ASHCROFT. It might have been that Mark Twain got that education after he moved out East. He did end up more in the territory of the east coast, but his roots were solid and good, nourished by the right values.

Mr. BIDEN. I have no question about that.

Mr. WARNER. Mr. President, if I may just add a little to that colloquy, it is my recollection that Mark Twain had some fairly pithy remarks on the Congress of the United States from time to time. Perhaps we should include some of those in the RECORD. My

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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mother came from St. Louis, MO, so I feel that I am particularly blessed by the presence of this Chaplain today.

SCHEDULE

Mr. WARNER. Mr. President, by previous order, the Senate will begin 30 minutes of debate on the Holbrooke nomination; that is, the Honorable Richard Holbrooke, to be Ambassador to the United Nations, with a vote to occur at approximately 10 o'clock today. Following disposition of the Holbrooke nomination, the Senate will resume consideration of the Interior appropriations bill with amendments expected to be offered and debated. In addition, when the Senate receives the tax reconciliation conference report from the House of Representatives, it is expected that the Senate will begin consideration of that legislation. Therefore, Senators should expect votes during the day and into the evening during today's session of the Senate.

I thank my colleagues for their attention.

That is from the distinguished majority leader, Mr. LOTT.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. HAGEL). Under the previous order, leadership time is reserved.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will go into executive session to consider en bloc Executive Calendar Nos. 135 and 140, which the clerk will report.

DEPARTMENT OF STATE

The legislative clerk read the nomination of Richard Holbrooke, of New York, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

The legislative clerk read the nomination of Richard Holbrooke, of New York, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations.

The PRESIDING OFFICER. Under the previous order, there now shall be 30 minutes of debate equally divided to be followed with the vote en bloc on the nominations.

The Senator from Virginia.

Mr. WARNER. Now, Mr. President, I thank the Senate leadership with respect to this nomination. It has been a unique one for various reasons. The elements of that uniqueness are well known to my colleagues. I shall not speak in detail about the tradition of ''holds'' but I think much of the general public is somewhat perplexed about the procedures in the Senate.

There has been discussion as to the procedure on this nomination and the use of what is referred to as a ''hold.'' There is a diversity of views within this body on the use of a ''hold,'' but, in my judgment, it is an important and proper procedure utilized by Senators in conjunction with what I view as the balance of power established by the Constitution in the coequal branches of the Government: the executive branch, the power of nomination by the President, and the Senate and its power of advice and consent.

The use of the hold is an exercise of that balance of power between the two branches. In this instance, I thank the distinguished majority leader and, of course, the minority leader, and others who have worked to bring this nomination to this point where today the Senate will render its advice and consent on this very important nomination.

Mr. SARBANES. Will the Senator yield?

Mr. WARNER. Yes. I thank many other Senators who have worked with me—Senator HAGEL, Senator GRASSLEY, Senator VOINOVICH, and my distinguished colleague from Delaware, Mr. BIDEN who will be speaking momentarily. I yield for the comments of the Senator from Maryland.

Mr. SARBANES. Mr. President, I want to put a question to the Senator on the hold because I have been reading newspaper reports that I think have completely misinterpreted how the hold process operates. These reports have alleged that the Senate rules contain a provision that enables any Member of the Senate, in effect, to hold up action either on a nominee or on legislation and sort of that is that. That is not the case.

Mr. WARNER. Mr. President, the Senator is correct; it is tradition——

Mr. SARBANES. It is a courtesy that is extended to a Member when he places a hold. The leadership can move ahead if the Member is being recalcitrant. Of course, it is up to Members to exercise a hold with some self-restraint. They may get the extra time they need, but, in my judgement, it ought not to be used as a weapon that completely submerges the nomination or the legislation.

I interjected because I am very concerned. I have read a number of newspaper reports that seem to suggest that the rules of the Senate are such that any Member can simply place a hold on a nomination and preclude any action. That is not the case. It is a courtesy that has been extended to Members by the leadership, but the leadership can always move ahead if they determine it is an urgent matter. Of course, they try to work it out so Members are willing to have it come up. That is what has happened in this instance.

I particularly express my appreciation to the distinguished Senator from Virginia for his efforts to try to move this matter forward.

Mr. WARNER. Mr. President, I thank my colleague from Maryland. He is quite accurate in his recitation of the rules of the Senate. This is by tradition. I suggest we not deal too much with what took place in the past on this nomination, but I felt that this RECORD this morning should reflect, for those who are following the nomination, my judgment with regard to the tradition of a Senator seeking a hold.

Again, it is part of that balance of power between the two branches. For example, Senator GRASSLEY, in his case, feels very strongly about the need to protect those individuals who are commonly referred to as whistleblowers. They should be protected. Senator GRASSLEY, after having talked with him many times, recognized the Holbrooke nomination is of importance, but he carefully evaluated his responsibility as one of those leaders in the Senate who have protected the rights of whistleblowers. That is behind us.

Many Senators have worked on this nomination. I express my appreciation again to the leadership and those Senators, particularly the Senator from Delaware.

The facts about this nominee are well known. I have known him personally for a number of years. I have watched his distinguished career, and in the course of the morning, I will add some facts. But I want to yield the floor momentarily to my colleague from Delaware.

The point is that my concern about this nomination and its timeliness is because of the fact that we now have in Kosovo a force under the NATO Command of General Clark, Operation Joint Guardian. While we had hoped that this military operation would have had a smooth operational history, in fact it has encountered many unforeseen problems, problems where our troops and the troops of other nations had to perform all types of diverse duties. Many of these young men and women who are courageously participating in this operation have had no formal training in the military with respect to many of the responsibilities they are now undertaking.

The United Nations, under a force known as United Nations Mission in Kosovo, referred to as UNMIK, has had a very slow start getting organized and into the field to perform duties that are currently being performed by the NATO military.

One of the reasons for working to accelerate the consideration of this nomination is that in knowing Mr. Holbrooke and his forcefulness and his background, he, I believe, is better qualified than anyone else I know of today to take on this important post and to accelerate the functions of the United Nations in this region.

The sooner they get in, the less risk to the men and women of the Armed Forces currently undertaking many missions which they are doing quite

well, despite the fact they have had little or no formalized training in operating civil, local governments in the village of Kosovo. Fortunately, this force is under the command of the NATO Commander, General Clark. General Clark and Ambassador Holbrooke have known each other for many years. They have worked together. They participated in the Dayton accords, for which Ambassador Holbrooke deserves great credit, and I will have further comment on that later.

Also, Ambassadors, when they report for their duties, may be fortunate to have a spouse who is quite interested in those duties and perform as a team. This is going to be an extraordinary husband and wife team of Richard Holbrooke and Kati Marton, his wife. She is a noted authoress. She has roots in central Europe. She is a beautifully educated and cultured woman. I have had the privilege of knowing her for a number of years. They will be an extraordinary team in this important post.

Mr. President, I ask unanimous consent to print in the RECORD a biography of Richard Holbrooke.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RICHARD C. HOLBROOKE

Richard C. Holbrooke was the chief negotiator for the 1995 Dayton Peace Accord, which served to bring peace and an end to human rights abuses in Bosnia, while serving as Assistant Secretary of State for European and Canadian Affairs, from September 1994 to February 1996. Beginning June 1997, Holbrooke served as Special Presidential Envoy for Cyprus, and in 1998 he was Special Presidential Envoy for Kosovo. Prior to becoming Assistant Secretary of State, he was U.S. Ambassador to Germany.

President Carter appointed him in 1977 as Assistant Secretary of State for East Asian and Pacific Affairs, a post he held until 1981. During his tenure, among other major events, the United States established full diplomatic relations with China. He is the only person ever to hold two regional Assistant Secretary of State posts.

Holbrooke began his governmental career in 1962, joining the Foreign Service immediately after graduating from Brown University. After studying Vietnamese, he was sent to Vietnam and, in the following six years, served in a variety of posts related to Vietnam—first in the Mekong Delta as a provincial representative working on rural development, for the Agency for International Development (AID), and then as a staff assistant to Ambassadors Maxwell Taylor and Henry Cabot Lodge. In 1966 he was reassigned to the White House, working on the Vietnam staff to President Johnson. During 1967–69, he wrote one volume of the Pentagon Papers, served as a special assistant to Undersecretaries of State Nicholas Katzenbach and Elliot Richardson, and was a member of the American Delegation to the Paris Peace Talks on Vietnam, headed successively by Averall Harriman and Henry Cabot Lodge.

Following these assignments Holbrooke spent a year as a fellow at the Woodrow Wilson School at Princeton University. From 1970 to 1972 he was Peace Corps Director in Morocco. In 1972, he took leave from the Foreign Service to become Managing Editor of the quarterly magazine Foreign Policy, a position he held until 1976. During 1974–75 he also served as a consultant to the President's Commission on the Organization of the Government for the Conduct of Foreign Policy, and was a contributing editor of Newsweek magazine's International Edition. In 1976 he coordinated National Security Affairs for the Carter-Mondale presidential campaign.

In 1981 he move to the private sector, forming a consulting firm, Public Strategies, with James A. Johnson. He became a Managing Director at Lehman Brothers in 1985. As a banker and diplomat, he has traveled to over 100 countries, including over 65 trips to China alone. He covered both domestic and foreign clients at Lehman Brothers, working on a wide variety of transactions.

In 1992 he chaired the Bipartisan Commission on Reorganizing the Government for Foreign Policy.

His most recent position in the private sector has been as Vice Chairman of Credit Suisse First Boston Corporation, based in New York.

Holbrooke has had long involvement in the non-governmental organization community. He is current Chairman of Refugees International; Chairman of the American Academy in Berlin; Chairman of the National Advisory Council of the Harriman Institute, and a member of numerous Boards of directors and committees.

Holbrooke adds the Eleanor Roosevelt Val-Kil Medal to a long list of distinguished awards and honorary degrees already received. He is the author of ''To End a War,'' on his Balkan peacemaking experiences, and co-author of Counsel to the President, the memoirs of Clark Clifford, as well as numerous articles on foreign policy.

Holbrooke was born on April 24, 1941 in New York. He received a bachelor's degree from Brown University. He has two sons, both television producers. He is married to author Kati Marton and lives in New York.

Mr. WARNER. Mr. President, that concludes my opening remarks. I may have further remarks about this nominee, but I want to share the time now with my distinguised colleague from Delaware. I yield the floor.

Mr. BIDEN. Mr. President, I am pleased the Senate is finally considering the nomination of Richard C. Holbrooke to be the United States Representative to the United Nations.

Before stating my reasons why I strongly believe that Ambassador Holbrooke should be confirmed, let me briefly review the process which led us to this day.

In June 1998, the President announced his intention to nominate Ambassador Holbrooke for the job of UN Ambassador. The formal nomination was delayed, however, until February of this year by an investigation into alleged ethical violations by Ambassador Holbrooke.

That investigation culminated in a settlement with the Department of Justice in which Ambassador Holbrooke agreed to pay five thousand dollars in civil penalties.

Once the Senate received the nomination in February, the Committee on Foreign Relations conducted its own inquiry, reviewing in great detail the investigation conducted by the State Department Inspector General and the Department of Justice.

In June, the Committee conducted three separate hearings on Ambassador Holbrooke's nomination, reviewing first the ethical matters, then reviewing issues related to the United Nations and UN reform, and then reviewing Ambassador Holbrooke's involvement in United States policy toward the Balkans.

On June 30 the Committee voted unanimously—on a voice vote—to report Ambassador Holbrooke's nomination to the full Senate.

Since the Committee reported Mr. Holbrooke's nomination, it has been subjected to a variety of reported ''holds'' by several senators, only one of which, as I understand it, had anything to do with Mr. Holbrooke's qualifications to be ambassador.

This delay is quite extraordinary for a position of this importance. The last two UN ambassadors were confirmed on the same day that the Committee voted, and in the last two decades, the Senate has, on average, voted within four days of the Committee's vote.

But we have now worked through all those and we are here today, for which I am grateful to the Majority Leader and the Chairman.

I believe the Senate should confirm Ambassador Holbrooke for a simple reason: he is highly qualified for the job.

There are few people who have had the kind of diplomatic experience that Ambassador Holbrooke has had.

Ambassador Holbrooke had been in public service since the early 1960s, when he entered the Foreign Service. Since then, he has served in a wide variety of diplomatic positions—in each case with distinction.

In the Carter Administration, he served as Assistant Secretary of State for East Asian and Pacific Affairs. Appointed at the age of 37, at the time he was the youngest person ever appointed as assistant secretary.

In 1993, Ambassador Holbrooke returned to government service as Ambassador to Germany.

In September 1994, he became Assistant Secretary of State for European and Canadian Affairs. Again, Ambassador Holbrooke established a precedent: he became the first person to serve as assistant secretary of state for two different geographic regions.

A key challenge facing him upon his return to the United States was the conflict in Bosnia, which by then had been raging since April 1992.

As Assistant Secretary, Mr. Holbrooke helped design and implement a strategy that culminated in the signing of the Dayton Accords in November 1995, which brought an end to the Bosnian war.

Of course, several people in the U.S. government deserve credit for the success at Dayton. But it cannot be denied that Ambassador Holbrooke—and the creativity and tenacity he brought to the task—was critical to bringing about this diplomatic achievement.

In February 1996, for personal reasons, Ambassador Holbrooke resigned from full-time government service. At

the request of Secretary of State Christopher, he remained available to undertake special missions and to advise senior officials in the State Department. In 1997, President Clinton also asked him to become special Presidential envoy for Cyprus.

Throughout the three and one-half year period since leaving full-time government service, Ambassador Holbrooke has never been paid a dime for his efforts.

Mr. President, I daresay that there are few people with the diplomatic experience that Mr. Holbrooke will bring to the job of UN ambassador. He has significant experience at high levels of government. He has deep experience in two regions. And he has recently supervised and managed a major diplomatic conference that culminated in the end of a tragic war.

Let me state it as bluntly as I know how: we need Dick Holbrooke in New York and we need him there now. It has been nearly a year since we have had a UN ambassador.

The agenda facing the next UN ambassador is a long one.

The United Nations is taking the lead in establishing a civilian administration in Kosovo. We need someone with Dick Holbrooke's skill and knowledge to make sure it gets done right.

The United Nations is greatly in need of reform. We have promised the UN that we will pay nearly one billion dollars in back dues if these reforms are made. Ambassador Holbrooke promised that UN reform will be his ''highest sustained priority.'' We need someone with Dick Holbrooke's negotiating skills to help bring them about.

The UN Security Council remains seized with the issue of dismantling Iraq's arsenal of mass destruction. We need someone with Dick Holbrooke's toughness to carry that task forward.

In sum, I believe Ambassador Holbrooke has all the qualities necessary to be an excellent UN ambassador, and I believe that the Senate should confirm him forthwith.

Let me turn briefly to the issues that delayed Mr. Holbrooke's nomination.

Last July, soon after the President announced his intention to nominate Mr. Holbrooke, an anonymous letter arrived in the Office of the Inspector General at the Department of State alleging that Ambassador Holbrooke may have violated ethics laws and regulations.

Spurred by this letter, the Inspector General opened a wide-ranging investigation that took over five months, involved dozens of interviews, and the production of thousands of pages of records.

Earlier this year, while the nomination was pending, the Inspector General opened a second investigation, this time based only on an oped article in the Washington Post.

The first investigation culminated in a civil settlement between Ambassador Holbrooke and the Department of Justice in which Ambassador Holbrooke agreed to pay five thousand dollars to settle allegations that he violated Section 207(c) of Title 18 of the United States Code.

To this day, Ambassador Holbrooke denies that he violated the law, but he settled the matter in order to avoid further delay of the nomination. The second investigation was closed almost as quickly as it was opened, with no punishment imposed against Ambassador Holbrooke.

The Committee obtained the thousands of pages of documents that were produced in the investigations of Ambassador Holbrooke, and has reviewed them independently.

I have reviewed all these matters closely, and I do not believe that they even begin to rise to the level where they should be considered disqualifying.

I do not make this statement lightly. I am a strong supporter of the ethics laws, and believe they must be rigorously enforced. Government employees, as Ambassador Holbrooke stated in his first hearing before the Committee, must maintain the public trust.

I have known Richard Holbrooke for two decades, and am presumptuous enough to call him a friend. I do not believe that he is an unethical person, and I find totally inconsistent with his character any suggestion that he is.

On the contrary: Dick Holbrooke is a dedicated public servant who, as the record compiled by the Committee demonstrates, willingly devoted dozens—if not hundreds—of hours to assisting the government in the past several years, to the detriment of his commitment to his private employer.

Every senator can be assured that the Committee has left no stone unturned.

The Committee sought and received access to every document reviewed by the investigators, and received access to internal documents of the White House, the Department of State, and the Department of Justice, including the memorandum setting forth the reasons why a criminal prosecution of Mr. Holbrooke was not warranted.

Mr. President, my friend from Virginia is very diplomatic. My friend from Virginia is a man of grace and elegance. My friend from Virginia is a man who is able to get things done not merely because of his intellect but because of his style.

I am not as elegant as my friend from Virginia, so I will just say it out loud. This would not have happened without my friend from Virginia. The truth of the matter is, it took a Republican of stature, seniority, and influence in this area to break this loose. He is going to get mad at my saying this, but I think it is a shame that was required, but I thank him for it because he was relentless over the last 5 months in trying to get us to this point today.

I will ruin his reputation here, but the President owes him a debt of gratitude, the Nation owes him a debt of gratitude, the Senate owes him a debt of gratitude, and Mr. Holbrooke, I know, is grateful for his effort. Because as the Senator from Virginia indicated, there is a significant agenda facing our next Ambassador to the United Nations.

Mr. WARNER. Mr. President, if the Senator will yield, I appreciate his thoughtful remarks, but, again, it was a team effort by a number of us, including the Senator from Delaware.

I want to make the point here, the distinguished chairman of the Foreign Relations Committee, Mr. HELMS, and Senator BIDEN's colleagues on that committee held a hearing. There was a unanimous vote, and Mr. HELMS reported this nomination to the floor. It did pass through there with the approval of the committee on which the Senator serves.

Mr. BIDEN. Mr. President, I never had a doubt, nor did any of my colleagues, that if we ever got any forum in which we could discuss the qualifications of Richard Holbrooke, he would win unanimously. We never doubted that. But it took a lot to get it to the Foreign Relations Committee, to get a vote in the Foreign Relations Committee, and once it got to the floor, to move it forward.

I want to say something about these holds. I have been here 27 years. I have been a sitting Senator longer than the Senator from Virginia. There are only seven people who have been in the entire Senate longer than I. We have lost our sense of proportion. Holds have nothing to do with—nothing to do with—the balance of power here when used in the fashion they were used.

Let me explain what I mean by that. It is one thing to say, I am going to hold up that bill from passing because the bill left out two bridges in my State that are critical to the commerce of my State. There is a correlation between the spending of money and the impact on my State—a sense of proportion.

If I say that I am going to hold up the next Director of NASA because I want answers on how the space program is going to work, that is reasonable. There is a sense of proportion. There is a relationship between NASA and the head of NASA.

But when I was chairman of the Judiciary Committee for several years, or were I to become chairman of the Foreign Relations Committee, and I said: By the way—and, by the way, the chairman of the Foreign Relations Committee did not do this—were I to say: You know, I realize the President's nominee for the Supreme Court may be a good guy, or good woman, but I'm going to hold her up because the Dover Air Force Base is being closed, that is no sense of proportion, that is an abuse of power—an abuse of power. That is totally unreasonable.

Let's get straight what this was about. We held up one of the single most important foreign policy personnel decisions to be made by this administration. And not a person in this

Senate would disagree with that assertion. Why? Because one Senator wanted someone on the Federal Election Commission whom he did not get, and another Senator thought that some second-tier person who worked at the U.S. mission to the U.N., who in fact was disciplined, should not have been disciplined.

The process in the law that calls for review of that person's case is underway. The person who helped write that process into the law decides that the process isn't working quickly enough or getting the result he wants, so they hold up the Ambassador to the United Nations at this moment in our history.

I respect both the gentlemen who did those things personally, but I respectfully suggest—as we Catholics say, when you are a little kid and you go to confession, they say you learn to examine your conscience. Go examine your conscience and tell me whether there is any sense of proportion.

As I stated earlier, since 1981, in the case of nominations for UN ambassador, the average amount of time—the number of days between the time that nominee was reported by the Foreign Relations Committee and the time that that nominee was voted on in the Senate was 4 days—4 days.

The reason I mention this is, you know what I am afraid of? I say to my friend from Virginia and my Republican colleagues. When the Democratic Party takes control, we are going to learn wrong lessons from you all, we are going to learn the wrong lessons.

I remember when I was chairman of the Judiciary Committee, we had the Clarence Thomas nomination. Before Anita Hill came along we had a vote, and it was 7–7. Guess what. Technically, that means he did not get enough votes to be voted out. I had some very liberal Democrats, hard-edged Democrats, like your hard-right Republicans, say: Mr. Chairman, it's within your power not to report him to the floor.

How responsible would it have been for me, as the chairman of the committee—which I could have done—to prevent the Senate from voting on a Supreme Court nominee? The Republicans would have done that, based on their conduct on this nomination. And guess what. If it happens again, mark my words, Democrats are going to join this place who are going to learn all the wrong lessons from this abuse of power, this lack of proportionality.

I am not going to say any more about it. The reason I am not is that it is done. But I really, truly hope and plead with my colleagues, on both sides of the aisle, have a sense of proportion here. We dodged a bullet here because of the incredible work of Senator HELMS and Senator WARNER on the Republican side and the eventual yielding on the part of others. Reason ultimately prevailed. But this is a bad, bad, bad practice; and this is a good, good, good nominee.

I will conclude, because others want to speak, by stressing two points about Mr. Holbrooke. One, in all my years in the Senate, no one in the Senate who has come before our committee is more qualified to do the job for which he has been nominated than this man—none; not one.

Secondly, this is an ethical man. This man's ethics have been questioned under what I believe to be an aberration. We put in the law—and I voted for inspectors general, but guess what. The law can be triggered by an article in a newspaper. That can hold up a nomination for months and months, requiring intensive investigation. This is the most investigated man we have had for the United Nations, and there is not an unethical drop of blood in this guy's veins.

So I think there are three things we have to do.

Let's put this man in place. Let this incredible energy and intellectual horsepower that this fellow has go to work on behalf of America. Two, let's reexamine whether or not we exercised any proportionality here in holding this up. And three, I would ask my colleagues on both sides of the aisle to consider joining with me and going back and relooking at the way in which the inspector general's office is triggered and worked so we avoid this kind of thing in the future.

Mr. SARBANES. Will the Senator yield me 2 minutes?

Mr. BIDEN. Yes.

Mr. WARNER. If I might just advise my colleagues, the previous order is that the Senate will vote at 10. I ask unanimous consent that that be extended to, say, 10 minutes after 10, to afford other colleagues an opportunity to contribute their remarks. I am sorry, but the leader is very anxious, given the heavy calendar of work today, and I think it is important we proceed to this nomination. So if each of the remaining Senators can take 1 or 2 minutes, that would be helpful.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. Yes. I object. Mr. President, I am sorry, but I would like to have up to 5 minutes, and I did not realize I would be shut off.

Mr. WARNER. We will just accommodate the 5 minutes, then. I ask unanimous consent that the Senator from Texas have 5 minutes. What are the requests of the other Senators? Two or three minutes? So I ask unanimous consent that we go to the hour of 10:15, at which time we then, hopefully—have the yeas and nays been ordered, Mr. President?

The PRESIDING OFFICER. Yes, they have.

Is there objection to the unanimous consent request?

Without objection, it is so ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, I rise in strong support of the nomination of Richard Holbrooke to be the United States representative to the United Nations with the rank of Ambassador. Ambassador Holbrooke has rendered superb service to our Nation during the course of his career. His diplomatic experience makes him an ideal choice for this very important position.

We need good, strong leadership at the United Nations. We have been without a permanent representative now for an extended period of time. An able, competent, skillful diplomat can make a big difference in terms of serving the national interests of our country.

Dick Holbrooke has had an illustrious career. He joined the Foreign Service in 1962. He had assignments in Vietnam, where he worked closely with Ambassador William Porter, Ambassador Maxwell Taylor, and Ambassador Henry Cabot Lodge. From the very beginning he was right in the middle of the decisionmaking arena and was recognized for his extraordinary talents. He was the Director of the Peace Corps in Morocco. He then left the Government for a while and was a managing editor of Foreign Policy magazine, one of our leading foreign policy think magazines, where he did an outstanding job. In the mid-1970s, he was senior consultant to the President's Commission on the Organization of the Government for the Conduct of Foreign Policy.

This is a man who has committed his entire career to analyzing and enhancing the foreign policy of the United States in the name of serving our national security interests. He held two assistant secretaryships within the Department of State: Assistant Secretary for East Asian and Pacific Affairs and Assistant Secretary for European and Canadian Affairs. He has also served in a very distinguished way as our Ambassador to Germany.

I have worked closely with him in his capacity as Presidential Special Envoy to Cyprus, where he has striven mightily to try to move that issue forward.

He will do a terrific job at the United Nations. He has done an excellent job in every government position he has held. His commitment and dedication are obvious for all to see. I think the Senator from Delaware was right in saying that there were attacks on Dick Holbrooke's character which were extremely unfortunate and without basis or justification. To his credit, he withstood all of that. A lesser person might have walked away and said: Who needs to put up with this? But he has a driving sense of serving the country and serving the national interest.

Dick Holbrooke has addressed difficult, complex foreign policy issues in an extremely incisive and competent way. We need that skill at the United Nations. That is the skill he will bring. I am relieved that the nomination is finally before us for judgment.

I urge my colleagues to support the nomination of Dick Holbrooke to be our Ambassador to the United Nations. He will serve our Nation and, indeed, the world well in this position.

I yield the floor.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from Connecticut.

Mr. DODD. Mr. President, today we consider the nomination of Richard Holbrooke to the position of United States Permanent Representative to the United Nations. I would say that this debate is long overdue.

The United Nations is a very important tool in America's foreign policy arsenal and our ambassador to the U.N. is the key to unlocking that power. For the past ten months, however, that post has stood vacant, thereby degrading our influence at the U.N. Today we have an opportunity to correct that omission and restore some of the United States' leadership in that world body.

There are few things the United States as a nation holds more dear than the ideals our country was founded on nearly 223 years ago. We continue to lead the global fight for freedom, for democracy, for peace, and for respect for human rights. For the past five decades, it has been the United States' strong, clear and persistent voice in both the Security Council and the General Assembly which has convinced other nations to support those same ideals.

Looking back on those fifty years, it is clear that our work at the United Nations has, by and large, been a success. Today, the United Nations is one of the most powerful champions of human rights, freedom and peace around the world. The U.S. has used the United Nations to support our foreign policy in places as far flung as Korea, Libya, Iraq, and Bosnia.

Without the United Nations, the two suspects in the bombing of Pan Am Flight 103 would probably never have faced a judge to account for their actions. Similarly, Saddam Hussein would still be free to terrorize both his neighbors and his own citizens. If it were not for the United Nations sponsored Implementation Force in Bosnia, war, bloodshed and genocide would still rule that nation. Today, the United Nations is engaged in helping to implement certain aspects of the peace settlement in Kosovo—which we all hope and pray will put an end to the bloodshed there as well.

While we are all familiar with United Nations peace keeping efforts in Bosnia and Iraq, we must not forget that men and women wearing the U.N.'s signature blue helmets are keeping the peace in places as disparate as Angola and Tajikistan. In all, there are currently 16 different on-going peace keeping operations on four continents.

As we embark on the next stage of involvement in Kosovo—one in which the United Nations will have an important role—it is tremendously important that we are represented in that world body. We must not allow any additional delay to further erode our leadership.

Last fall, President Clinton tapped an exceedingly qualified diplomat to head our delegation to the United Nations. Richard Holbrooke has served our nation well in a wide variety of posts—from Assistant Secretary of State for two different regions to Ambassador to Germany.

Today, many of our thoughts are focused on the Balkans and this first real chance to bring peace to Kosovo. It is particularly fitting, therefore, that among Ambassador Holbrooke's greatest achievements are the Dayton Peace Accords which ended the civil war and genocide in Bosnia.

Five years ago, it was the war and ethnic cleansing in Bosnia, not Kosovo, that captured the world's attention. Innocent civilians were murdered and raped simply on the basis of their ethnicity. Venturing into the market to buy food entailed the risk of instant death at the hands of snipers or soldiers with a mortar on a nearby hilltop. Each day was a fight for survival.

Today, however, Bosnia is rebuilding. In 1995, talks held thousands of miles away from the battlefields—in Dayton, Ohio—silenced the sounds of gunfire and ended the massive human rights abuses. The man who brought the Serbs, Bosnians and Croatians together for those talks and fought hard to reach a settlement is sitting before us today.

As Ambassador Holbrooke well knows, it is often easier to wage war than to make peace. In spite of the daunting odds, however, Ambassador Holbrooke did make peace and for that he deserves our praise.

Following his return to the private sector in 1996, Ambassador Holbrooke continued to serve his country. Without any compensation from the government, Ambassador Holbrooke focused his efforts on trying to end the dispute on the island of Cyprus and the bloodshed in Kosovo.

The success or failure of the Kosovo agreement it will be determined by whether the United States, our NATO allies and Russia stay the course together. The job of bringing this broad coalition together and keeping it together will not be an easy one, but it is one with which Ambassador Holbrooke has experience—experience we need at the United Nations at this critical juncture.

It is important to mention the other critical issue which is damaging our reputation and effectiveness at the U.N.: our failure to pay our dues. The funds we owe the U.N. are formal treaty obligations, not optional contributions. Today, we are in grave danger of losing our vote in the General Assembly. Imagine the irony if the United States, one of the founders of the United Nations, loses its vote in that organization's primary decision making body. The compromise Chairman HELMS and Senator BIDEN worked out with respect to our dues will go a long way to repairing the damage if we are able to convince our colleagues in the House to refrain from attaching poison pills to this bill. We already missed one opportunity to pass that compromise, namely the emergency supplemental appropriations bill. I remain hopeful, however, that the compromise, which is a part of the Senate passed State Department Authorization bill and now in conference with the House will become law before the end of this session of Congress.

Now is the right time to confirm a new ambassador to the U.N. He has the requisite experience for the job and, even more importantly, is a proven peacemaker.

Mr. President, in conclusion I add my voice to those who have already spoken expressing their gratitude to Senator HELMS and Senator BIDEN, who are the chair and ranking member of the Senate Foreign Relations Committee, for the leadership that my friend and colleague from Virginia, the chairman of the Armed Services Committee, has shown on this nomination, and for many others who have spoken on behalf of Richard Holbrooke, in many cases, not because they agree with the politics of Richard Holbrooke or necessarily agree with every position he has taken on various public matters, but because there is an understanding that in our country, regardless of administration and politics, we need good, talented people, who analyze issues well and bring an energy and a passion and a commitment to public policy.

For those reasons, I am particularly grateful to our friends on the other side who may not agree with Richard Holbrooke but understand he is a talented human being.

I underscore the point that Senator SARBANES made. Too often we discourage good people in this country from serving their Nation because we have created a gauntlet that one has to go through prior to confirmation that will discourage other people from even thinking about going through this process. What you expose yourself and your family to to take on positions to serve your country is becoming far too much. I think as a body we ought to take a closer look at what we ask people to go through whom we ask to serve their Nation.

Richard Holbrooke has a distinguished career, as Senator SARBANES and Senator WARNER and others have pointed out, going back more than 30 years. He has been through an awful lot over the last year and a half, almost 2 years now.

I particularly am concerned about the inspector general at the State Department, as my colleagues on the Foreign Affairs Committee know. I have written an amendment, which was adopted, that requires that those people in the State Department who are accused of wrongdoing have a right—I know this sounds like a radical thought—to know what they are accused of and have an opportunity to respond to the accusation before the reports are written. That is not the case today.

Mr. SARBANES. Will the Senator yield?

Mr. DODD. I am glad to yield.

Mr. SARBANES. Does the Senator mean that at the moment you are not permitted to find out what the charges are and the nature of the accusations?

Mr. DODD. That is absolutely correct. In the case of Richard Holbrooke, he was not allowed to find out what the charges were against him for well over a year. A common criminal accused of a felony in this country has that right. It seems to me if we have a system inside our government where a mere accusation of someone can result in months and months of delay or public retribution, not to mention legal costs to defend yourself, something is terribly wrong with that process. We are trying to correct it.

Again, I don't want to spend the time talking about the problems we have but to commend one individual for persistence, who wants to serve his country, who is going to do, in my view, a remarkably fine job for all of us. I am sorry it took so long for him to arrive at this point, but I am grateful he has. Again, for those who made it possible, I thank them and am confident that Richard Holbrooke will serve our Nation well.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Texas is recognized for 5 minutes.

Mrs. HUTCHISON. Mr. President, I will speak about why I am going to vote against the Holbrooke nomination. I start by saying, I have never put a hold on this nomination. I thought the process should go forward in due course. I think Richard Holbrooke is a principled man. I think he is a committed public servant. I admire his tenacity, his dedication. I have nothing personal against Richard Holbrooke.

I am voting against him because I disagree with the policy that he has put forward in the Balkans. I just can't, in good conscience, vote for someone who I think is taking our country in the wrong direction.

This is his policy: that the United States should spend billions of dollars, wear and tear on our equipment and our troops, stretching our military for a goal that I believe is not achievable.

I would commit our military immediately if I thought the goal and the mission were the correct one, but I believe our policy in the Balkans is to force factions to live together in an American model, when the circumstances are different from any we have ever had in our country. I don't think we can put American requirements into the Balkans with any chance to succeed.

We have had a policy that the United States could use force of vast proportions without strategically assessing what would be more proportional responses in line with our own security threat and our other responsibilities in the world. Richard Holbrooke did not allow the United States, through his policies, to lift the arms embargo on one faction in Bosnia, so one group was unarmed against two groups that were armed. I think if we had lifted the arms embargo 3 years before the Dayton accords, those people would have had a fair chance. I don't think we would have seen the mass slaughter of the Moslems that we did. I disagree with that policy.

We never looked at the opportunity for self-determination in the Balkans. We never looked at the opportunity to let these people form governments within their ethnic groups. They are 98 percent in ethnic groups now in Bosnia, but we are still trying to force them to have a coalition government. If we walked out today, I think every expert would agree the fighting would continue.

The Washington Post yesterday had a headline, ''NATO Losing Kosovo Battle.'' This was not a headline 2 months ago. It was yesterday.

The reason is, we have a policy in the Balkans that I think is going to hurt our own national security by overdeploying our military troops, by wear and tear on our equipment, by not having a sense of proportion in looking for other options, not looking at all of our commitments in the world, but instead trying to force an American model that I think is unrealistic today.

I think there are other options to try to help the people in the Balkans create stability with self-determination and then, eventually maybe, they would be able to live closer together in harmony.

Mr. President, I want to say I am only voting against Mr. Holbrooke on his foreign policy principles, not on him as a person. I will say again that I think he is a committed public servant. I think he is tenacious in his beliefs, and I admire that in a person. I just believe that our foreign policy is going in the wrong direction in this country. I think we are going to pay a high price for it, and I think Richard Holbrooke is one of the architects of this policy that I believe is quite erroneous. So, for that reason, I will vote against Richard Holbrooke.

Thank you, Mr. President.

Mr. GRAMS. Mr. President, I have had a chance to discuss the role of the U.S. at the United Nations with the nominee on a number of occasions and I am confident that the President has nominated the right man for the job. Mr. Holbrooke has a reputation for being a tough negotiator and a practiced arm-twister and those are exactly the attributes we need in our next Ambassador to the United Nations.

It's not going to be easy to get the UN to implement the Helms-Biden package even though there is widespread agreement on the need for reform. I believe Ambassador Holbrooke has the skills necessary to leverage our position as the most powerful nation in the world—and as the largest contributor to the UN—to ensure greater transparency and accountability in that organization. That is why I have enthusiastically backed the nomination of Mr. Holbrooke and look forward to working with him in the future.

Mr. KENNEDY. Mr. President, I strongly support the nomination of Richard Holbrooke to be America's Ambassador to the United Nations, and I am pleased that the Congressional delay in reaching this vote has finally ended.

Richard Holbrooke has a long and distinguished record of public service and is an outstanding diplomat. He clearly has the necessary experience, background, and skills to ably represent America's interests at the United Nations.

Richard Holbrooke has served with great distinction in many previous capacities, and all of us who know him have great respect for his ability and judgement. He has served as the President's Special Envoy to Cyprus, as Assistant Secretary of State for European and Canadian Affairs, as U.S. Ambassador to Germany, as Assistant Secretary of State for East Asian and Pacific Affairs, and as a Peace Corps Director in Morocco.

Of his many extraordinary accomplishments, he is best known for his skillful work in presiding over the long and difficult negotiations to achieve the Dayton Peace Accords in 1995, which ended the war in Bosnia.

The United Nations is a complex institution involving many international interests, and I'm confident that Richard Holbrooke will represent our country well. Our representative must be an exceptional negotiator. Richard Holbrooke is a skilled negotiator with the ability to articulate clearly our country's ideals and persuade other members of the international community to support these ideals as well. He's an outstanding choice for this very important foreign policy position, and I'm proud to express my strong support.

Mr. SPECTER. I am pleased to vote for the confirmation of Ambassador Richard Holbrooke to be United States Ambassador to the United Nations and even more pleased to see the Senate vote on this important nomination in advance of the August recess so that Ambassador Holbrooke can start on his important assignment.

Ambassador Holbrooke brings unique qualifications to this position. He began his government career in 1962 joining the Foreign Service after graduating from Brown University. Among the many posts he has held are Special Presidential Envoy for Cyprus in 1997, Assistant Secretary of State for European and Canadian Affairs, Assistant Secretary of State for East Asian and Pacific Affairs, Peace Corps Director in Morocco and U.S. Ambassador to Germany. Ambassador Holbrooke was the chief negotiator for the Dayton Peace Accord in Bosnia.

I had occasion to evaluate Ambassador Holbrooke's work in some detail when I served as Chairman of the Intelligence committee which undertook a

detailed investigation of the sale of Iranian arms to Bosnia. Ambassador Holbrooke was involved in a complex, highly sensitive matter and he discharged his duties with professionalism.

In undertaking the complex negotiations on Bosnia, Ambassador Holbrooke again performed a great service for the United States. His last minute negotiations with Yugoslavia's President Milosevic, while unsuccessful, showed his unique talents which will be put to good use for our national interest in his new capacity as U.S. Ambassador to the United Nations.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the Chair. I believe the Senator from Virginia yielded a couple minutes to me earlier.

Mr. WARNER. Mr. President, I yield 2 minutes to the Senator from Connecticut, and also to Senator HAGEL, who has been very helpful in this nomination. At the conclusion of his remarks, the vote will occur.

Mr. LIEBERMAN. Mr. President, I first thank those who have finally brought the nomination of Richard Holbrooke to the floor of the Senate, particularly the senior Senator from North Carolina and the senior Senator from Virginia, Mr. WARNER, who have done yeoman's work here in the national interest.

Secondly, I wanted to say this about the nominee himself, who I have been privileged to come to know. In my opinion, Richard Holbrooke is one of America's great natural resources. Certainly, he is one of our great diplomatic resources. He has had a career that has been described in detail here that puts him at the top ranks of those who have served America in the international arena. He is a person of principle, purpose, intellect, and enormous energy and talent. He combines the sense of American purpose, which, incidentally, is reflected in his work on behalf of the policy of the United States, representing the Commander in Chief of the United States in regard to the Balkans, about which my friend from Texas has just spoken. He combines that sense of American principle and the continuing vitality of America's morality in the world with extraordinary, tough-minded, practical, and interpersonal diplomatic skills.

We are fortunate to have a person of this talent willing to serve our Nation. I am confident that he will advance our national security and principled interests in the United Nations. I am proud to support the nomination.

I thank the Chair and yield the floor.

Mr. HAGEL addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. Mr. President, I rise to strongly support the nomination of Richard Holbrooke to be this country's Ambassador to the U.N. I was thinking the other day when we were engaged in the Foreign Relation Committee's fourth hearing on Mr. Holbrooke —four hearings on Mr. Holbrooke. We looked rather closely and thoroughly at his policies, his background, his professional and personal life. He did not come up short in all of those areas. But I was thinking, I don't know if there has been an individual who has been more probed and investigated for this very important position than Mr. Holbrooke.

I have believed for a long time that the President of the United States deserves his team. As he nominates his team for the Senate to pass judgment on, give advice and consent, as constitutionally is our responsibility, if that individual possesses the high moral quality and qualifications, and the high professional standings, qualifications, and experience, then the President needs his team.

I echo much of what has been said this morning about how important it is that we get our Representative of the United Nations. Now, we have differences of opinion in philosophy and policy, and I appreciate that. Every Senator has his or her own position, as it should be. But I will say this as my last comment about Mr. Holbrooke. I hope and I believe he will make every effort to bring some bipartisanship to foreign policy. It seems to me that we have allowed bipartisanship in foreign policy and national security affairs to erode and come undone to the point where it is dangerous.

I believe both sides are responsible. I think the President hasn't reached out enough, and I think we in the Congress have made foreign policy and national security affairs a more brittle, raw political dynamic. If we don't come back together, as bipartisanship needs to be sewn back together in these very important issues for the future of our country and stability of the world, we will pay a high price. I hope that Mr. Holbrooke will lead that effort.

I yield the floor.

Mr. WARNER. I thank the distinguished Senator. He has been very helpful throughout the nominating process.

The PRESIDING OFFICER. All time having expired, the question is, Will the Senate advise and consent to the nomination of Richard Holbrooke, of New York, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations, and the nomination of Richard Holbrooke, of New York, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations, en bloc.

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Idaho (Mr. CRAPO), and the Senator from North Carolina (Mr. HELMS) are necessarily absent.

Mr. REID. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana (Ms. LANDRIEU), would vote ''aye.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 81, nays 16, as follows:

[Rollcall Vote No. 259 Ex.]

YEAS—81

Abraham	Durbin	McCain
Akaka	Edwards	McConnell
Ashcroft	Feingold	Mikulski
Baucus	Feinstein	Moynihan
Bayh	Fitzgerald	Murkowski
Bennett	Frist	Murray
Biden	Gorton	Reed
Bingaman	Graham	Reid
Bond	Grams	Robb
Boxer	Grassley	Rockefeller
Breaux	Hagel	Roth
Brownback	Harkin	Santorum
Bryan	Hatch	Sarbanes
Burns	Hollings	Schumer
Byrd	Inouye	Shelby
Campbell	Jeffords	Smith (OR)
Chafee	Johnson	Snowe
Cleland	Kennedy	Specter
Cochran	Kerrey	Stevens
Collins	Kerry	Thomas
Conrad	Kohl	Thompson
Coverdell	Lautenberg	Thurmond
Daschle	Leahy	Torricelli
DeWine	Levin	Voinovich
Dodd	Lieberman	Warner
Domenici	Lincoln	Wellstone
Dorgan	Lugar	Wyden

NAYS—16

Allard	Hutchinson	Nickles
Bunning	Hutchison	Roberts
Craig	Inhofe	Sessions
Enzi	Kyl	Smith (NH)
Gramm	Lott	
Gregg	Mack	

NOT VOTING—3

Crapo	Helms	Landrieu

The nominations, en bloc, were confirmed.

The PRESIDING OFFICER. The motion to reconsider is laid upon the table. The President will be immediately notified.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Resumed

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative assistant read as follows:

A bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

Pending:

Gorton Amendment No. 1359, of a technical nature.

The PRESIDING OFFICER. The distinguished majority leader is recognized.

Mr. LOTT. Mr. President, before I yield the floor to the distinguished chairman of the Interior Appropriations subcommittee, I confirm again we are going back to the Interior appropriations bill. We hope to and plan to have debate on amendments beginning right away. We could have a recorded vote on one of the amendments within the next 15 to 30 minutes. We will continue working on the Interior appropriations bill until we get an agreement as to exactly when to proceed to the reconciliation conference report.

I will not propound a unanimous consent request at this time, but it is my hope we can get an agreement to begin at 1 o'clock on the consideration of a reconciliation conference report, and we debate it for 6 hours, of course, equally divided in the usual form, and the vote then would occur around 7 o'clock.

We do not have that worked out yet. If we require more time, if we have to be in later, then of course the vote would go later in the night, perhaps 8 o'clock or, if we cannot get that worked out, we will go however long we need to go tonight and we would vote on Friday morning sometime. But we hope to get an agreement where we could complete that and have a vote around 7 o'clock tonight.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Washington is recognized.

Mr. GORTON. Mr. President, in just a moment I will have several agreed-upon amendments to propound and hopefully they will be agreed to very quickly.

Then Mr. SMITH of New Hampshire is here with the first contested amendment. I hope we can finish as many as three amendments that are likely to require rollcalls between now and 1 o'clock. After the Smith amendment that deals with the National Endowment for the Arts, I hope we will have an opportunity to go to an amendment by Mr. GRAHAM of Florida and Mr. ENZI, relating to Indian gambling. While I have not found the Senator yet, I would like, after that, to go to an amendment by the Senator from Nevada, Mr. BRYAN, on forest roads. Others may intervene.

We also have a number of amendments that will be agreed upon from time to time. My own reading of our list of amendments is that they are reasonably limited, even at this point. Several require votes. I hope none will require a long and extensive debate. The majority leader wants, as early as possible, to get an agreed-upon list of amendments. I suspect we will be asking for unanimous consent to say all amendments must be filed by, say, sometime this afternoon. So Members who have amendments about which they have not notified the managers are encouraged to do so as promptly as possible.

I believe the majority leader wishes to finish this bill, as well as the reconciliation bill on taxes, before the recess begins sometime tomorrow.

AMENDMENT NOS. 1563 THROUGH 1568, EN BLOC

Mr. GORTON. Mr. President, I ask unanimous consent that the pending amendment be set aside and that we consider six amendments en bloc which I send to the desk. I will explain each of these amendments, sponsored by a Senator and relating to projects within that Senator's State or the two Senators' State, and simply shifts money among projects within the States.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mr. GORTON] proposes amendments numbered 1563 through 1568, en bloc.

Mr. GORTON. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 1563

(Purpose: To Increase Funds in the Bureau of Indian Affairs Tribal College account by $700,000 with offset from Forest Service land acquisition on the San Juan National Forest)

On page 27, line 22, strike ''$1,631,996,000'' and insert ''$1,632,696,000''.

On page 65, line 18, strike ''$37,170,000'' and insert ''$36,470,000''.

AMENDMENT NO. 1564

(Purpose: To provide additional funding to the United States Fish and Wildlife Service for activities relating to the Preble's meadow jumping mouse, with an offset from Forest Service Land Acquisition (Continental Divide Trail) in Colorado)

On page 10, line 15, strike ''$683,518,000'' and insert ''$683,919,000''.

On page 10, line 23, before the colon, insert the following: '', and of which not less than $400,000 shall be available to the United States Fish and Wildlife Service for use in reviewing applications from the State of Colorado under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), and in assisting the State of Colorado by providing resources to develop and administer components of State habitat conservation plans relating to the Preble's meadow jumping mouse.''.

On page 65, line 18, strike ''$37,170,000'' and insert ''$36,770,000''.

AMENDMENT NO. 1565

(Purpose: To make unobligated funds available for the acquisition of land in the Ottawa National Wildlife Refuge, for the Dayton Aviation Heritage Commission, and for the preservation and restoration of the birthplace, boyhood home, and schoolhouse of Ulysses S. Grant, Ohio)

On page 62, between lines 3 and 4, insert the following:

SEC. 1 . FUNDING FOR THE OTTAWA NATIONAL WILDLIFE REFUGE AND CERTAIN PROJECTS IN THE STATE OF OHIO.

Notwithstanding any other provision of law, from the unobligated balances appropriated for a grant to the State of Ohio for the acquisition of the Howard Farm near Metzger Marsh, Ohio—

(1) $500,000 shall be derived by transfer and made available for the acquisition of land in the Ottawa National Wildlife Refuge;

(2) $302,000 shall be derived by transfer and made available for the Dayton Aviation Heritage Commission, Ohio; and

(3) $198,000 shall be derived by transfer and made available for a grant to the State of Ohio for the preservation and restoration of the birthplace, boyhood home, and schoolhouse of Ulysses S. Grant.

AMENDMENT NO. 1566

(Purpose: To transfer $700,000 in land acquisition funds from the San Juan National Forest (Silver Mountain) CO to the Patoka River National Wildlife Refuge, IN)

On page 13, line 8: Strike ''$55,244,000'' and insert ''$55,944,000''.

On page 65, line 18: Strike ''$37,170,000'' and insert ''$36,470,000''.

AMENDMENT NO. 1567

(Purpose: To provide funding for construction of the Seminole Rest facility at the Canaveral National Seashore, Florida, with an offset from the J.N. Ding Darling National Wildlife Refuge, Florida)

On page 13, line 8, strike ''55,244,000'' and insert ''$54,744,000''.

On page 17, line 19, strike ''$221,093,000'' and insert ''$221,593,000''.

AMENDMENT NO. 1568

(Purpose: To provide $150,000 for the U.S. Fish and Wildlife Partners for Fish and Wildlife Program within the Habitat Conservation Program. This funding will support the Nevada Biodiversity Research and Conservation Initiative for migratory bird studies at Walker Lake, Nevada. The increase in $150,000 for the Nevada Biodiversity Research and Conservation Initiative is offset by a $150,000 decrease in the Water Resources Investigations Program of the U.S. Geological Service of which $250,000 was directed for hydrologic monitoring to support implementation of the Truckee River Water Quality Settlement Agreement (Senate Report 106–99, page 43))

On page 10, line 15 strike the figure ''$683,519,000'' and insert in lieu thereof the figure ''$683,669,000'' and on page 20, line 18 strike the figure ''$813,243,000'' and insert in lieu thereof the figure ''$813,093,000''.

Mr. GORTON. Mr. President, the amendments are these:

Senator BURNS: Transfers $700,000 to tribal colleges with an offset from a land acquisition in his State.

Senator CAMPBELL: $400,000 for a habitat conservation program with an offset in his State.

Senator DEWINE: Redirecting various projects within the State of Ohio.

The two Senators from Indiana, Senators LUGAR and BAYH: $700,000 for a land acquisition and a wildlife refuge offset by another land acquisition in that State.

The two Senators from Florida, Senators MACK and GRAHAM: A very similar land acquisition offset.

And Senator REID of Nevada: A shift of $150,000, again, within the State of Nevada.

I ask unanimous consent that all six amendments be considered en bloc and accepted en bloc.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 1563 through 1568) were agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The distinguished Senator from New Hampshire is recognized.

AMENDMENT NO. 1569

(Purpose: To eliminate funding for the National Endowment for the Arts)

Mr. SMITH of New Hampshire. Mr. President, on behalf of myself and Senator ASHCROFT, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to laying aside the pending amendment? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. SMITH], for himself and Mr. ASHCROFT, proposes an amendment numbered 1569.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 94, strike lines 3 through 26.

On page 106, beginning with line 8, strike all through page 107, line 2.

On page 107, lines 3 and 4, strike ''National Endowment for the Arts and the National Endowment for the Humanities are'' and insert ''National Endowment for the Humanities is''.

On page 107, lines 8 and 9, strike ''for the Arts and the National Endowment''.

On page 107, lines 11 and 12, strike ''for the Arts or the National Endowment''.

On page 108, beginning with line 12, strike all through page 110, line 11.

Mr. SMITH of New Hampshire. Mr. President, my amendment to the Interior appropriations bill is a very simple one. It eliminates all funding for the National Endowment for the Arts. This amendment has been considered by the Senate in the past, unfortunately unsuccessfully. I know where the votes are, but I believe it is important we make a statement about this because I do not believe the Federal Government should be spending money for this.

This amendment does not try to reform the agency. This amendment does not try to restructure the agency. It simply shuts it down in fiscal year 2000.

I want to take a little different tack on this. Many who have spoken in the past on the National Endowment for the Arts, as far as elimination of funding, have focused heavily on some of the reprehensible and repulsive, frankly, types of material that has been displayed and called ''art.'' I am not going to do that this morning. Most Members are fully aware of the kinds of things that have been funded by this agency.

I remind every Member that we took an oath to support the Constitution. All of us at one point stood right where the pages are now sitting and said that we would bear true faith and allegiance to the Constitution of the United States of America. I certainly believe that every Member took that oath seriously. That is why I am hopeful I might be able to persuade my colleagues to support this amendment because, frankly, whatever opinion you may have of it, is unconstitutional to have the National Endowment for the Arts funded by the Federal Government. I can prove that.

A constituent challenged me on this one time and wrote:

Where in the Constitution of the United States does it say that the Federal Government is authorized to fund art?

Let me repeat:

Where in the Constitution of the United States does it say that the Federal Government is authorized to fund art?

I challenge any of my colleagues to show me that in the Constitution, and I will reconsider my amendment.

I offer this amendment because I have not been able to find this in the Constitution. The authors of our Constitution envisioned a government of limited powers, and if it does not say you do it in the Constitution, then it is reserved to the people and the States. If the State or the people want to fund a State endowment for the arts, I would not have a problem with that. That is entirely within their parameters.

The framers made it clear—very clear—that unless the Constitution explicitly granted a power to the Federal Government, that power would be reserved to the States, to the localities, to civil society, or to the people.

I know there are many—and this is the frustrating part for me—too many in this body who reject that vision. I have been here going on 9 years, and it is very frustrating for me to watch the Constitution of the United States being trampled time after time. Just a week or so ago, we passed more gun controls and sent it to conference. Gun control, however you may feel about the need for gun control, is unconstitutional because we have a second amendment that says we have the right to keep and bear arms. Whatever you may feel about that issue, we did not come here to pass laws about our personal beliefs. We came here to pass laws that support the Constitution of the United States of America.

When we swear to uphold that document, we agree to live by that vision whether we like it or not. Whether we disagree or agree, we should live with that vision. Regretfully, we do not always do that here.

This amendment is my effort—just a small effort—to move a little closer to the founders, move a little closer to that vision of limited constitutional government. It is interesting that I have to say move a little closer. Why do we have to move closer to the vision of the founders when we are supposed to uphold the Constitution and enforce that vision, not move a little closer to it. We should be there.

It is a bad idea. Whether it is constitutional or unconstitutional, it is a bad idea to use taxpayers' funds to subsidize art. But it is unconstitutional. Whether it is a good idea or bad idea, it is unconstitutional, and that is the point I am making.

Most of my colleagues will recall the controversies in which this agency has been embroiled. I referenced them briefly in the beginning of my remarks. I am not going to get into all of it because we have heard it before. But funding the exhibition of sadomasochistic photographs, funding the exhibition of a photograph of a crucifix submerged in human waste, funding the exhibition of a performance ''artist'' who smeared chocolate across her naked torso, or how about the other NEA funding artist who exposed his audience to HIV-infected blood—all of these things were funded by the taxpayers of the United States in the name of art.

Let me repeat that. Funding of sadomasochistic photographs, funding of a photograph of a crucifix submerged in human waste, funding of a so-called performance artist who smeared chocolate across her naked torso, and a man who exposed his audience to HIV-infected blood, all funded by the taxpayers of the United States of America.

I ask you to reflect, if you are a taxpayer, on the fact that you work pretty hard for those dollars, and when you pay those taxes every April 15 to Uncle Sam, you probably hope it is used to preserve and protect and defend the United States of America, perhaps to promote education or some positive thing. But do you really want your money to go to this kind of so-called art?

The question is, some people may say this is art, but there are people out there who will disagree. There are people who will say: If I want to put a crucifix in urine and call that art, I have a right to do that; it is a free country. You do. I will fight to my death to say you have a right to do that. I may not agree it is art, but that is your position and you have a right to it.

But the question is, Is it constitutional to fund art? Even more so, Is it constitutional to fund this kind of stuff? Do you want your taxpayer dollars being spent for this? The sad part about this—we have seen this in debate after debate, in amendment after amendment, year after year, as we tried to stop this. Senator HELMS has been involved in this many times, to his credit, as a leader in trying to expose this agency. Senator ASHCROFT, who is my original cosponsor, has also been involved in this and has been a leader on this.

But the defenders of the NEA, the National Endowment of the Arts, always tell you—you will hear it after the vote on this amendment, I am sure, if not before—that they believe these outrages are a thing of the past, that all of the things I just cited about the crucifix in human waste, and so forth, are all in the past: We have cleaned up the agency. It is not happening anymore. It is old news. We heard you. We listened, and we made the changes.

I am sorry to tell you, that is not true. I will prove that in a few moments. Once you really understand the NEA, you will not be surprised to learn that the outrages continue, and not only do they continue, they are all too common in this agency.

Let me illustrate the point about a grant that made news earlier this year. The events surrounding this grant were described in an article in the New York Times.

Mr. President, I ask unanimous consent that this New York Times article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 10, 1999]

U.S. CANCELS GRANT FOR CHILDREN'S BOOK WRITTEN BY MEXICAN GUERRILLA

(By Julia Preston)

MEXICO CITY.—A macaw with scarlet and violent plumes soars across the cover of a book called ''The Story of Colors,'' inviting children to read a folk tale about Mexican gods who took a gray world and filled it with brilliant hues.

There are a few surprises, though, in this eye-catching bilingual children's book just published by a small publisher in El Paso, Texas, which won a grant from the National Endowment for the Arts.

Its author is Subcomandante Marcos, the political mastermind and military strategist of the Zapatista guerrillas of southern Mexico. On the inside flap, he appears in a photo with a black ski mask hiding his face and bullet-laden ammunition belts slung across his chest.

On Tuesday, the chairman of the Endowment, William J. Ivey—who is working to rebuild the agency after its recent reprieve from a death sentence issued by congressional Republicans—abruptly canceled the grant for the book. Ivey overruled a multi-layered, year-long grant approval process, acting within hours after the book was brought to his attention by a reporter's phone call.

He said he was worried that some of the Endowment's funds might find their way to the Zapatista rebels, who led an armed uprising in 1994 against the government of Mexico.

Ivey's decision stunned the Cinco Puntos Press, a shoestring operation that had laid out $15,000 to print 5,000 copies of the book, half of which was to be paid by the Endowment grant. The books are ready to be distributed and carry the Endowment's logo on the last page, together with an acknowledgment of ''generous support'' from the agency.

''This is spineless,'' said Bobby Byrd, a poet and editor of books on border issues who runs the publishing company with his wife and daughter from their home in El Paso. ''This book is essentially about diversity and tolerance, everything the NEA is supposed to stand for, and they just don't have the courage to publish it.''

''The Story of Colors'' reflects a literacy, sometimes whimsical side that has distinguished Subcomandante Marcos, the only non-Indian among the Zapatistas' highest leaders, from other steely Latin American guerrilla commanders. (His real name is Rafael Sebastian Guillen Vicente, and he is a former university graphics professor.)

In the text, the masked rebel leader describes himself as lighting up his pipe, one of his hallmarks, and sitting down on a jungle pathway to hear a tale from an Indian elder named Antonio. The old man recounts how mythical gods grew bored with the universe when it was tinted only in grey, and went about inventing colors one by one. In the end they pin all the colors on the tail feathers of the macaw.

The bird ''goes strutting about just in case men and women forget how many colors there are and how many ways of thinking, and that the world will be happy if all the colors and ways of thinking have their place,'' the text concludes.

The illustrations are bright, broad-stroked paintings of gods with horns and bug-eyes done by Domitila Dominguez, a Mexican Indian artist.

Spun in the sensuous tradition of Latin storytelling, the tale includes elements that might be controversial in the mainstream American children's book market. As the story opens, the text reads, ''The men and women were sleeping or they were making love, which is a nice way to become tired and then go to sleep.''

The double-page illustration shows a reclining naked woman in a sexual embrace with a figure that appears to be a male god.

There are no references to the Zapatistas' cause or their military tactics, but in a cover blurb, Amy Ray, a member of the Indigo Girls, a Grammy-winning American song duo, says, ''This beautiful book reminds us that the Zapatista movement is one of dignity that emanates from the grassroots of the indigenous people of Mexico.''

''The most important thing is that it is a beautiful book,'' said Byrd, whose press specializes in bilingual children's books. ''A lot of our stories in the United States have been cleaned up with a politically correct sentiment, and so much detail has been washed away.''

He added, ''I can imagine how someone would rewrite this for an Anglo audience,'' referring to non-Hispanic Americans. ''There wouldn't be anybody smoking or making love.''

''The Story of Colors'' was originally published in Spanish in 1997 by a press in Guadalajara, Mexico called Colectivo Callejero, which supports the Zapatistas' cause.

Byrd said that he provided a copy of the original to the Endowment when he applied for the grant to translate it in March 1998. His first request, for $30,000 to translate a total of five books, passed two levels of review at the agency but the funds were cut back to $15,000. Byrd said he conferred repeatedly with literature experts at the Endowment when he chose to leave ''The Story of Colors'' in a revised grant request he presented to translate only two books. Cinco Puntos Press (the name means Five Points in Spanish) received a written notice in February that the funds had been approved. The only step left was for the agency to send the money.

Ivey, the Endowment chairman, said that he was not concerned about the book's contents and had not seen the finished printed book. When he went over the grant records Money night, he said, he became worried about rights payments, which the El Paso press had contracted to make to the publishing group in Mexico.

''There was an uncertainty about the ultimate destination of some part of the funds,'' Ivey said. ''I am very aware about disbursing taxpayer dollars for Americans' cultural life, and it became clear to me as chairman that this just wasn't right for the agency. It was an inappropriate use of government funds.''

An Endowment official, who spoke on the condition of anonymity, said that it is very unusual for the chairman to step in at the last moment to override the work of several review committees, including the 26-member National Council on the Arts, which includes six federal lawmakers.

Byrd said he had made it clear in his grant proposal that no part of the grant would go to the author, Subcomandante Marcos, because the guerrilla leader has declared he does not believe in copyright and formally waived his rights in talks with the Mexican press. Byrd said that rights would be paid to the Guadalajara Press for the use of the artwork.

When Republicans gained control of the Congress in 1995, they were frustrated with the Endowment's support for art works they regarded as offensive and vowed to eliminate the agency. But the House moderated its views under election year pressures and voted overwhelmingly in July 1998 to keep the agency alive.

Mr. SMITH of New Hampshire. This grant had to do with a grant to a publisher for a children's book. Listen carefully, a children's book. This was a grant to a publisher for a children's book, paid for by the taxpayers under the National Endowment of the Arts, at a time—recently—when we had been told that the agency had cleaned up its act and that this was no longer prevalent; no longer do they do these terrible things I just mentioned.

The grant that I am referring to for this children's book had been approved at every level of the NEA's review process. It was canceled at the last minute by the agency's chairman.

Somebody might say: Well, there you go. It worked. They stopped this grant for a children's book; it wasn't appropriate for children. So what is your argument, Senator?

Let me finish. Why did they cancel at the last minute? Because the Chairman of the NEA found out that the book's author was a Mexican guerrilla leader. The chairman was afraid that the royalties would benefit the Mexican guerrillas. So the reason for the grant cancellation was because of the Mexican guerrilla group, not because of the content.

Let's take a look at the content. The New York Times reported that this children's book contained sexually explicit illustrations and text; in other words, this children's book, with sexual content, would have received the NEA support this year—not 10 years ago; this year—if there had not been the other issue about royalties going to Mexican guerrillas.

I submit there is an inherent flaw in the peer review process that led to this circumstance, and all the other outrages over the years. The peer review process does not reflect the values of the decent, hard-working, tax-paying Americans who fund this agency.

Let me just find the article from the New York Times, which I have entered into the RECORD.

I want to remind you, again, that this grant was canceled because the money would go to a Mexican guerrilla group, and there was no reference whatsoever to the content.

This is a children's book. I would ask my colleagues and the American people to ask yourselves whether you want your tax dollars to go for this kind of stuff for a children's book:

The illustrations are bright, broad-stroked paintings of gods with horns and bug-eyes

done by [a man by the name of] Domitila Dominguez, a Mexican Indian artist.

Spun in the sensuous tradition of Latin storytelling, the tale includes elements that might be controversial in the mainstream American children's book market. As the story opens, the text reads, ''The men and women were sleeping or they were making love, which is a nice way to become tired and then go to sleep.''

The double-page illustration shows a reclining naked woman in a sexual embrace with [a] figure that appears to be a male god.

We could go on and on and on.

This is a children's book. It was canceled because the money went to Mexican guerrillas, not because of the content. So you see, the agency has not cleaned up its act. They have been getting away with this year after year after year. And why do they get away with it? They get away with it very simply because we won't stop the funding. We don't have the courage to stop the funding.

Again, the business about censorship—this is about the Constitution of the United States of America, which we are sworn to uphold and defend. Show me in the Constitution where the National Endowment of the Arts should be funded and why it should be funded. Show me.

When we try to say anything about it, we are always accused of censorship. The Smith amendment solves that problem by allowing the public to support the art works they wish voluntarily. You want to support a children's book that shows a naked woman and a naked man in a sexually explicit embrace? Go ahead. You want to show that to your children? Be my guest. You want to raise your children and teach them to read and show them the pictures? Be my guest. But it is not constitutional. And it ought not to happen in the Senate by funding this kind of stuff. We should not be funding art at all, let alone this kind of art.

So that is how it was done in America for the first 189 years of our history: Voluntarily you support the arts. Voluntarily you look at what you want to look at. You show your children what you want to show them. But you do not fund it by taking money from the rest of us to do it.

Let me just pause here for a moment to make a point. We could go through a litany of items that are unconstitutional that we pass on this floor almost literally every day—certainly every week.

I just ask the rhetorical question to the people of America: When are we going to wake up? We saw it time after time. We saw it with the Clinton impeachment: As long as my 401(k) and my retirement account is doing well, and as long as I am making money, as long as I have a job and 3 or 4 weeks of vacation, and everything is going fine, I don't care about the morality of this country. I don't care that the Commander in Chief did what he did. It is OK with me. Poll after poll after poll said just that.

Let me tell you. That is the same thing. Time after time after time, year after year after year, we vote to fund the National Endowment of the Arts. We are told every year that all this stuff that I just referred to has been cleaned up and it does not happen anymore. It does.

Yet why does it happen? Don't blame the National Endowment of the Arts. I don't blame them. I don't blame the Chairman. I don't blame the board. I don't blame any of them for this.

I blame the Senate, the House, and the President of the United States because we pass it and he signs it. We have been doing it year after year after year. They are going to keep right on spending your money as long as you keep giving it to them.

So don't blame them; don't direct your anger at them. You should direct it right here to the people who vote that money. Sooner or later, as the frog in the pot boils slowly and then is cooked before he realizes it, the Constitution of the United States is going to slip through the fingers of all of us.

It is happening. We are going to continue to let it happen by these kinds of votes. If we want to take seriously what we stood there and took the oath to do, to protect and defend the Constitution of the United States of America, we ought to vote against funding the National Endowment for the Arts.

So that everybody understands, there are essentially two major political parties in the United States right now, some smaller parties. Here is the Democratic Party on the NEA. This is a quote right out of their platform:

We believe in public support for the arts, including the National Endowment for the Arts. . . .

That is the 1996 Democrat platform; ''Responsible Entertainment.'' It is an honest statement. They have made it very clear they support this. It doesn't necessarily mean they are implying that they support the kinds of things I have said, but it does mean that as long as you continue to fund it and you don't stop it, those kinds of things are going to continue to be funded.

What we have in the Democratic platform is a statement that is unconstitutional. It is totally unconstitutional. To support the arts, including the National Endowment for the Arts, with taxpayer dollars is unconstitutional. But I think Members will find, when they see the votes taken on my amendment in a few minutes, that most of the members of the Democratic Party will support their platform. They will vote, I think, probably overwhelmingly, probably 90–95 percent—maybe 100 percent, I am not sure—in favor of the National Endowment for the Arts and against my amendment. They will live up to their platform. I personally believe they are taking an unconstitutional vote, but that is their right. They can do it. They were elected just as I was, and they can vote any way they want to. I respect that right.

Let us look at the Republican Party platform. The Republican Party platform on the NEA, same issue:

As a first step in reforming government, we support . . . defunding or privatization of agencies which are obsolete, redundant, of limited value, or too regional in focus . . . [one of the] agencies we seek to defund or to privatize [is] the National Endowment for the Arts.

That is the 1996 Republican platform: ''Changing Washington from the Ground Up.'' We are going to change Washington from the ground up. I support that statement because it is unconstitutional not to support it. The Government should not be funding, under the Constitution, the National Endowment for the Arts. If one sees that statement and realizes that is the position of the party, then one could logically conclude that 90–95 percent of Republicans will vote to support their platform and vote to eliminate the National Endowment for the Arts. We will see. Don't bet on it.

That is the platform. So when the votes come, it will be interesting for the public to look to see who supports their platform. Will the Democrats support their platform, albeit unconstitutional in my view, on this issue, or will the Republicans support their platform? Let us see where the votes fall.

Let me issue a challenge to anyone listening: Take a look at the votes after it is all over. See who the Republicans are, see who the Democrats are, and see who supports the Republican platform and see who supports the Democrat platform.

This amendment takes out the entire funding, which is about $99 million. People will say that is not a lot of money. I guess around Washington it is not. But it sure was a lot of money around a little town called Allentown, NJ, where I grew up before I moved to New Hampshire. That was a whole lot of money. I know a whole lot of people who worked real hard—farmers, merchants, teachers—for those dollars. For this kind of money to be spent from them, I think it is wrong. It is wrong morally, philosophically, and, as I said before, it is unconstitutional.

Mr. President, seeing no other speaker on my behalf at this time, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SMITH of New Hampshire. I yield the floor and appreciate the chairman's consideration in offering the amendment.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, my friend, the distinguished Senator from New Hampshire, argues for his amendment striking the appropriation for the National Endowment for the Arts, as I have listened to him, on two grounds. The first ground is that the appropriation is unconstitutional. The second ground is that it is undesirable.

I agree with the Senator from New Hampshire that Members of the Senate of the United States have a responsibility, just as do sworn members of the

judiciary of the United States, to consider carefully the constitutional implications of all of the work they do. I disagree with the Senator from New Hampshire, however, on what seems to me an easy question to answer: the constitutionality of an appropriation of this nature. In fact, I think the Senator from New Hampshire implied or illustrated the weakness of his own argument when he said, just a few moments ago, why should the people of the United States be paying for an activity of this sort as against paying for the education of our children, among other items that he listed.

The education of our children is no more mentioned in the Constitution of the United States than are the arts or any other cultural activity. Yet it is clearly constitutional, as well as appropriate, for the Congress of the United States to support the education of our children and, for that matter, our young people through college and through graduate school, and we do so with increasing enthusiasm in each and every year.

The same interpretation of the Constitution of the United States that allows and encourages us to do that for education allows us to do so for cultural activities, including the National Endowment for the Arts. If support for the National Endowment for the Arts is unconstitutional, so is support for the Library of Congress—I see nothing about a library in the Constitution of the United States—so is support for the National Gallery of Art, for the Smithsonian Institution, and for the Air and Space Museum, for all of the other cultural activities enthusiastically and, I may say, appropriately supported by the Congress of the United States.

No, there is no precedent and no serious legal argument against the constitutionality of our support, modest as it is, for the National Endowment for the Arts. There has been, however, a considerable argument during the course of the last decade or perhaps two decades over the appropriateness of the support for the arts or, alternatively, over the way in which the National Endowment for the Arts spends its money. Again, I think a vast majority of the Members of both Houses of Congress think, in the abstract, that it is appropriate to spend a modest amount of money on the arts.

From the very beginning of the Republic, we have decorated this building with all kinds of works of art that are not necessary for the functioning of the Congress of the United States. I don't think anyone has ever challenged either the appropriateness or the constitutionality of the use of Federal money for the arts in that respect.

But climaxing in 1995, there was widespread criticism of a significant number of grants made by the National Endowment for the Arts—criticism that I think was totally valid—and some of those specifics the Senator from New Hampshire has illustrated here once again.

In 1995, when this debate was at its height, the proponents of the arts severely restricted the ability of the National Endowment for the Arts to make individual grants, and many of these highly criticized expenditures were to individuals rather than to groups and organizations. Overwhelmingly, today, money for the National Endowment for the Arts goes to States' arts agencies and through grants to a wide range of cultural institutions, many of them, fortunately—more than was the case in the past, though perhaps not quite enough—to organizations in the smaller communities of the United States, outside of major metropolitan areas, either to bring various forms of music, dance, theater, the visual arts to those smaller communities, or to support the creation of such art in those communities in a way that I think is highly enthusiastic. And it becomes increasingly difficult for the critics of the Endowment to say that the moneys we appropriate here are used on matters that are not artistic or are totally and completely inappropriate.

The present Chairman of the Endowment and the predecessor Chairman of the Endowment have worked diligently and, I think, quite successfully in seeing to it that that was not the case. We created congressional nonvoting members of the National Endowment. The Senator from Alabama, who is one of those members, is here on the floor. He has expressed to me his frustration frequently with the way in which some of his advice has been ignored. But I think his very presence has a salutary effect on the way in which the Endowment is managed.

As a consequence, there was a bitter division between the Senate and the House of Representatives in which the House, on at least one occasion—and I think two—did defund the National Endowment and it was rejected by a substantial majority in the Senate. This year, it has disappeared. The House of Representatives has funded the Endowment. If my memory of the bill is correct, there is only a $1 million, or 1-percent, difference between this bill and the bill that passed the House of Representatives.

For me, perhaps the most significant and weighty argument in favor of this appropriation is an argument I have made on behalf of a number of other programs that involve partnerships among the Congress of the United States, State governments, and the private sector. That is the fact that I do not believe there is a single arts group or institution in the United States of America that receives all of its funding from the National Endowment for the Arts.

As a matter of fact, there may not be any that receives 10 percent of the amount of money that they spend from the National Endowment for the Arts. Overwhelmingly, its grants are modest in amount. They are sought eagerly by far more applicants than can possibly receive those grants, because the very fact that the National Endowment for the Arts has given $20,000, or $30,000, or $100,000 to a particular organization adds a degree of prestige and imprimatur to the activities of that organization that make its efforts to secure private funding—and in almost every case, the great majority of the funding of these organizations comes from the private sector—makes securing that funding easier. Whether it is right or not, contributors seem far more likely to contribute to an organization that has been recognized by the National Endowment for the Arts than they are willing to do so with respect to the thousands of other arts organizations and groups that don't receive such funding.

So the appropriation here is considerably less than 1 percent of the money in this appropriations bill that goes to the National Endowment for the Arts and multiplied many times over by support from the private sector. This is true in other areas in my bill, and one I am very interested in, funding for the renewal of salmon runs in the State of Washington. We have money here that will go to a foundation that guarantees that it can double or triple the amount of money actually getting into the field for this purpose, instead of taking on something that would otherwise be wholly and completely a responsibility of the Government of the United States.

So, Mr. President, I believe the serious debate over the future of the National Endowment for the Arts has passed. I think it has passed because the National Endowment is reformed. I think it has passed because they are now doing what I believe the Endowment was originally intended to do, and doing it in almost every case with a remarkable degree of thoughtfulness and good sense. What we come up with here, representing only a tiny percent of what goes in the arts activities in the States, is nevertheless very important in that support and vitally important in securing the private sector support for the arts, and that has been in the past and will be in the future a primary source of the money.

Regrettably, I oppose the amendment of the Senator from New Hampshire in this connection. If he wishes to speak again, I am going to yield the floor now. I note the presence of the Senators from Florida and Wyoming, and I know the Senator from Missouri, Mr. ASHCROFT, wants to speak on this issue. So we are not going to bring it to a vote now. When the Senator from New Hampshire has made his comments, I will ask unanimous consent to go on to the next amendment.

Mr. SMITH of New Hampshire. Was the Senator from Florida seeking to respond to the amendment?

Mr. GORTON. Mr. President, he is here on his own amendment.

Mr. SMITH of New Hampshire. Mr. President, I have just a few brief responses to my colleague.

I believe it would be a fallacy to equate Government funding, its own activities, legitimate functions of the Government, to fund those activities such as the Library of Congress and the Smithsonian, which obviously are document preservation, artifacts, and historical matters—that is legitimate, in my view; but to equate that with the Government funding of private activities is where I have my differences. I think that is the difference—the Government funding its own activities versus the Government funding private activities.

I believe that art, in terms of the examples I gave, is and should be funded privately because there is a matter of what is art and what is not art, which is a matter of personal opinion. I don't believe taxpayers should fund somebody else's view of what art is or is not. I also think it is wrong for us to act without explicit constitutional authority, whether it is in the arts, or education, or anything else.

The Senator from Washington is correct. I misspoke when I said education. I should not have used that term because, also, the Federal Government, in my view, does not have a legitimate role in determining the education of our children. I believe that is a local matter that ought to be done by the States, the local communities, and parents.

Finally, to say it is a good thing for a Federal agency to provide a ''seal of approval'' for the arts so that the private sector will know what to support, that is a threat to art.

I think that threatens the legitimate issue of art in that government has no business telling people what good art is or what bad art is. I don't think there is any room for the government in art.

Frankly, it is very interesting when you pick out the platform of the Republican Party and read it. Some don't believe we should read our platforms. But I happen to believe we should.

In the 1996 Republican Platform, there is a quote of Senator Bob Dole of March 10, 1995, in which he said:

> On November 8, 1994, the American people sent a message to Washington. Their message is my mandate to rein in government, reconnect it to the values of the American people, and that means making government a whole lot smaller, a lot less arrogant and getting it out of matters best left to the States, cities, and families across America.

That is all I am trying to do. What I am trying to say is if there is some family out there—I can't believe there would be, but there may be—who would like to have a children's book shown to their children showing a naked man and naked woman embracing in the act of sex, if they want to show that to their children, as I said before, I guess that is up to them, but I don't think we ought to be funding it.

Furthermore, finally, what the Republican Platform said at that time was:

> As a first step in reforming government, we support the elimination of the departments of Commerce, Housing and Urban Development, Education, Energy, and the elimination, defunding, or privatization of agencies which are obsolete, redundant, of limited value, or too regional in focus. Examples of agencies that we seek to defund or to privatize are the National Endowment for the Arts, the National Endowment for the Humanities, the Corporation for Public Broadcasting, and the Legal Services Corporation.

I am quoting out of the platform. Finally:

> In addition, we support Republican sponsored legislation that would require the original sponsor of proposed Federalization to cite specific constitutional authority for the measure.

If you are going to offer something as an amendment or a bill which ultimately may become law, then cite constitutional authority for it because, after all, we are here to protect and defend the Constitution.

That is the only point I am trying to make. I understand that the votes have never been here to eliminate this agency. I don't expect them to be here this time.

I don't mean to argue, other than to say that I ask my colleagues to try to move back to the constitutionality issue because I believe that is what this is all about. If you make an exception, even if this was art that was pleasing to me, if it was art that I liked, that I approved of, it would be the same argument—that it has no business being funded. It is not constitutional. I don't believe that we should be funding it.

I see my colleague from Missouri. I know he is an original sponsor of this amendment.

Mr. President, at this time I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I rise today in support of this amendment offered by Senator Bob SMITH of New Hampshire.

This amendment, which eliminates the $99 million appropriated to the NEA, gives Senators the opportunity to decide whether the Federal Government should be in the business of judging and funding art.

There are only two ways a Federal government could be involved in funding art: either by judging it or by funding it randomly. I don't think either of those is a good alternative for the Federal Government.

I hope a majority of my fellow Senators will agree with me that the Federal Government should resign from its role as a national art critic—telling us what to enjoy or what not to enjoy, and spending our money to tell us that this is good or that is bad.

It seems to me that to have the Federal Government as an art critic to determine what type of art is superior to another type of art is not something that a free nation would want to encourage. Government should not be in the business of subsidizing free speech, putting its so-called ''Good Housekeeping Seal of Approval'' on certain pieces of so-called art.

When the government funds art, it will always have to make value judgments on what is art and what it is not. I don't think that is an appropriate function of government. The only way to get out of this business is to stop government from funding art.

I guess you could fund art randomly—spin the wheel, and whichever artist's name comes up, give them the money. But you would have to decide who got to be part of the lottery.

For those who say this is an issue of free speech, my view is that speech is not free if government funds it. As a matter of fact, it is funded speech, and not free speech.

When we tax people, we take their dollars coercively. We simply say that if you do not give us the money, you go to jail. Try not paying your taxes and find out whether it is enforced or not. You will find out that the IRS can be very convincing and very persuasive because they have this independent capacity to coerce the dollars.

Government subsidies, even with the best intentions, are dangerous because they skew the market toward whatever the government grantmakers prefer. The National Endowment for the Arts grants place the stamp of official U.S. Government approval on funded art. This gives the endowment enormous power to dictate what is regarded as art and what is not.

A number of art critics and people in the arts community, have observed this.

Jan Breslauer, Los Angeles Times art critic said in 1997 that,

> [T]he endowment has quietly pursued policies rooted in identity politics—a kind of separatism that emphasizes racial, sexual and cultural differences above all else. The art world's version of affirmative action, these policies . . . have had a profoundly corrosive effect on the American arts—pigeonholing artists and pressuring them to produce work that satisfies a politically correct agenda rather than their best creative instincts.—The Washington Post, March 16, 1997.

I would like to call myself an artist because I like to engage in musical performances. I like to engage in the writing of music, and the writing of poetry. But I feel a little below par, so I can't really call myself an artist. There have been some who have said that some of my stuff might qualify for art. But I have never qualified for a grant, and I don't want a grant. My wife always teases me, saying: You can't sell it. You can't even give it away.

But the idea of government funding art means that we would begin to bend the artist away from true expression towards something for which the government was providing a subsidy. That is the point that Jan Breslauer makes—that this subsidy has had ''a profoundly corrosive effect on the American arts''—taking people away from the true expression of art, ''pigeonholing artists and pressuring them.''

The concept of pressure and art is a very difficult concept to reconcile. I think of Michelangelo painting on the Sistine Chapel and the Pope demanding one thing and another. I don't know if it is true, but it is said that in response to that pressure, Michelangelo painted certain people in hell as a way of indicating that he would resist the pressure.

Joseph Parisi, editor of Poetry Magazine, the nation's oldest and most prestigious poetry magazine, has said that disconnecting ''artificial support systems'' for the arts, such as cuts in NEA funding, has had some positive effects. Parisi has said that cuts in federal spending for the arts are causing ''a shake-out of the superficial. The market demands a wider range, an appeal to a broader base. Artists and writers are forced to get back to markets. What will people buy? If you're tenured, if the government buys, there's no response to irrelevance.''—Atlanta Constitution, Nov. 8, 1996.

In short, the government should not pick and choose among different points of view and value systems, and continuing politicizing the arts. Garth Brooks fans pay their own way, while the NEA canvasses the nation for politically correct ''art'' that needs a transfusion from the Treasury. It is bad public policy to subsidize free speech.

Why I should pay full freight to go see a country star, and the Mercedes limousine set should get a subsidy to go to the ballet, I don't know.

On this point I refer Senators to section 316 on page 106 of the Senate bill, which makes a case for elimination of the funding of NEA. It says the NEA can only fund those individuals who have received a ''literature fellowship, a National Heritage Fellowship or''—I am still quoting—an ''American Jazz Masters Fellowship.''

I know very little about music, but I spend a lot of time in music. I know and appreciate that jazz is a great form of American music. But for the life of me, I cannot understand why the Federal Government believes it has the wisdom to use taxes paid by a hard-working plumber or a policeman or a painter to decide which jazz master should be subsidized and which jazz master should not be subsidized. Even if we could subsidize all jazz masters, is it fair to fund jazz masters and not pay stipends to a master classic pianist, a composer, a struggling rhythm and blues artist, or a rock-and-roller?

The fact that the Federal Government does not have infallible wisdom to serve as the Nation's art critic underscores the brilliance of our Founding Fathers who, in writing the Constitution, specifically voted against provisions calling on the Federal Government to subsidize the arts. This is not a new request. The founders considered this and rejected it.

Although funding for the NEA is small in comparison to the overall budget, elimination of this agency sends a message that Congress is taking seriously its obligation to restrict the Federal Government's actions to the limited role appropriately envisioned by the framers of the Constitution. Nowhere in the Constitution is there a specific threat of authority that could reasonably be construed to include promotion of American jazz masters as compared to or in contradistinction to classical pianists or ordinary guitar pickers.

During the constitutional convention in Philadelphia in 1787, Delegate Charles Pinckney introduced a motion calling for the Federal Government to subsidize the arts in the United States. Although the Founding Fathers were cultured individuals who knew first-hand of various European systems for public arts patronage, they overwhelmingly rejected Pinckney's suggestion because of their belief in limited constitutional government.

Accordingly, nowhere in its list of powers enumerated and delegated to the Federal Government does the Constitution specify a power to pick jazz masters over guitar pickers.

It is noteworthy what the Constitution does provide. Article I, section 8, states:

> The Congress [of the United States] shall have Power . . . To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries;

We can protect the work of artists from unlawful and inappropriate appropriation by those who would steal those works and profit from them. In other words, our Founding Fathers established the noble goal of protecting intellectual property of those who are involved in science or the arts. The Founding Fathers did not think the way to protect the rights was to subsidize them or contaminate them or to prefer one or another. Instead, they believe Government protection should extend to protecting their initiative, their creativity, and their discovery.

Some have taken comfort in the recent Supreme Court decisions that have upheld the Federal statute directing the NEA to take into consideration ''general standards of decency and respect for the diverse beliefs and values of the American public'' in making grants.

While some have said this ruling will appropriately address the concerns over the type of art the NEA will fund, I don't think that is the case. Moreover, in response to the Finley decision, Chairman Ivey said the ruling was a ''reaffirmation of the agency's discretion in funding the highest quality of art in America'' and that it would not affect his agency's day-to-day operations. That was a quote from the New York Times.

These court cases do nothing to solve the underlying issue of whether Government should fund and decide what is art. Suffice it to say the time has come to end the Federal Government's role of paying for and thereby politicizing art. Art should be pure, not politics, and it shouldn't ever become pure politics; it can, when art is elicited, shaped, and coerced in order to comply with Federal guidelines.

I thank the Senator from New Hampshire for offering this amendment. I urge my colleagues to join me in supporting this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in opposition to this amendment. In a way, I am grateful this amendment has come to the floor. I think this Senate should go on record: Will we decide to go on the course suggested by Senator ASHCROFT of Missouri and Senator SMITH of New Hampshire and say there will be no funding of the arts in America, that we have decided now at this moment in our history that we will walk away from governmental assistance to the artists across America who are starting out and trying to develop their own skills?

I think that is an important question. I know as well as those listening to the debate that over the last 10 or 12 years there has been a lot of controversy about the National Endowment for the Arts. There have been some controversial grants, grants for art projects which I personally found reprehensible.

The bottom line is, it is as wrong to condemn the National Endowment for the Arts because of one or two grants as it is to condemn any Member of the Senate for one or two votes. Each Member can make a mistake. Each Member can do something unpopular. Each Member can do the wrong thing in the eyes of the public. Yet to condemn Members as individuals is just not fair, just, or American. Nor is it fair for Members to condemn the National Endowment for the Arts for things that were done many years ago.

Over the last several years, it has been my good fortune to be a non-voting member of the National Council of the Arts, meeting every 6 months to review the applications for assistance to the NEA. Several Members of the Senate and the House of Representatives have shared in that responsibility. It has been an eye-opener to sit as I have with men and women from across America and to consider those who come to the National Endowment for the Arts asking for assistance.

Listening to the speeches on the floor, one would think that these are people who come in with some grand political agenda or they are looking for some big government seal of approval. That is not the case at all. By and large, these are creative people looking for an opportunity. Some of the opportunities which they have presented as a result of the National Endowment for the Arts are amazing in their scope.

Think of the impact if we eliminate the National Endowment for the Arts.

Let me tell Members about one particular program. I am sorry the Senator from Missouri cannot hear this because I think he would appreciate it since he was born in the city of Chicago. I think he would understand the importance of this program.

In my home State of Illinois there is a program called the Merit Music Program. The Merit Music Program is an exceptional effort inspired by one lady who decided that she would try to reach down to the poorest schools in the city of Chicago and find those kids who had music potential. What she has done over the years is to literally bring in hundreds of kids each year who learn how to play a musical instrument. These are kids who live in some of the poorest housing in Chicago, and their most prized possession will be a violin, a clarinet. They will develop musical skills.

Each year, I try to attend their recital on Saturday while kids from kindergarten on up play their musical instruments. It is an amazing performance from kids who come from the poorest families. It is a performance that is made possible by the National Endowment for the Arts.

These kids get a chance to learn to play a musical instrument. One might say, well, that is a nice hobby; what can it mean? When we follow these kids through their music education, what do we find? Every single one of these kids goes to college. These kids, given a chance at artistic expression, not only have wonderful fulfillment, they have ambition. They decide they can rise above what they have seen around them in their neighborhoods. That is what art and music can do.

I am almost at a loss for words—which is something to say for a Senator—when I hear those on the other side of the aisle stand and say: Well, what good is this? Why would we do this? Why would we encourage this?

In downtown Chicago we have a block that has become known as Gallery 37. In the Loop in Chicago it stands out. It is ultimately going to be developed by some big company, I am sure. Over the last several years, we have decided that Gallery 37 will be an artistic opportunity for kids all across Chicago, kids who can show their artistic wares, who can learn skills in art, and perhaps even be trained for jobs in art. It really has become a magnificent undertaking of that community that reaches out all across Chicago. The rich, the poor, the black, the white, the brown, all come together—Gallery 37, National Endowment for the Arts.

If you go home to your community in your State, whatever it might be, I guarantee you will find the recipients of the grants from the National Endowment for the Arts are not some people living in these ivory towers but, rather, the folks living in your community. Does your city have a local symphony orchestra? My guess is, if not this year, then at some year in the past, the National Endowment for the Arts has helped that symphony orchestra. Does your school system have an art program that encourages kids and moves them along? Many of those programs across America receive assistance from the National Endowment for the Arts.

The National Endowment for the Arts last year received $98 million out of a Federal budget of about $1.7 trillion. We took $98 million to give to the National Endowment for the Arts. That is a lot of money; I will concede that point. In the context of the big Federal budget, though, it is a very tiny piece. But it is a piece of Federal spending that is used to encourage artistic creation and expression.

Of what value is that expression to those of us who are simply art consumers? Let me tell you a personal story. My mother was an immigrant to this country. She came at the age of 2 from Lithuania with her mother and grew up in East St. Louis, IL. She made it to the eighth grade, and that is when she had to stop and go to work as a switchboard operator at a telephone company. She raised me and my two brothers, and she was a woman who was always trying to learn and to appreciate things. I would like to tell the Senator from Missouri, Mr. ASHCROFT, she used to put us in the family car on a Sunday afternoon and we would go across the bridge to the St. Louis Art Museum, and my mother and I would walk through there looking at paintings. Frankly, she had no knowledge of art, but she knew what she liked and appreciated. How many Sunday afternoons we walked through there and I looked at those paintings. As a kid, I was totally bored. As I got a little older, I came to appreciate them. But here she was, a simple woman, immigrant woman, a blue-collar worker, who thought it was important her son see art and what it stands for.

So when I hear the arguments made that this is unfair to blue-collar workers across America, to ask them to take a tiny fraction of their Federal taxes and devote it to the arts, I think those critics miss the point. Visit museums on The Mall here in Washington or in any city across America, and I guarantee you will see a cross-section of American life, the rich and the poor, the educated and the uneducated, all appreciating what art can bring to our lives. This is not something for which we should apologize. It is something we should be proud of. The legacy we will leave in America for future generations is not just a legacy of concrete and steel; it is a legacy of art as well.

Those who visit countries around the world, wherever they may be, usually stop first at the art museums because they want to see the collections. It says something about the value of art when it comes to civilization. To think we would take a step backwards on the floor of the Senate today and decide we will no longer, after years and years, provide assistance and money for the arts is unthinkable. It is unthinkable. In a way, I appreciate the opportunity to have this amendment. Let's have a record vote. Let's see how many people here want to join a group which basically says that the United States of America, with all of its richness, with all of its diversity, cannot afford $98 million to encourage the arts.

Let me tell you about another art project that received a decoration, an award from the National Endowment for the Arts. It is called Street Level Art, and it is an amazing thing. It is in the city of Chicago again. Two young men who worked for advertising agencies decided they just didn't quite like going to work 9 to 5 every day. They wanted to do something more. So they gathered together equipment from people who were getting new versions of computers and videotape machines and the like. They put it in a little storefront on Chicago Avenue, and they invited kids from junior high and high school across Chicago to come after school to learn how to make documentary films and to do animation for cartoons.

I met a young lady there who lived on the south side of Chicago who literally had to take three buses after school to get to the Street Level Art Program, but she was so excited at the prospect of developing her skills, her creativity in art. This is another group that received an award from the National Endowment for the Arts. For Senators to come to the floor and say get Government out of this business is to basically say do not get the seed money to Street Level, don't give the seed money to Gallery 37, don't give the seed money to Merit music. If we did, if we said we are going to close the door and turn out the lights on Government involvement for the arts, would we be a better nation for that? I do not think so.

I think, frankly, the National Endowment for the Arts has done an excellent job. It has learned some valuable political lessons over the last several years. It is unfortunate the sponsors of this amendment do not concede that point and they cannot join the other Members of the Senate to come with me to these meetings twice a year to see what is involved because not only education programs but children's festivals, literary programs, orchestras, museums, dance companies, all receive a helping hand from this National Endowment for the Arts.

I see Senator SESSIONS from Alabama on the floor here. He has joined me at meetings of the National Endowment. The President has proposed a program. It is called ''Challenge America.'' A point made by Senator SESSIONS at one of our meetings, and a valid one, was that the National Endowment for the Arts should reach out into communities which have not traditionally been served and helped by the National Endowment, and they are doing that. I think that is the right thing to do because we can encourage artistic expression in the rural areas of Alabama and the rural areas of Illinois. I think we will be better for it.

Unfortunately, this bill does not provide a great deal of funding for that, but the bottom line is that it is a concept we should pursue in this country. As it stands, this is still in the concept stage, but it is an important concept, particularly when it comes to educating and reaching out to young people at risk of dropping out of school or becoming delinquent or abusing drugs.

We spend so much time here on the floor wrestling with problems that American families are worried over, not the least of which was the shooting at Columbine High School in Littleton, CO. We are trying to read and study and speak among ourselves and say: What is going on in the minds of these children that they would become so violent, grab a gun, and shoot at their classmates?

Even though I am a parent and proud of the three children my wife and I raised, and our grandchild, I do not consider myself a specialist in this area. But I do remember from my own life experience, watching my kids grow up, if you give a young person a chance for fulfillment, that young person sometimes will show you that chance has not been squandered and will make something good of it. Some of them will be the best students in the class. Others may not be great when it comes to grades, but they may turn out to be excellent artists or excellent musicians.

If we close down the NEA and turn out the lights, as this amendment suggests, we are turning out the lights on a lot of young children in America who just need an opportunity to express themselves, to prove themselves. Without that opportunity, they will certainly be frustrated; I hope not worse. But it really would be a loss for this Nation.

I sincerely hope this amendment is defeated, and I hope it is defeated overwhelmingly because I believe, in defeating this amendment, we will make it clear that when it comes to freedom of expression and encouragement of arts, even though our investment is relatively small in terms of the larger Federal budget, it is still important because it says what we are about in America. We are about encouraging diversity of opinion, encouraging artistic expression, encouraging our young people to fulfill themselves.

I hope my colleagues will join me in defeating this amendment, and I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GORTON. Will the Senator from Minnesota yield for just a moment?

Mr. WELLSTONE. I will not yield my place in the floor but——

Mr. GORTON. No. But simply for the benefit of all Members, if the Senator from Minnesota could give us some kind of estimate as to how long he will speak? Because we are going to another matter soon. When his remarks are over, I will move to table the Smith amendment. We will ask for the yeas and nays.

I misled my colleagues from Florida and Wyoming, who have an amendment that I think can be disposed of relatively quickly and I trust without a rollcall vote. But because of the lunch hour, I hope we can get to a vote on this amendment without disrupting everyone.

Does the Senator from Virginia wish to speak on this amendment?

Mr. ROBB. Not on this amendment, Mr. President, but I would like to make a statement at the appropriate time on this legislation.

Mr. WELLSTONE. Mr. President, I say to my colleague, I will be relatively brief. I will try to keep my remarks under an hour.

Did the Senator hear what I said? I was kidding. I said I would keep my remarks under an hour. Was that the Senator's approval? In 10 minutes I will be able to say what I need to say.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, without his losing his right to the floor, I would like to make a few brief remarks on this amendment also.

Mr. GORTON. Then I will certainly wait.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, my colleague from Florida says I cannot do it in 10 minutes, but I am going to prove him wrong.

I do not know whether I can add that much to the remarks of Senator DURBIN. I have heard the Senator speak quite often. I actually think that was one of the strongest statements. Really. I wish I were not following him.

I say to all my colleagues, Democrats and Republicans alike, this will be a healthy vote because we ought to vote on how we view the National Endowment for the Arts. As a Senator from Minnesota, I think the most important thing we can do as Senators is to do our work every day in such a way that we can assure equal opportunity for every child. That is the way I approach this topic, I say to my friend from New Hampshire.

Senator DURBIN's point was well taken. What you want to do with children, starting at a very early age, is you want to take that spark of learning that all children have—they are so eager—and we need to ignite it. Different children are good at different things. Some are really good at academics, at least the way we define formal academics; some are athletes; some are musicians; some are artists.

The National Endowment for the Arts has done an absolutely fabulous job of funding some of the most wonderful community arts partnerships you ever want to see in the State of Minnesota, by the way, rural as well as urban. There is some great work with at-risk kids, some great work with all the children in Minnesota—white us, black us, brown us—all of us. It is united. It is wholesome.

There have been mistakes made. I agree with Senator DURBIN, Jane Alexander understood that and did a great deal to correct some of the mistakes that had been made. I do not think that has been properly acknowledged in this amendment that my colleagues bring to the floor.

Overall, it is so enriching and it is so exciting to see what is done with these community arts partnerships.

I did not get a chance to hear the remarks of my colleague from Missouri, so it would not be fair to him—he is not here—for me to even try to respond to what I think he may have said based upon what Senator DURBIN said.

I have had a chance to visit with the arts community. I have had a chance to see some of these projects take hold in Minnesota, in our neighborhoods, in our communities, urban, rural, and suburban, and I am especially focused on children and kids.

This does not have a thing to do with blue collar, white collar, high income, low income, middle income. This has really been some wonderful, nurturing, enriching work with children in Minnesota, some of whom have really come into their own as a result of the way in which the NEA grants and good art work and artists have reached them. Some of the things that these kids do, some of the ways in which they are creative and express themselves, some of the ways in which they, in turn, contribute to community, based upon the nurturing and the support from the NEA grants—it is just a marvelous thing to see.

Yes, mistakes have been made, but I call on Senators to be our own best selves. I do view this as a vote that has a whole lot to do with children, a whole lot to do with kids, a whole lot to do with the importance of community arts partnerships. I hope this amendment will be defeated with a resounding vote.

I yield the floor.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from West Virginia.

Mr. BYRD. Mr. President, I am opposed to the amendment that is being offered by the Senator from New Hampshire, my good friend Mr. SMITH. He and I serve together on the Armed Services Committee. I have great respect for him and certainly for many of his viewpoints. But on this matter, I will oppose his amendment.

I am a product of the Depression as well as the days and some of the years ante-Depression. When I graduated from high school in 1934, which was 65 years ago now, I was the valedictorian of the class. Of course, we only had 28 in the class. If there had been 29, I might not have been the valedictorian. But I was very fortunate in going to the Mark Twain High School and grade school in a coal mining community in southern West Virginia.

Mark Twain High School had a faculty that probably would have matched the faculty of a junior college in these

days. Teachers did not get paid much, but they were highly dedicated teachers.

The principal of the high school was a man by the name of William Jennings Bryan Cormany. And his wife, Marguerite Cormany, was an excellent music teacher. Mr. Cormany was a strict disciplinarian. He was the kind of high school principal we should have all across this country these days. We paid attention in his class. He taught physics. He was an excellent teacher.

His wife organized a high school orchestra and a band. She wanted me to be in the band. I was the bass drummer. The bass drum was larger than I was, but I was the bass drummer. She also talked me into taking lessons on the violin. My foster father was a coal miner, and through the sweat of his brow, he bought me a violin. I can remember the Saturday afternoon when we piled into a large flat-bed truck and went from Stotesbury to Beckley, about 15 miles away.

I went back home that night. I had a violin case tucked under my arm with a violin in it. My dad paid all of about $28 or $29 for this violin, violin bow, and violin case. I went home that night and had visions of becoming a Schubert or a Chopin. I could see myself being one of the great artists. Those were dreams.

How great it is to believe the dream
As we stand in youth at the starlit stream,
But greater still to live life through
And find at the end that the dream is true.

I dreamed of being a great musician. My natural father was a musician. He was not an educated man. He never took a music lesson in his life. I never knew him very well. I only lived with him about a week in my life. He was my natural father.

I lost my mother when I was less than a year old. She died with the influenza in 1918. But she wanted my father, if she died with the influenza, to give me to one of his sisters who had married a Byrd. She died the next day or so after she came down with the flu.

My father just had a natural talent for many things. When he went out to pick the beans in the garden, he would be memorizing chapters from the Bible. He could play almost any instrument he ever put his hands on—the organ, the banjo, the guitar, the Autoharp, and so on. He had a natural talent for music.

I inherited some of that talent for music. I loved it. And so my coal miner dad, who was my uncle, bought this violin for me. I started taking lessons when I was in the 7th grade in school. When I graduated, of course, I was still in the orchestra and in the band.

By that time, I had also learned to play many of the old mountain tunes. My music teacher, Mrs. Cormany, did not take that very well. She was not very happy that I would go out behind the schoolhouse and play ''Old Joe Clark'' on my fiddle or ''Arkansas Traveler'' or ''The Mississippi Sawyer'' or ''The Chicken Reel.'' She did not approve of that. But I did it nevertheless. So, I came to learn to play ''by ear,'' as they say.

Well, now, my boyhood without that music would have been an empty boyhood. I started out in life where the bottom rungs in the ladder were not there. They were missing. There was not the first rung or the second rung. As I say, I grew up in the Depression, which was a hard, hard life at best.

But the music did something for me. It did for me what David's music did for Saul when he appeared before King Saul. Music through the ages has come from the depths of the soul of man. It has been an inspiration to him Michelangelo and the Sistine Chapel; Leonardo da Vinci and the Mona Lisa; Phidias, who was a great sculptor at the time of Pericles. Pericles lived in the latter half of the 5th century. I remember the Peloponnesian Wars lasted from 431 to about 404 BC. Phidias was a great sculptor at that time.

All through the ages, men have had this desire to use their talents. We read about seeing the forms of animals or persons carved into the caves of ancient mankind and on the obelisks in Egypt. We know about the cuneiform writings, the Sumerians, the Hittites, the ancient Chinese. The ancient peoples drew word pictures before they learned to write.

There is something about man that is above the animal. Do not tell me that man is an animal. I know they teach that in school, but they are all wrong. They are 100 percent wrong. Man is not an animal. An animal cannot draw a picture. An animal cannot paint a picture. An animal cannot play a violin. An animal cannot memorize the multiplication table. Man is not an animal.

God created man out of the dust of the ground, and breathed into his nostrils the breath of life. There is a spark of the divinity in man. A man is a little above the beasts of the field, a little lower than the angels, but there is that spark of divinity. There is something in mankind that tends to lift his spirit in the lofty flights of song and poetry. Music is one of those talents that is ingrained in the genes of man.

I can certainly understand the feelings of Senators with respect to some of the recipients of funds from the National Endowment of the Arts in years gone by. They were absolutely foolish, stupid to make those awards. It was colossal stupidity on the part of the Endowment to award grants to people who had such motives and objectives as a few of them had. But they were a tiny few. I think it would be a very serious mistake here to strike this from the bill.

Who knows, there may be a little Michelangelo, there may be a little Benjamin West. Benjamin West said that one day he took to his mother some childish drawings of birds, and his mother took him up on her knee, kissed him, and said: ''Son, you will grow up to be a great painter.'' Benjamin West said that it was a mother's kiss that led him to become a great painter. The encouragement that his mother gave him after seeing the childish drawings and paintings that he had made caused him to aspire to do greater things.

I can remember that my dad was very poor, the man who raised me. At Christmastime, he never gave me a cap buster or a cowboy suit. In saying this, I do not denigrate those things. But he gave me a watercolor set or a drawing tablet or a book. He did not want me to be a coal miner, as he had been.

So here we are today. In a sense, we can feel that in passing this legislation, as we are passing it, and providing funds—and funds are hard to come by—but we are in a sense providing a little watercolor set or a drawing tablet—we can put it down to that level—to some talented, ambitious, deserving achieving person.

I close with this poem, if I can recall it, which tells the story. Who knows, out of these funds there may not be just one, but there may be many masters—masters—as they develop the talents that are borne within their genes. Many people have those talents and never have the opportunity to develop them. So, where we can, I think, provide the opportunity and the encouragement, we ought to do it. That is a side of life—a side of our culture that is uplifting. We should not attempt to dampen it down, or discourage or put it beyond the reach of those who cannot otherwise afford it.

'Twas battered and scarred, and the auctioneer
Thought it scarcely worth his while
To waste much time on the old violin,
But held it up with a smile:
''What am I bidden, good folks,'' he cried,
''Who'll start the bidding for me?''
''A dollar, a dollar''; then, ''Two!'' ''Only two?
Two dollars, and who'll make it three?
Three dollars, once; three dollars, twice;
Going for three——'' But no,
From the room, far back, a gray-haired man
Came forward and picked up the bow;
Then, wiping the dust from the old violin,
And tightening the loose strings,
He played a melody pure and sweet
As a caroling angel sings.

The music ceased, and the auctioneer,
With a voice that was quiet and low,
Said: ''What am I bid for the old violin?''
And he held it up with the bow.
''A thousand dollars, and who'll make it two?
Two thousand! and who'll make it three?
Three thousand, once, three thousand twice,
And going, and gone,'' said he.
The people cheered, but some of them cried,
''We do not quite understand
What changed its worth.'' Swift came the reply:
''The touch of a master's hand.''

And many a man with life out of tune,
And battered and scarred with sin,
Is auctioned cheap to the thoughtless crowd,
Much like the old violin.
A ''mess of pottage,'' a glass of wine;
A game—and he travels on.
He is ''going'' once, and ''going'' twice,
He's ''going'' and almost ''gone.''
But the Master comes, and the foolish crowd
Never can quite understand
The worth of a soul and the change that's wrought

By the touch of the Master's hand.

Let us defeat this amendment and reject it overwhelmingly let us continue to make it possible for some future masters to lay their talented hands upon the culture of our own civilization and thereby benefit all of posterity.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, the only reason I sought recognition is to speak before the motion to table is made. I apologize to my friend, the manager of the bill, recognizing how badly he wants to move on. I feel inclined to speak on this amendment.

I say to the Senator from West Virginia, my friend, I have had many inspirational times on the Senate floor, and most of them have been directly attributable to the Senator from West Virginia. If what we just listened to, was not inspirational, then someone wasn't listening.

I had the honor a week ago to participate in a parliamentary exchange with the British Parliament. I was able to meet with a small group of British parliamentarians, with a number of Senators in West Virginia. The hosts of that event were Senators BYRD and STEVENS. It was a wonderful weekend where we talked issues.

One evening we were able to meet and have a social event in a place called Kate's Mountain in West Virginia. I had been there only once before. I came to realize, on my first trip to West Virginia at Kate's Mountain, what that song, those West Virginia hills where I was born, means to someone from West Virginia because Kate's Mountain is part of those West Virginia hills. I appreciate those hills, even though I wasn't born in those West Virginia hills. Part of the entertainment that night, just a few days ago, was a blue grass band playing. Senator BYRD participated in the entertainment. He took the microphone and proceeded to sing. It was a wonderful, fun, entertaining evening.

Well, Mr. President, I can't sing. I can't play a musical instrument. But there is no one in the world that enjoys music more than I enjoy music. I have tried to play music. I have tried to sing. I can remember as a young man in high school, I wanted to sing. I went to try out for the choir at Basic High School in Henderson, NV. I can still remember the choir director, Chapman Wooten, a wonderful man, but he could understand talent when he saw it. He didn't see it in me. He said I should continue playing football and baseball and pass on the choir.

I didn't make the choir. In fact, I only was there a few minutes. But I still love music. I can't paint a picture. I have tried. My grandchildren paint better than I do. But I love to see people paint pictures, and I love to see the finished product. I have in my home paintings that may not be very valuable, but they are valuable to me. They are paintings I have bought because I loved those paintings. I can remember the first painting I ever bought. I was just out of law school. I went to the Tropicana Hotel in Las Vegas and a man by the name of McCarthy had an exhibit there. I don't know if he has ever made a living painting, but I gave him $75 for a painting that I still have. If you come in my home, there is the first painting that I ever bought. I bought that painting because it reminded me of my wife. It is a painting of a woman. I love that picture.

I was born and raised, as most of you know, in a little place called Searchlight, NV. We had very little entertainment in Searchlight. There wasn't a church to go to. I never went to a church until I went to high school. There wasn't one to go to. In the whole town there was one person who played a piano. I don't know how well she played it, but she played the piano for Christmas programs. That is about all I can remember. She was a woman of some note. She was not noted for playing her piano. She had been married 14 times. I know that because she was married to a few of my uncles. But she played the piano. She was our music in Searchlight. Any program we had, she was part of it.

I am sure in that little town of Searchlight there were people who could have played, if there had been someone there to give them a lesson, someone who could paint a picture, if there was someone who could teach them how to paint a picture. In the entire time that I was growing up in Searchlight, I don't remember a single person playing a musical instrument because they didn't play one. I don't remember a single person painting a picture because they didn't paint a picture. There was no one there to help us, to encourage us.

The National Endowment for the Arts is a program that I envision as helping kids like HARRY REID growing up in rural America, rural Nevada. It also helps kids in urban America, but I think of it as to what I can relate to. The National Endowment for the Arts is a program that is important for people in this country.

I can remember first becoming acquainted with the National Endowment for the Arts because Senator BYRD allowed me to conduct some of the hearings when he was chairman of the Interior Subcommittee of the Appropriations Committee. I conducted the hearings. I loved doing that. We conducted hearings relating to the National Endowment for the Arts. I became so impressed with the work that they do that I have been a fan ever since.

In Elko, NV, we benefit from the National Endowment for the Arts and the National Endowment for the Humanities. There is a great program; it is world famous now. It is called the Cowboy Poetry Festival. It took years to get off the ground. A man by the name of Cannon got it started. He started off in Utah, and he did everything he could because he had this idea that there was cowboy poetry that should be preserved and perpetuated. He couldn't get it off the ground. He went to private foundations. He did everything he could. They didn't think his idea was very good. He went to Elko, NV, and luckily the National Endowment for the Humanities, the National Endowment for the Arts helped him get this program started. Now it is world famous. You can't find a motel or a hotel room when this festival is occuring. People recite poetry. There are books on western American history that are written and talked about and presentations made. It is because of these programs, the National Endowment for the Arts, National Endowment for the Humanities.

In Nevada, we benefit all over. There are so many things. I have a spate of papers here talking about how great these programs are. One from Delores Nast. She doesn't teach art. She is not a teacher. She loves art, though. She writes: Many Nevadans believe strongly that part of our tax dollars should be directed towards support of our Nation's cultural and educational initiatives.

What an understatement. The most powerful Nation in the entire world can't spend a few dollars on helping kids from Searchlight, NV, learn to paint a picture or play a musical instrument. Yes, we can do that. We must do that.

I am not going to, as I say, hold up the manager of this bill. I only want to say that we in Nevada believe in the National Endowment for the Arts. There are some people who criticize it, but they criticize anything dealing with government. I am proud of supporting the National Endowment for the Arts. I am proud of supporting a motion to table this amendment. It should be tabled overwhelmingly because we, the most powerful Nation in the world, need to spend more, not less, on the arts.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, I understand the Senator from Vermont has a quick unanimous consent request.

CHANGE OF VOTE

Mr. JEFFORDS. Mr. President, on roll call No. 258, I was recorded as voting ''nay.'' I ask unanimous consent to change my vote to ''yea.'' This will in no way change the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

Mr. ROCKEFELLER. Mr. President, I take this opportunity to voice my support for the Arts in general, and specifically for the National Endowment for the Arts. I also want the Senate and my constituents to know that I would have demonstrated this support with my vote if I had not been engaged in an important meeting at the White House while the vote was taking place.

This meeting today concerned the future of the steel industry and the Administration's commitment to work with Congress, the industry and labor to ensure that unfair and illegal imports are returned to pre-crisis levels. As my colleagues and constituents know, my commitment to the future stability and viability of our domestic steel industry—which is critical to the economic well-being of West Virginia—is unwavering, and for that reason I felt it necessary to remain at the White House for this important meeting.

Unfortunately, the vote on the Smith Amendment was called earlier than anticipated, and I missed the vote. I would have voted against the Smith Amendment if I could have been in the chamber because I believe in funding for the arts, including the National Endowment for the Arts. I take comfort in the fact that the lopsided margin meant that my vote was not necessary to ensure funding for the NEA. I understand that some have challenged NEA's funding decisions in recent years, but I believe the agency has done an admirable job in modifying its policies and decision making process to respond to concerns. Thanks to these efforts, the NEA is a stronger organization. The arts and the NEA contribute greatly to our culture, and it is a valuable investment in my view.

Mr. ROBB. Mr. President, I add my voice in support of the National Endowment of the Arts, and in opposition to Senator SMITH's amendment. The NEA continues to provide valuable seed money to support a range of worthy endeavors, such as orchestras, inner-city arts outreach programs and efforts to preserve vanishing American cultural institutions. In addition, the NEA plays a strong role in promoting private investment in the arts and helps to bring culture to those Americans who are ordinarily unable to afford access to the arts. As a country, we ought to continue to support these efforts. I urge my colleagues to oppose this amendment.

Mr. GORTON. Mr. President, I compliment both the Senator from Nevada and the Senator from West Virginia on very thoughtful and fascinating statements on this matter.

I move to table the Smith amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 1569.

The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Idaho (Mr. CRAPO) and the Senator from Colorado (Mr. ALLARD) are necessarily absent.

Mr. REID. I announce that the Senator from Louisiana (Ms. LANDRIEU) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

The result was announced—yeas 80, nays 16, as follows:

[Rollcall Vote No. 260 Leg.]

YEAS—80

Abraham	Edwards	Lugar
Akaka	Enzi	McConnell
Baucus	Feingold	Mikulski
Bayh	Feinstein	Moynihan
Bennett	Frist	Murkowski
Biden	Gorton	Murray
Bingaman	Graham	Reed
Bond	Grams	Reid
Boxer	Grassley	Robb
Breaux	Gregg	Roberts
Bryan	Harkin	Roth
Burns	Hatch	Santorum
Byrd	Hollings	Sarbanes
Campbell	Hutchison	Schumer
Chafee	Inouye	Shelby
Cleland	Jeffords	Smith (OR)
Cochran	Johnson	Snowe
Collins	Kennedy	Specter
Conrad	Kerrey	Stevens
Coverdell	Kerry	Thomas
Craig	Kohl	Thompson
Daschle	Lautenberg	Torricelli
DeWine	Leahy	Voinovich
Dodd	Levin	Warner
Domenici	Lieberman	Wellstone
Dorgan	Lincoln	Wyden
Durbin	Lott	

NAYS—16

Ashcroft	Helms	Nickles
Brownback	Hutchinson	Sessions
Bunning	Inhofe	Smith (NH)
Fitzgerald	Kyl	Thurmond
Gramm	Mack	
Hagel	McCain	

NOT VOTING—4

Allard	Landrieu
Crapo	Rockefeller

The motion was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY S. 1429

The PRESIDING OFFICER (Mr. BUNNING). The majority leader.

Mr. LOTT. Mr. President, I ask unanimous consent that at 1:06 this afternoon the Senate begin consideration of the reconciliation conference report, notwithstanding the receipt of the papers, and there be 6 hours for debate to be equally divided in the usual form with the vote to occur at the conclusion or yielding back of the time.

The PRESIDING OFFICER. Is there objection?

Mr. ROBB. Reserving the right to object, may I ask a question of the majority leader.

Is it the majority leader's intention to return to the underlying bill, the Interior appropriations bill, at the conclusion of consideration of the tax bill today?

Mr. LOTT. Mr. President, to respond to the Senator's question, it is. When we complete reconciliation, at the conclusion of this 6 hours or yielding back time, which theoretically could occur, then when that is completed our intent is to go back to the Interior appropriations bill.

The agreement we had last week was that this week we would try to complete these two appropriations bills, Agriculture and Interior, complete the reconciliation conference report, and try to get as many nominations confirmed as we could get cleared on both sides.

We are still assiduously pursuing that goal.

Mr. ROBB. Mr. President, continuing to reserve the right to object, I ask the majority leader, without specifically asking for an additional unanimous consent request, that if it is his intention to proceed, those of us who have been waiting through two sessions to either raise points of order, offer amendments, or whatever the case may be, to the Interior appropriations bill, might be able to do so tonight after conclusion of this bill. I am in full agreement with the expedition of a number of matters that have been pending on this floor, particularly some of the appointments. While I may not favor the tax bill that will be taken up this afternoon, I am in favor of moving the trains.

With that, if the majority leader is prepared to give that verbal understanding his concurrence, I will not object.

Mr. LOTT. Mr. President, I give my concurrence in that. We intend to return to the Interior appropriations bill. I believe the distinguished manager of this legislation would be glad to agree we would go to this issue immediately upon return, with a vote if one is required.

Mr. GORTON. If the majority leader will yield, I would be delighted to have the first item to be dealt with, with respect to the Interior appropriations bill, immediately after the vote on the tax bill, be the point of order the Senator from Virginia wishes to raise.

Mr. ROBB. Will the majority leader include that particular provision in his unanimous consent request?

Mr. LOTT. I am glad to make that additional request in my unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATER RESOURCES DEVELOPMENT ACT OF 1999—CONFERENCE REPORT

Mr. LOTT. Mr. President, to my absolute surprise and delight, I understand the water resources development bill has been completed in conference. I extend my hearty congratulations to the managers and to the distinguished chairman of the committee, Senator CHAFEE, for his efforts in getting that conclusion.

I yield the floor to him for a consent request with regard to that conference report.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I ask unanimous consent the Senate now proceed to consideration of the conference report to accompany S. 507.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 507), have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

There being no objection, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of today.)

Mr. CHAFEE. Mr. President, I ask unanimous consent that the conference report be agreed to, the motion to reconsider be laid upon the table, and any statement relating to the conference report be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The conference report was agreed to.

Mr. CHAFEE. I thank the majority leader for moving this legislation along, and I thank all concerned.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, as a member of the minority who had the honor to be a conferee, may I say that this legislation of great importance could not have happened in the absence of our chairman. Our chairman did a superb job, never an easy one with the other side. But here it is before us and he is to be congratulated. I, for one, am deeply grateful.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I thank the distinguished Senator from New York. He has headed many of these conferences. I particularly recall some of the transportation conferences he has headed in which he did landmark work. Having kind words coming from him and praises is doubly important to me. I greatly appreciate them. I thank the Chair.

Mr. President, today the Senate is considering the conference report to accompany S. 507, the Water Resources Development Act of 1999. This measure, similar to water resources legislation enacted in 1986, 1988, 1990 and 1992, is comprised of water resources project and study authorizations, as well as important policy initiatives, for the U.S. Army Corps of Engineers Civil Works program.

This bill was introduced by Senator WARNER at the beginning of this year. In previous years, the Senator from Virginia had been the chairman of the Transportation and Infrastructure Subcommittee of the Senate. In that role he guided a similar bill through the Senate during the previous Congress. We are very grateful for his hard work on this legislation and sticking with the project considering the new demands on his time as chairman of the Armed Services Committee.

Unfortunately, the House was unable to pass a companion measure last year because of a dispute over flood control and water supply in the State of California. So, this WRDA bill is somewhat overdue.

This year, S. 507 was adopted unanimously by the Senate on April 19, 1999. On April 29 of this year, the House of Representatives adopted its version of the legislation by a vote of 418 to 6.

Since that time, we have worked together with our colleagues from the House of Representatives and the administration to reach bipartisan agreement on a sensible compromise measure. Because of the numerous differences between the Senate- and House-passed bills, completion of this conference report has required many hours of negotiation.

To ensure that the items contained in this legislation are responsive to the nation's most pressing water infrastructure and environmental needs, we have adhered to a set of criteria established in previous water resources law. Mr. President, let me take a few moments here to discuss these criteria—that is—the criteria used by the Senate Environment and Public Works Committee to determine the merit of proposed projects, project studies and policy directives.

In 1986 Congress enacted and President Reagan signed a Water Resources Development Act that broke new ground. Importantly, the 1986 Act marked an end to the sixteen-year deadlock between Congress and the executive branch regarding authorization of the Army Corps Civil Works program.

In addition to authorizing numerous projects, the 1986 Act resolved longstanding disputes relating to cost-sharing between the Army Corps and nonfederal sponsors, waterway user fees, environmental requirements and, importantly, the types of projects in which federal involvement is appropriate and warranted.

Each flood control, navigation, environmental restoration, or other project requires a local cost share that is applied uniformly across the nation.

Second, projects are not authorized until various reports and studies have been completed to assure that the projects are justified from economic, engineering and environmental perspectives.

Third, projects must fit within the traditional mission of the civil works program of the Army Corps. That mission includes flood control, improvements to navigation, shoreline protection, and environmental restoration.

These are the precepts that we have applied to the provisions contained in the pending conference report. Although there are special circumstances that justify exceptions to every rule, I believe that this bill does a good job of adhering to the fundamental purposes and principles of the WRDA program.

Water resources legislation has been enacted on a biennial basis since 1986, with the exception of 1994.

The bill we are bringing back from conference today includes scores of projects with a total federal authorization of approximately $4.3 billion. Importantly, more than $1.5 billion of this amount will go toward environmental mitigation and restoration and water cleanup projects for sewage discharges, stormwater retention, and the control of combined sewer overflows.

A bill like this takes hard work by many parties. I would like to salute our Senate conferees, Senators SMITH, BAUCUS, MOYNIHAN, VOINOVICH, and BOXER. As I said earlier, Senator WARNER has been the key player on this bill as its author, manager and member of the conference committee.

Senate staff playing a key role on this bill included Ann Loomis for Senator WARNER and JoEllen Darcy for Senator BAUCUS. On my staff, first Dan Delich and, after he left us, Abigail Kinnison and Chelsea Henderson, have worked many long hours to make this bill possible.

On the House side, the chairman of the Transportation and Infrastructure Committee, Congressman SHUSTER, and committee members, Congressman OBERSTAR and Congressman BOEHLERT deserve high praise for their work. We thank them very much for the spirit of compromise they brought to the conference and for their efforts to complete this task before the recess.

I am pleased to bring this conference report to the Senate. I trust that those who every day depend on the fine work of the Corps of Engineers to protect their lives and their livelihoods will benefit greatly from the legislative work that has been done.

Mr. BAUCUS. Mr. President, I rise today to support the adoption of the Conference Report to accompany S. 507, The Water Resources Development Act of 1999, WRDA.

As we all know, the Water Resources Development Act of 1998 passed this Chamber last year, but was never enacted. This Conference Report builds upon the work done on that legislation and includes some additional projects and programs for the Army Corps of Engineers. With the adoption of this conference report, we wrap up some unfinished business from the 105th Congress and are back on course for development of a Water Resources Development Act for 2000.

S. 507 authorizes projects for flood control, navigation, shore protection, environmental restoration, water supply storage and recreation, as well as several studies which will be the basis for future Corps projects. The projects have the support of a local sponsor willing to share the cost of the project with the Federal Government.

Many of the projects contained in this bill are necessary to protect the nation's shorelines, along oceans, lakes and rivers. Several of the navigation projects need timely authorization in order to keep our ports competitive in the global marketplace. The projects will be reviewed by the Army Corps of Engineers and must be in the federal

interest, technologically feasible, economically justified and environmentally sound in order to go forward. In other words, these are projects worthy of our support.

Furthermore, the bill authorizes studies, including a comprehensive, cumulative impact study of the Yellowstone River in my home state of Montana, that need to get underway so that we can make informed decisions about the future use and management of these precious resources.

In addition, the conference report contains a new continuing authorities program, known as Challenge 21. This program, proposed by the Administration and supported by the conferees, emphasizes non-structural flood damage reduction measures and riverine and wetland ecosystem measures that conserve, restore and manage the natural functions and values of the floodplain. We hope that this new program will integrate needed flood damage reduction with the ecosystem in a more natural way than traditional brick and mortar. Programs like Challenge 21 will help move the traditional Corps' mission into the next century.

I am pleased the conference report has been approved.

Mr. WARNER. Mr. President, I am pleased that the Senate today will enact the Water Resources Development Act of 1999. This important legislation continues the Corps of Engineers civil works critical mission to provide flood control, hurricane protection, river and harbor navigation improvements, environmental restoration of our nation's waterways and other water resource infrastructure improvements.

Since 1986 when the Congress and the Executive Branch reach agreement on landmark cost-sharing principles that apply to the preparation and construction of these projects, the Congress has endeavored to enact this reauthorization bill on a two-year cycle.

As the former Chairman of the Environment and Public Works Subcommittee on Transportation and Infrastructure, the Congress enacted a water resources reauthorization bill in 1996. Regrettably, due to the complexities involving a project to provide flood protection for the Sacramento, California area, the House and Senate were unable to resolve the differences concerning this project in 1998.

Today, the conference report before the Senate includes those projects in last year's bill along with other construction projects that the Corps of Engineers has reviewed and judged to be in the national interest. Through a comprehensive process to study and analyze the scope of individual projects, the Chief of the Corps of Engineers has found the 45 authorizations for new construction projects to be technically sound, economically justified and environmentally acceptable.

Mr. President, this simply means that the Federal taxpayer will receive a higher return on the economic benefits resulting from construction of these projects compared to the individual construction costs. Also, for these projects, a state or local government will provide from 35 percent to 50 percent of the costs of construction.

The Corps civil works program provides significant protection to lives and property from flooding and coastal storms. The maintenance of our river and harbor navigation channels are critical for us to maintain a competitive edge in a ''one-world'' economic market.

The value of water resource projects is well-documented. In 1997, Corps flood control projects prevented approximately $45.2 billion in damages. The Corps continues to support the navigation channel deepening projects so that the larger class of cargo ships and super coal colliers can call on our commercial water ports. The value of commerce on these waterways totaled over $600 billion in 1997, generating approximately 16 million jobs.

Mr. President, the conference report also contains very important provisions to strengthen and expand the Corps new focus on environmental restoration of our nation's waterways. We have established a new program, known as ''Challenge 21'', which provides the Corps with the direction to work with local communities to developed non-structural flood control projects. This is an initiative that will hopefully produce less-costly flood control options. This program will be important to financially-strapped communities who may not be able to afford to provide the 35 percent local costs for a traditional flood control project. Also, this program will foster the preservation of sensitive ecosystems that provide vital flood protection in the floodplain.

Challenge 21 also has the potential to produce significant savings in the reduction of flood damages and Federal flood damage assistance costs.

Mr. President, since the enactment of the 1986 water resources bill which established cost-sharing requirements for the construction of water projects, I have been committed to applying these requirements to projects authorized in subsequent bills. I applaud my Senate colleagues for enacting Senate legislation that adhere to these rules. The cost-sharing requirements have been successful in leveraging non-Federal funds and they have ensured that only those projects with the greatest merit, economic benefit and local support move forward.

It was my view, along with Chairman CHAFEE and the Ranking member, Senator BAUCUS, that we must insist on the cost-sharing requirement for projects authorized in this bill. I regret, however, that the conference report does not apply the cost-sharing principles in all cases.

I would just ask my House and Senate colleagues to remember the 10-year stalemate that existed between the Congress and the Executive Branch from 1975 to 1986. At that time no water resource projects moved forward because the Executive Branch insisted on some level financial contribution from those who would benefit from these projects. By 1986, the Congress and the Administration reached agreement on a fair allocation of costs and since that time there has been an orderly process for planning, designing and constructing water resource projects.

We must not abandon cost-sharing rules, or else there is the very real possibility of again triggering a halt to Federal funding for these important projects. I will continue to work to follow the requirements of the 1986 bill and stand ready to work with my colleagues on this issue.

Mr. President, this legislation, which was three years in the making, involved a great deal of staff time and commitment. I want to express my appreciation to the staff of the Environment and Public Works Committee—Jimmie Powell, the Staff Director, Dan Delich, Abigail Kinnison, Chelsea Henderson, Jo-Ellen Darcy, Ellen Stein and Peter Washburn for all of their efforts. Also, the professional expertise of the Corps of Engineers was invaluable. I particularly want to thank Larry Prather, Gary Campbell and the many dedicated professionals at the Corps of Engineers Headquarters for their technical evaluation of the many projects that came before the Committee for consideration.

Mr. President, I urge the adoption of the conference report.

THE SAVANNAH HARBOR DEEPENING PROJECT

Mr. COVERDELL. Mr. President, I rise to request that the Chairman of the Senate Environment and Public Works Committee help me to clarify the intent of the Savannah Harbor Expansion Project that appears in Section 102 of the 1999 Water Resources Development Act. It is my understanding that this legislation authorizes a project to deepen the Savannah River channel to a depth of up to 48 feet subject to a favorable report by the Chief of Engineers and a favorable recommendation of the Secretary by December 31, 1998.

Mr. CHAFEE. The senior Senator from Georgia is correct.

Mr. COVERDELL. It is my understanding as well, that both the Chief of Engineer's Tier I Environmental Impact Statement and Feasibility Report provide for the establishment of a stakeholders' evaluation group which will have early and consistent involvement in the project, and as part of the process, the EIS requires the development of a mitigation plan to fully and adequately address predicted and potential adverse impacts on, among other things, the Savannah National Wildlife Refuge; striped bass population; short-nose sturgeon; salt water and fresh water wetlands; chloride levels; dissolved oxygen levels; erosion; and historical resources. Is that correct?

Mr. CHAFEE. That is correct.

Mr. COVERDELL. It is my further understanding that before this project is carried out, the Secretary, in consultation with affected federal and nonfederal entities, must develop a mitigation plan addressing adverse project impacts and that the plan must be implemented in advance of or concurrent with project construction and must ensure that the project cost estimates are sufficient to address all potential mitigation alternatives. Is that correct?

Mr. CHAFEE. That is correct.

Mr. COVERDELL. I thank the Chairman for his assistance and look forward to working with him on this important matter.

Mr. CLELAND. Will the Chairman yield for two additional questions on this project?

Mr. CHAFEE. I would be happy to answer any questions the Senator may have.

Mr. CLELAND. As the Senator recalls, during the Senate's consideration of the Water Resources Development Act in the 105th Congress, we discussed the matter of whether the bill authorized the Secretary or the Georgia Ports Authority to proceed with construction of the project without the respective department heads concurring on an appropriate implementation plan and mitigation plan and that it was our understanding that the bill did not provide such authority. In this current version, is this still your understanding?

Mr. CHAFEE. The Senator's understanding is correct.

Mr. CLELAND. Further, is it still the Senator's understanding that any funds to be appropriated by Congress for the project must be allocated in a manner that ensures that project impacts are fully and adequately mitigated and are otherwise consistent with the mitigation plan developed by the Secretary and the stakeholder evaluation group?

Mr. CHAFEE. That is correct.

Mr. CLELAND. I thank the Chairman for the opportunity to clarify these understandings.

HOWARD HANSON DAM

Mr. GORTON. Mr. Chairman, I want to thank the Committee for its efforts to help resolve several very important and contentious issues affecting the Howard Hanson Dam project in Washington state.

I applaud the Howard Hanson provision in the Managers Statement accompanying this legislation, which recognizes the ongoing negotiations between the Corps of Engineers and the National Marine Fisheries Service with respect to the Corps' responsibilities under the Endangered Species Act for the protection of threatened Puget Sound Chinook Salmon. These fish runs are directly impacted by the Corps of Engineers' operation of Howard Hanson Dam and, as a consequence, the Corps will be asked to bear responsibility for these impacts under the ESA.

I appreciate the Committee's acknowledgment that the requirements of ESA might force a revision of the cost allocation for the Howard Hanson project. Given the urgent need to have mitigation measures in place as soon as possible to protect salmon runs in the Puget Sound region, is it the Committee's intent that the Corps provide a proposal for a cost reallocation to the Committee for consideration in the Water Resources Development Act for the year 2000?

Mr. CHAFEE. It is the Committee's intent to urge the Corps and the National Marine Fisheries Service to complete their ESA consultation expeditiously so that a cost share adjustment can be considered by the Committee in a timely manner.

Mr. GORTON. I thank the Chairman.

AMERICAN RIVER WATERSHED PROJECT

Mrs. BOXER. Mr. President, I ask my colleagues on the Committee on Environment and Public Works, and Senator VOINOVICH, Chairman of the Subcommittee on Transportation and Infrastructure, and my ranking member, Senator BAUCUS, a question on the Water Resources Development Act of 1999 as we prepare to give approval to the conference report.

Mr. VOINOVICH. I will be happy to respond to the Senator from California.

Mrs. BOXER. Mr. President, I first thank the leadership of this distinguished committee and its members for their perseverance in working to finally pass the Water Resources Development Act, WRDA, an effort that has taken about a year. I also want to say how I appreciate Senator VOINOVICH's leadership as our new chairman of the subcommittee.

Despite our hard work and achievements, I am disappointed at the outcome in conference on the American River Watershed project. We failed to include the Senate program for providing a 170-year level of flood protection for the City of Sacramento in the American River Watershed. The Senate bill represented the local consensus agreement to increase in the level of flood protection for our state capital, Sacramento. Sacramento's 400,000 residents, 130 schools and 5,000 businesses are located in the flood plain at the confluence of the Sacramento River flowing from the north and the American River, which cascades from the High Sierra mountains, from the east. The most likely cause of a flood would be a breach in the American River levees which could inundate 55,000 acres.

The damages from even a 100-year flood would be comparable to the 1989 Loma Prieta earthquake which caused 63 deaths, almost 4,000 injuries and $8 billion in direct property damage. Sacramento has one of the highest levels of risk and one of the lowest levels of protection.

There was a year-long effort to pressure this Congress to link extraneous water supply projects to this flood control measure, despite the fact that by unanimous vote in the Senate and a 418-to-6 vote in the House, WRDA bills were approved with no special set aside for water supply projects in California that would override the water agreements and planning processes that have taken years of sweat, blood and tears to put into place. We were able in this conference to stop inclusion of those water supply projects, and we achieved an increase in the level of protection for Sacramento from 90-year to 140-year level of protection. However, this level is unacceptable. It still puts 400,000 people at too high a risk of disaster.

I would like to ask the leadership of the Environment and Public Works Committee Subcommittee on Transportation and Infrastructure if they believe as I do that this conference report reflects only an incremental step in our efforts to increase protection for Sacramento and that more needs to be done to remove this risk.

Mr. BAUCUS. I look forward to working with the Senator on more improvements for flood protection for Sacramento in subsequent WRDA bills.

Mr. VOINOVICH. The Senator from California is correct. We have provided important improvements for the flood protection for Sacramento. However, we can do better, and I think we should consider increased protection in the future.

Mrs. BOXER. I thank my colleagues. I do note that, while I am disappointed at the outcome on the American River, this bill does provide numerous benefits for my state of California. The new dredging project for the Port of Oakland will enhance international trade and the regional economy and enable new efficiencies at the port to be undertaken with the new intermodal terminal. In addition, the dredge spoil will help restore wetlands in Marin County where a portion of the former Hamilton Army Airfield is being used for environmental restoration. We have new flood protection plans authorized in Santa Clara, the Yuba River Basin, Sacramento area, the City of Santa Cruz, and Fresno County. We have priority designations throughout the state for the new riverine ecosystem restoration program to encourage natural flood control systems and we have assistance for important new water reclamation projects in the San Ramon Valley and the South Bay area of Los Angeles.

But more work needs to be done to protect Sacramento, and we will address those needs in the next WRDA bill. I yield the floor.

Mr. SARBANES. Mr. President, I rise in support of the conference agreement on the Water Resources Development Act of 1999 which provides for the development and improvement of our Nation's water resources infrastructure. This legislation authorizes water resource projects of vital importance to our nation's and our states' economy and maritime industry as well as our environment.

I am particularly pleased that the measure includes a number of provisions for which I have fought to ensure

the future health of the Port of Baltimore and of Maryland's environment.

First the bill authorizes nearly $28 million for needed improvements to Baltimore Harbor Anchorages and Channels. Many of the existing anchorages and branch channels within Baltimore Harbor were built in the first half of this century and are no longer deep enough, wide enough or long enough to accommodate the vessels now calling on the Port of Baltimore. Many of the larger ships must now anchor some 25 miles south of Baltimore in naturally deep water, resulting in delays and increased costs to the shipping industry. Also, the narrow widths of some of the branch channels result in additional time for the pilots to maneuver safely to and from their docking berths. In June 1998 the Chief of Engineers approved a report which recommended a number of improvements including: (1) widening and deepening Federal anchorages 3 and 4; (2) widening and providing flared corners for state-owned East Dundalk, Seagirt, Connecting and West Dundalk branch Channels; (3) dredging a new branch channel at South Locust Point; and (4) dredging a turning basin at the head of the Fort McHenry Channel. The report identified the project as ''technically sound, economically justified and environmentally and socially acceptable.'' This project has been a top priority of mine, of the Maryland Port Administration and of the shipping community for many years and I am delighted that this legislation will enable us to move forward with this important project.

Second, the legislation directs the Corps of Engineers to make critically needed safety improvements to the Tolchester Channel in the Chesapeake Bay. The Tolchester Channel is a vital link in the Baltimore Port system. It was authorized in the River and Harbor Act of 1958 and aligned to take advantage of the naturally deep water in the Chesapeake Bay, along Maryland's Eastern Shore. This alignment, which is shaped like an ''S,'' has posed a serious navigation problem and safety risks for vessels. Ships must change course five times within three miles, often beginning a new turn, sometimes in the opposite direction, before completing a first turn. With vessels nearly 1,000 feet in length, it is difficult to safely navigate the channel, particularly in poor weather conditions. The U.S. Coast Guard and the Maryland Pilots Association have expressed serious concerns over the safety of the area and have long recommended straightening of the channel due to the grounding and ''near misses'' which have occurred in the area. The cost for straightening the Tolchester ''S-turn'' is estimated at $12.6 million with $1.3 million coming from non-federal sources. This authorization enables the Corps to proceed expeditiously with these improvements and address the serious concerns of those who must navigate the treacherous channel. With $5.8 million already included in the fiscal 2000 Energy and Water Appropriations bill, this provision will ensure that these improvements will be undertaken in the near future.

Mr. President, the Port of Baltimore is one of the great ports of the world and one of Maryland's most important economic assets. The Port generates $2 billion in annual economic activity, provides for an estimated 62,000 jobs, and more than $500 million a year in State and local tax revenues and customs receipts. These two projects will help assure the continued vitality of the Port of Baltimore into the 21st Century.

In addition to port development and improvement projects, the measure contains a provision which will help significantly to enhance Maryland's environment and quality of life and help achieve the goals and vision of the Potomac American Heritage River designation.

It authorizes $15 million for the U.S. Army Corps of Engineers to modify the existing flood protection project at Cumberland, Maryland to restore features of the historic Chesapeake and Ohio Canal adversely affected by construction and operation of the project. Mr. President, the C&O Canal is widely regarded as the Nation's finest relic of America's canal building era. It was begun in 1828 as a transportation route between commercial centers in the East and frontier resources of the West. It reached Cumberland in 1850 and continued operating until 1924 when it succumbed to floods and financial failure. In the early 1950's, a section of the Canal and turning basin at its Cumberland terminus was filled in by the Corps of Engineers during construction of a local flood protection project. Portions of the Canal were proclaimed a national monument in 1961 and it was officially established as a national historical park in 1971. Justice Douglas described the park ''* * * not yet marred by the roar of wheels and the sound of horns. * * * The stretch of 185 miles of country from Washington to Cumberland, Maryland, is one of the most fascinating and picturesque in the Nation.''

The National Park Service, as part of its General Management Plan for the Park, has long sought to rebuild and re-water the Canal at its Cumberland terminus. The NPS entered into a Memorandum of Agreement, MOA, with the Corps to undertake a study of the feasibility of reconstructing the last 2200 feet of the canal to the terminus, through and adjacent to the Corps' flood protection project. The Corps completed this study in July 1995 and determined that ''it is feasible to re-water the canal successfully; the canal and flood protection levee can co-exist on the site without compromising the flood protection for the City of Cumberland; re-construction and partial operation of the locks is feasible; and, based on the as-built information available, underground utility impacts can be mitigated at reasonable cost to allow construction of the canal and turning basin in basically the same alignment and configuration as the original canal.'' A subsequent Re-watering Design Analysis estimated the total project cost at $15 million. This authorization will enable the Corps to proceed with restoring a 1.1 mile stretch of the C&O Canal and revitalize the area as a major hub for tourism and economic development.

The conference agreement also authorizes the U.S. Army Corps of Engineers to undertake a study for control and management of waterborne debris on the Susquehanna River. The Susquehanna River is the largest tributary of the Chesapeake Bay, draining an area of about 27,500 square miles. It is also one of the most flood prone river basins in the nation. The U.S. Army Corps of Engineers operates several reservoirs for flood control and other purposes and there are three large hydroelectric dams on the lower Susquehanna. During high flow events, enormous amounts of debris, including trees, branches and manmade materials, are carried downstream and ultimately into the Chesapeake Bay. Most recently, the flood waters of January 1999 deposited tremendous amounts of debris as far as Anne Arundel County, Maryland, creating hazards to navigation, damaging boats and bulkheads, aggravating flooding and clogging beaches and shorelines. This legislation will enable the Corps of Engineers to evaluate the economic, engineering and environmental feasibility of potential measures to control and manage the amount of waterborne debris as well as determine if new and improved debris removal technologies can be utilized in the Susquehanna.

Finally, the conference agreement includes several other provisions which will help address important water resource needs in Maryland and nearby communities including the flood protection project for the District of Columbia, and the studies for the West View Shores Community of Cecil County, Welch Point and Chesapeake City, MD.

I want to compliment the distinguished chairmen of the Committee and the Subcommittee, Senators CHAFEE and WARNER, and the ranking member, Senator BAUCUS, for their leadership in crafting this legislation and I urge my colleagues to join me in supporting this measure.

TAXPAYER REFUND AND RELIEF ACT OF 1999—CONFERENCE REPORT

Mr. ROTH. Mr. President, I submit a report of the committee of conference on the bill (H.R. 2488) to provide for reconciliation pursuant to sections 105 and 211 of the concurrent resolution on the budget for fiscal year 2000, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The Legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2488), have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report. (The conference report is printed in the House proceedings of the RECORD of August 4, 1999.)

Mr. ROTH. Mr. President, the fundamental question before Congress these past few weeks, as we have debated the Taxpayer Refund Act of 1999, is quite simple: Is it right for Washington to take from the taxpayer more money than is necessary to run the Government?

The issue of tax relief is not any more complicated than that, and the outcome of the conference between the Senate and House makes it clear that we believe Government is not automatically entitled to the surplus that is, in large part, due to the hard work, thrift, and risk-taking of the American people.

Individuals and families are due a refund, and that is exactly what we do with this legislation. We give the people a refund. We do it in a way that is fair, broad based, and empowering. We do it in a way that will benefit nearly every working American, a way that will help restore equity to the Tax Code, and provide American families with the relief and resources they need to meet pressing concerns.

This tax refund legislation will help individuals and families save for self-reliance in retirement. It will help parents prepare for educational costs. It will give the self-employed and under-insured the boost they need to pay for health insurance, and it will begin to restore fairness to the Tax Code by addressing the marriage tax penalty.

How do we accomplish all of this? We begin by reducing our marginal income tax rates by a point. In other words, the 15-percent tax bracket will drop to 14 percent, and the 39.6-percent top rate will drop to 38.6 percent. The new 14-percent bracket will be extended upward to include millions of Americans who are now paying taxes in the 28-percent bracket.

These changes will benefit individuals and families across the economic spectrum. For example, an individual with $40,000 of income will save over $700. An individual earning $50,000 will save over $800. Under this bill, a taxpayer with $70,000 of income will save over $1,000.

This is significant tax relief. When fully phased in, a middle-class family of four with an adjusted gross income of $80,000 will save almost $3,000 a year. This is real savings, money that can be used by individuals and families to meet their pressing needs and objectives.

To restore equity to the Tax Code, this legislation also meets a bipartisan objective by providing relief for the marriage tax penalty, and it does this by doubling the standard deduction and the 15-percent tax bracket for married couples filing jointly.

We can all agree on how important this is. For too long, husbands and wives who have worked and paid taxes have been penalized by their dual incomes. This plan will address that inequity by giving working American couples greater relief.

Let me give an example. Two individuals, each making $35,000 a year, face a penalty of almost $1,500 when they marry. Under this legislation, that penalty will be addressed in two ways: first, by doubling the standard deduction and, second, by doubling the 15-percent tax bracket to include their combined income.

The marriage penalty relief offered in this bill retains the Senate position on the amount of relief received, and it even provides relief for people receiving the earned income tax credit.

To help families with their education expenses, the legislation before us allows taxpayers to increase their contributions to education IRAs, or what will—under the provisions of this bill—be called education savings accounts. Allowable contributions will rise from $500 to $2,000 annually.

And these funds will be available to meet expenses for all students, from kindergarten through college. Beyond increasing the level a family can save for education, this Tax Relief Act also makes interest earned on qualified State and private school higher education tuition plans tax free—a most important development, in my judgment. It also extends employer-provided educational assistance for undergraduate studies, and it repeals the 60-month rule on student loan interest deductions. This will allow individuals to claim tax deductions on interest that they pay on their student loan, without the imposition of a time limit.

To help families meet health care and long-term care needs, this legislation provides a 100 percent above-the-line deduction for those who pay more than 50 percent of their health insurance premiums. This, of course, includes the self-employed. The plan also provides an additional personal exemption for those who care for an elderly relative in their home.

As you can see, this legislation is, indeed, empowering; it addresses concerns that are vitally important in the lives of our families, coast to coast. It provides across-the-board tax relief. It addresses the marriage tax penalty.

It makes education more affordable for all students—kindergarten through college. And it helps our families meet their health care and long-term care needs. But it doesn't stop here; it does much more.

The legislation before us phases out the alternative minimum tax. It provides capital gains tax relief, simplifying the rate structure, and reducing the individual capital gains tax rate from 20 percent to 18 percent, beginning with the current 1999 tax year. For those individuals taxed at the lowest individual rate, their capital gains tax rate is reduced from 10 percent to 8 percent.

In addition, the tax basis of certain assets may be increased by an ''inflation adjustment,'' so that any capital gain attributable to inflation is not subjected to tax. Also, we have maintained the 2 percent capital gains rate differential that is imposed on long-term capital gains from depreciable real estate, by reducing that rate from 25 percent to 23 percent.

Another very important measure is the treatment of estate taxes. This legislation completely phases out and ultimately repeals the Federal estate, gift, and generation skipping taxes. It also corrects technical problems in the House provision.

Each of these will be a powerful tool in the hands of taxpayers and families who will use these changes—their relief—to meet the needs that are unique to their situation. However, a couple of major provisions in this bill that I would like to outline in some detail will—like the across-the-board tax rate cut—benefit everyone, enabling individuals and families to prepare for self-reliance and success in retirement. These, of course, include the expansion of individual retirement accounts and pension programs.

Under the bill, IRA contribution limits will be increased over the next 7 years until they reach $5,000. And taxpayers who are close to retiring will be allowed to make catchup payments in their plans. These changes will in my judgment, be incredibly beneficial. For example, an individual without an employer-provided pension plan, who contributes the maximum amount allowable, as it increases over the next 7 years—with the magic of compounding interest—will be able to put away over $31,000 for retirement. In year 7 and beyond, he or she will be able to put away the full $5,000 annually.

With the catchup provision—applicable for people over the age of 50—if those 7 years pass just prior to the taxpayer's retirement, the amount, for example, he or she could save in those 7 years under this bill would be over $44,000. This bill also increases the income threshold for those who can take full advantage of Roth IRA accounts up to $200,000 for a couple filing jointly.

For employer-provided plans, this bill increases the maximum amount an individual can contribute to a 401(k) plan, a 403(b) plan or a 457 plan. Starting next year, an employee may contribute up to $11,000 to his employer's 401(k) plan In each year thereafter, he could contribute increasing amounts to his 401(k), and in 2005, he will be able to contribute a full $15,000. To show you how empowering this is, if John, a 35-year-old, contributes the maximum amount allowable over the next 30 years, his 401(k) plan benefit at retirement would increase by over $1.2 million.

In addition, if John's employer established a newly added Plus Account program under its 401(k) plan, that amount would be nontaxable when John receives it at retirement. The Plus Account program—as addressed in this bill—lets an employer establish an account which has the same tax treatment as a Roth IRA. That means that John would have over $1.2 million in nontaxable income.

Finally, this bill gives small businesses a new incentive to establish a retirement plan for their employees. The contribution limits for a SIMPLE plan—a defined contribution plan only for small businesses—have been increased in this bill to encourage small business owners to establish such plans. The incentive to establish a SIMPLE plan is easy to understand. Small business owners who offer SIMPLE plans will be able to save up to $10,000 in the plans they establish.

This will be a great benefit to them, but in order to save their own money—as part of the SIMPLE plan—they will have to provide their employees with a contribution to their own plans of up to 2 percent of their salary.

At the same time, under this plan the employees could also receive a matching contribution from their employer of up to 3 percent of compensation if they decide to contribute to the SIMPLE plan.

Now, I believe this is good policy. It will encourage Americans to take advantage of these opportunities and provide for their retirement future. As with almost every provision in this Taxpayer Refund Act, the catalyst is the individual and the family, using tax relief to meet their needs. Every measure I have outlined as part of the Taxpayer Refund Act of 1999 is important, as each rightfully returns resources that Americans can use to meet their current needs, and the refund being offered comes from surplus funds. In other words, this broad-based tax relief package can be passed, signed into law, and, indeed, still leave sufficient resources in Washington to take care of Social Security, Medicare reform, and other necessary Government obligations.

Let me repeat that: This broad-based tax relief package can be passed, signed into law, and still leave sufficient non-Social Security funds available to address comprehensive Medicare reform, including a prescription drug benefit. We can offer this relief and still pay down the debt and keep the budget balanced. We can do all of this for one very simple reason: The work, the investment in job creation achieved by Americans everywhere, has succeeded in creating long-term economic growth. As I have said before, it is not right that the reward for this success is that today our taxes are the highest percent of our gross national product of any time in postwar history.

After paying for the Government programs for which Congress has planned and budgeted, a refund from the surplus must now be returned to the American taxpayer.

I know there is wide agreement that Americans deserve relief. This is the bill that will give them relief. We must and should support it.

We must keep in mind that major tax cuts must be done through the reconciliation process. This is, indeed, a lengthy, time-intensive process. We have successfully completed it. I am proud to say that this conference report, as it stands today, carries no provision that was not in either the House or Senate bill. In other words, nothing extraneous was added in conference. It is clean and representative of the direction received by those who crafted the Senate and House bills.

Frankly, this is a first in tax history. It represents a tremendous amount of work by our colleagues, Members of the House, and the staff in both Chambers. Those who believe we may be coming back to do this again in September are mistaken. This is the tax bill for this year. We won't have a second chance on this. When we come back after recess, our time and attention will be focused on Medicare reform, a vital issue that concerns us all.

For those who are concerned that this major relief package may be too big, please be reminded that there are important trigger mechanisms included in this bill. If we don't continue to reduce the payment on the interest on the national debt—let me repeat that—if we don't continue to reduce the payment on the interest on the national debt, then the tax relief included here will be reduced to compensate accordingly.

Well, the bottom line is that this is tax relief in which we can have confidence. It meets the criteria we established before we began. It is fair. It restores equity to the Tax Code and makes education more affordable. It helps taxpayers prepare for self-reliance and retirement. This legislation will help families keep their homes, their farms, and businesses safe from death taxes. It makes health care more affordable.

I believe these are objectives that are shared by everyone. They are objectives that can be embraced by Senators and Congressmen on both sides of the political aisle.

Mr. President, I encourage my colleagues to vote for passage, and I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, might I begin on a general point with which our revered chairman has just concluded, which is the reservation of the Social Security surpluses of the next decade for purposes of retiring the debt. This is a fact easily unobserved because we are not arguing about it. There is agreement here. What we will do, we will cut the national debt by more than half, the publicly held debt, and the interest costs accordingly.

Just a few years ago interest costs had become the third highest item in our budget. It is not noticed because we don't debate it. We don't decide how much we will pay in interest costs; it is automatic. But this has now happened. There has been a great recovery of American Government finances from a grim moment in 1992 when we had a fiscal year with a $290 billion deficit.

I will point simply to this morning's New York Times and the lead story, sir. I will just read the headline, ''Government Plans to Buy Back Bonds and Save Interest: Would retire some debt using the surplus to replace high-interest securities at lower rates''—a complex proposal being worked out in Treasury under Secretary Summers. Also, in the business section of this morning's New York Times, there is another story, ''The Dwindling Market in U.S. Treasury BONDS,'' discussing how the market is going to respond to the bond buy back. And there is this:

> ''This is a sea change,'' said James M. Keller, senior vice president and portfolio manager for Treasury securities at Pimco Advisors, an asset management firm. ''I was struck by the Treasury's observation that the last time there were two back-to-back years of budget surpluses was in 1956 and 1957. I wasn't alive then, so this is a new thing for me.''

Indeed, it is a new thing and hugely to be welcomed.

I might also say that the chairman stated that this bill, which we will vote on at 7:06 this evening, is a clean bill; there is no provision in it that was not in either the House or the Senate proposals. But now I have to say to the Senate, with the utmost deference to my friend—I say to the Senators from Nebraska, Florida, Minnesota, Senator BINGAMAN—we have the word of the chairman, and his word is absolutely bondable in this body. If he says it, it is so. But that is the only way you would know it is so because we just received a copy of the bill this morning, and certainly have not been able to review all 589 pages.

This is not the way to handle the second largest tax decrease in history. There was no conference on this matter. We met formally for 20 minutes, and the negotiation was entirely between party leaders of the majority. It is an age-old practice of the Congress to, at the end of a conference, distribute the signature papers that the conferees sign or do not sign. I was the conferee for this side of the aisle; no signature paper came to me.

There was no participation of any kind from this side of the aisle. I think that would be true in the House as well as in the Senate. That is something we have to watch in terms of our procedures. It was not the way the Senate conducted itself in such a matter when I first came here and became a member of the Finance Committee.

During the debate last week on the Senate version of the reconciliation bill, I attempted to put the debate in a ''doctrinal perspective,'' as I put it. I traced the development from the 1960s of an intellectual movement which holds that the only way to restrain the

growth of Government is to deliberately create a protracted fiscal crisis. This was disarmingly put by then President-elect Reagan. It was just 16 days before his inauguration in 1981. He said:

> There were always those who told us that taxes couldn't be cut until spending was reduced. Well, you know, we can lecture our children about extravagance until we run out of voice and breath. Or we can cut their extravagance by simply reducing their allowance.

So in 1981 to 1983, the allowance of the Federal Government was reduced. While other intervening events—a sharp recession in 1981–82—impacted on revenues, nonetheless, there was a precipitous drop in revenues from 19.0 percent of GDP in 1980 to 17.5 percent of GDP in 1983. Simultaneously, the recession and defense buildup conspired to increase outlays from 20.2 percent of GDP in 1979 to 23.6 in 1983. The result, a huge gap—6 percent of GDP—between revenues and outlays, and deficits of $200 billion or more ''as far as the eye could see,'' to quote the former Director of OMB, David Stockman, and with this huge gap, the national debt quadrupled from under $1 trillion to $4 trillion between 1980 and 1992.

In August of 1993, with a deficit of $290 billion, we chose to confront that, to raise taxes and reduce outlays by a little more than a half trillion dollars. More recently, the Office of Management and Budget estimated that ''the total deficit reduction has been more than twice this—$1.2 trillion.'' In 1997, a bipartisan measure was passed. We are now in a situation of reasonable surplus, reasonable expectation. But there is no reason to act on a surplus that does not yet exist.

Here we are, with unemployment at 4.3 percent, near zero inflation, real economic growth at 4 percent, and an economy in the ninth year of an expansion. All the economists—the ones we care much about—are saying: Not now. Alan Greenspan suggested, speaking before the Senate and House Banking Committees just last month, the most effective means that we can have to regenerate the economy and keep the long-term growth path moving higher is if we hold tax cuts until we need a stimulus. Contrariwise, to stimulate when you don't need it is to invite inflation—inflation, which is a tax on anyone when interest rates go up. Anybody who pays a car loan and has a credit card or a mortgage pays it.

Dale Jorgenson described this persistent interest in cutting down the size of Government by reducing revenue ''fiscal disaster'' in his 1995 testimony before the Finance Committee. Yet it persists as a conviction. There is very little testing of the proposition.

I won't go on too long in this doctrinal discourse, but back in 1973, Herbert Kaufman of the Brookings Institution published a small book called ''Are Government Organizations Immortal?'' He reported that of 175 organizations he could identify in the Federal Government in 1923, no less than 148 were still there a half century later, and of the others, most of their functions had just been moved to different organizations.

Recently, the Cato Institute, a conservative group here in Washington, looked at the half dozen organizations which the 1995 House Contract With America targeted for extinction—$75 billion worth of programs, out. Sir, not one of them is out. Indeed, the appropriations for them have gone up by $2 billion.

Mr. President, I ask unanimous consent that a table prepared by the Cato Institute and printed in the Washington Post be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 3, 1999]

GROWING BACK

In 1995, the House GOP's ''Contract With America'' targeted $75.3 billion worth of programs for extinction. Now the government spends $77 billion on those programs. Here are some of the targeted agencies and programs for which spending has risen, in millions of dollars.

Program	1995	1999
Department of Commerce	$3,401	$4,767
Department of Education	31,205	34,360
School-to-work grants	82	503
Goals 2000	231	507
Manufacturing Extension Partnerships	40	128
Aid to East Europe and Baltic states	332	450
Economic Development Administration	350	438
Adult education	299	400
Star Schools	25	45
Summer youth employment and training	867	871
Bilingual and immigrant education	225	386
Trade adjustment assistance	268	307
Intelligent transportation system	143	185

Source: Cato Institute analysis of federal budget.

Mr. MOYNIHAN. Somehow we have to come to terms with this whole assumption. Perhaps something like the Hoover Commission on the organization of the executive branch needs to be done. Some of us have the assumption that we really aren't that serious. As that brief ceremonial meeting of our conferees this week opened, our respected friend—and we have known each other for a quarter century—BILL ARCHER said in his opening remarks:

> We don't need full-time Government and part-time families; we need part-time Government and full-time families.

In no way to cast any suggestion that he is anything but absolutely sincere, I don't think the proposition would survive close inquiry. I asked him: Sir, do you think we could settle for ''a part-time Marine Corps, or a part-time Federal Bureau of Investigation?'' No, you don't mean that.

I, for one, very much share the view that the Federal Government has taken on too many matters and needs to be cleared out a very great deal. Our Federal system makes that possible, and the world situation in which we now find ourselves makes it necessary but not through the illusion that it will happen simply by reducing revenues.

I wish to make the point that we can't afford this tax cut. We may want one in 5 years time or in 3 years, but not at this time. That is why the fate of this measure has already been settled.

According to the Joint Committee on Taxation, tax expenditures are projected to cost about $672 billion in 2003. While we have not yet had time to adequately scour the conference report for all of its provisions, a cursory review indicates that, the bill we are asked to vote on today would increase annual tax expenditures by about $19 billion in 2003.

Under the Congressional Budget and Impoundment Control Act of 1974, a tax expenditure is a revenue loss:

> . . . attributable to provisions of the Federal tax laws which allow a special exclusion, exemption or deduction from gross income or which provide a special tax credit, a preferential rate of tax, or a deferral of tax liability.

The problem is that we continue to use tax expenditures as a way of funding programs that we do not seem to have the will to finance with outlays—a problem made all the more severe by the caps on discretionary spending alluded to earlier.

On a more global scale, 40 years ago Walter Heller, Chairman of the Council of Economic Advisers in the Kennedy-Johnson Administration spelled out the criteria for evaluating tax expenditures—criteria which most tax expenditures fail to meet. In testimony before the House Ways and Means Committee Heller stated that Federal fiscal policy relies on income taxes for three central roles: (1) Placing resources at the Government's disposal in a non-inflationary way; (2) Offsetting fluctuations in the private economy; and (3) Bringing the distribution of income more closely into line with public preferences.

Heller then argued that the use of the tax code to promote other objectives should be subject to stern tests, which can be summarized as follows:

Is the tax preference for a legitimate public purpose?

Is the tax preference the most effective way to achieve that purpose?

Is the preference targeted?

In Heller's view most tax preferences fail the test. Yet, he noted we persist in expanding tax preference because:

> The back door to Government subsidies marked ''Tax Relief'' is easier to push open than the front door marked ''Expenditures. . . .''

Besides, tax expenditures need not be reviewed annually through the appropriations process.

This bill also adds to the complexity of the tax code. I have long been concerned that today's tax system is so complex that ordinary taxpayers have difficulty following the rules. For example, under the bill capital gains are indexed. The Senate Finance Committee held hearings on February 16, 1995 regarding the enormous new record keeping burdens that would be required to calculate the gain or loss on common transactions. The New York State Bar Association stated that:

Congress should reject any proposal to adjust or ''index'' the basis of capital assets for inflation. [A]n indexation regime would create intolerable administrative burdens for taxpayers and administrators as well as offer numerous tax arbitrage and avoidance opportunities for aggressive tax planners.

The Joint Committee on Taxation wrote at that time that ''[i]ndexing would involve a significant amount of record keeping'' and that it ''would substantially increase the number of calculations necessary to calculate taxable gain for many common transactions.''

Even if this bill did not risk a return to protracted fiscal crisis, and even if its 589 pages did not add to the complexity of the code, it should be rejected because most of the benefits accrue to those already well-off.

My colleagues on the other side of the aisle argue that the bill justifiably provides most of the tax relief to those who pay most of the taxes. But their analysis is incomplete since it is based solely on the distribution of income taxes. For example, taxpayers earning less than $50,000 pay 36 percent of payroll taxes; while those earning over $200,000 pay only 7 percent of payroll taxes.

The conclusion is very different if the analysis is based on the distribution of all federal taxes—income, excise, and payroll. Those earning less than $50,000 pay almost a quarter of the taxes, which is the same percentage as those earning over $200,000. So, why is it that the Republican tax bill before us today only provides 14 percent of the tax cut to those earning less than $50,000 while providing 78 percent of the tax cut to those earning over $80,000? Even worse, why does 45 percent of the tax cut go to the top 5 percent of income earners, those earning over $155,000? Should we not provide a more equitable tax cut?

We might also consider heeding the advice of Herbert Stein, Chairman of the Council of Economic Advisers in a Republican Administration. In an op-ed in yesterday's Wall Street Journal Mr. Stein had this to say:

. . .I [have] come to the conclusion that we should not make a large tax cut at this time. But my purpose here is not to sell that conclusion. What I am trying to do is to sell the idea that we need a more systematic, explicit and thorough public discussion of the tax vs. debt reduction issue and to illustrate what some of the elements of such a discussion would be.

We have not had that debate.

I see that my learned friend, the gallant Senator from Nebraska, is here, and I think he would like to speak.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Nebraska.

Mr. MOYNIHAN. Mr. President, I yield such time as he may require to Senator KERREY.

Mr. KERREY. I thank the Senator from New York very much.

I am sorry I didn't wear the same necktie that he did. Other than that, we are deeply matched.

Mr. President, first I want to compliment Chairman ROTH. I believe all through the Finance Committee deliberations and last week on the Senate floor he held true to two ideas that I share.

The first is that we can cut taxes. The second is we must do so fairly. Indeed, the net effect of cutting taxes by nearly $800 billion over ten years is to give the American people an $800 billion increase in their after-tax income. I believe we can do it safely. We have $3 trillion in surpluses forecast over the next ten years. And I don't believe that cutting taxes will generate inflation if done correctly.

In his original package, the Chairman held true to the idea that some standard of fairness need be applied in how the income tax cuts would be distributed. He attempted to do that. Doing that caused him a little grief on his side of the aisle. I appreciate very much what the chairman attempted to do with his original tax cut package.

Accordingly, I voted for the package enthusiastically on the floor. I believe it was a good proposal. I may have written it a little differently if I were the one who was doing the writing. But I thought it was a balanced proposal and a good proposal, and I was fully supportive of it. I was one of four Democrats to do so.

Thus, I come to the floor with some regret. I say to my friends on the other side of the aisle that you should know that people like me took a position that said we were prepared to vote for a tax cut of $800 billion. The Chairman's original package received 57 votes on this floor. I understand the other side has been working all night to get the votes to pass the package we have before us and I suspect the most votes this package will receive is 52. So I say to my friends on the other side of the aisle, if you are trying to get a piece of legislation passed to try to change the law and give Americans an income tax cut, you are going in the wrong direction. With the President threatening to veto the bill, it seems to me that a better approach would have been to try to get more votes, not fewer.

I am here, regrettably, to say that I will not only change my vote from an enthusiastic ''aye,'' but I will now change and be voting enthusiastically ''no.'' Let me tell my colleagues why.

First of all, I want to identify some things that are in this package that I think would be good. I appreciated very much the chairman fighting for them and getting them into the bill, and I am fully supportive of them.

Eliminating the marriage penalty is terribly important. There are new provisions in here which will make it more likely that Americans will save and will have the resources they need for retirement. There are provisions in here which will make it more likely that Americans will have health insurance, and that will make it more likely that Americans will be able to afford the cost of higher education.

I do not object at all to eliminating the inheritance tax. I cosponsored legislation to do that. I am not going to take a great deal of time explaining why, as a Democrat, I reached that conclusion. I am prepared, if anybody is interested, in debating it at a later time.

I am not ideologically opposed to lowering the capital gains tax.

There are many things in this proposal that I, in short, like or don't have strong objections to. It is this test of fairness which I believe was applied to the Senate version that I find lacking in the conference report.

Let me take the one provision that is the most important provision in the Senate version.

The provision that cut the lowest tax rate on income from 15 to 14 percent that was in the Senate finance bill would have cut taxes for families in Nebraska with an income of $46,000, for a family of four, by $440. It would have cut taxes on a U.S. Senator with a spouse and two kids by $440 as well. That was the idea.

I am not interested in engaging in class warfare. I have no quarrel with upper-income Americans or upper-income Nebraskans. Quite the contrary. In Nebraska, there were 775,000 federal income tax returns in 1996. Of that, 6,500 had adjusted gross incomes of over $200,000. That is a relatively small number. But they paid almost a third of all the $3.6 billion in federal taxes paid by Nebraskans.

So I am not here to say that upper-income people don't deserve a tax break. I think it is very important for us to take a look at America and try to discern which taxpayers are most in need of help. It is, it seems to me, a fair question for us to ask. And to try to apply a standard of fairness, it seems to me, is something we ought to be doing.

Under last week's proposal, a single Member of Congress, I would have gotten a $260 tax rate cut, just as a single person with $26,000 of income. But under this proposal, by decreasing the taxes for everyone at higher rates as well, a Member of Congress, a single Member such as myself, I am going to get a tax cut of $1,185. I get over $900 more under this proposal. And if I got married, I would do even better.

I can make an argument that because I am paying more taxes I ought to get more of a tax cut. But look at households. A family of four with $46,000 worth of income probably ought to have a larger tax cut than I do. At the very least, I should not receive more than they do. That is what I mean when I say that this bill, when it passed here last week, met the minimal standard of fairness.

I say to my friends on the other side of the aisle that if you are trying to figure out how to get more votes and not fewer, you have now figured out how to get fewer. You had 57 votes on this side last week. The high water mark today, in my view, is likely to be 52. I understand that the conference report had to be reopened in the later

hours of yesterday evening and some provisions had to be put in to woo some votes for a bare majority. I know there were some concerns that the Vice President might be sitting up there at the end of business today and there might be no more than 50 votes for this legislation. All of that should be a sign. You had 57 votes. Yesterday you did not have 50. Something is going in the wrong direction.

I believe a majority of Democrats and Republicans in chamber, want to apply a standard of fairness. The distinguished junior Senator from Texas, offered an amendment on this floor last week that would increase the standard deduction for a married couple. Why did she want to eliminate the marriage penalty for people who are using the standard deduction? It got a lot of Democratic votes and a lot of Republicans votes. Indeed, I think it was the only amendment that actually broke the 60-vote requirement. That is a clue. That was a fairness issue and the junior Senator wanted that fairness applied to married people who take the standard deduction, people who do not itemize, people who are generally not in the upper reaches of income in this country.

I'm not talking about crafting a social engineering package. What I am talking about is applying a standard of fairness.

As I said, I have great respect for the chairman of the Finance Committee. I believe he attempted to apply a standard of fairness, and, in my judgment, his package of last week passed that test. I voted for it enthusiastically. But the conference committee report does not pass that test. It does not pass the test of fairness.

So I enthusiastically and confidently will vote ''no'' on it. I do so regrettably because I believe there was an opportunity this year not just to do this but to get a bipartisan solution on Medicare and to get a bipartisan solution on Social Security. The package before us today does not bode well for future bipartisan efforts to come up with those solutions.

This bill had 57 votes last week. As I said, were it not for the sort of last-minute work to try to have some changes to get some additional votes, it might not have even 50 votes later today when we will have a vote on final passage.

I say to my Republican friends, if you want to cut Americans' taxes, listen not just to what Democrats are saying but also listen to what Republicans are saying. They want a standard of fairness applied. It is a legitimate concern.

I don't know how many Members of the Senate believe that $800 billion is too much. I believe the distinguished occupant of the Chair does. He fought very hard as mayor and Governor, and I think he is coming to this Congress saying we ought to be careful not to spend the surplus and lose all the progress that we have made. Fine. Make that argument.

But for the majority of us who believe that $800 billion is not too much, if we want to persuade our reluctant colleagues to support cutting taxes for American families, then you have to apply a standard of fairness, a test of fairness. You may not like doing it. You may believe your ideology tells you that you should do something else. But if you want to change the law and get this done, you had darned sure better do it, because not only will you not get the strong majority you will need but you will never, in my judgment, get the President of United States to sign a piece of legislation that doesn't attempt to measure and apply some test of fairness.

Again, I appreciate very much the work that the distinguished chairman did, Senator ROTH of Delaware, as well as the ranking Democrat, Senator MOYNIHAN. I appreciate very much the leadership of both of them. Senator MOYNIHAN led the Democrats in the committee to come up with a $300 billion tax cut proposal. It had a very key component in there, which was to increase the standard deduction for individuals. That takes a number of people off the income tax rolls, reduces the top tax rate for many and simplifies tax filing for millions.

I suggest to my Republican colleagues on the other side of the aisle that if you want to get a bill, that is the kind of proposal that you should have included in this package and it is unfortunate that you did not. It is unfortunate that the centerpiece of the tax proposal that we voted for last week—the reduction of the 15 percent tax rate to 14 percent—was not left alone. If there is a second chance to consider a tax bill this year, I hope we will work harder to pass a bill that will get significant support from this side of the aisle and the way to do that is to ensure a bill meets a basic standard of fairness.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

Mr. ROTH. I yield 10 minutes on behalf of the minority to the distinguished Senator from Minnesota.

Mr. WELLSTONE. I thank the Senator from Delaware. Let me start out by saying I also appreciate the work of Senator ROTH as the chair of the Finance Committee. However, I am in profound disagreement with this reconciliation bill, this tax cut bill, that comes before the Senate—$792 billion in tax cuts, aggregate amount.

According to Citizens for Tax Justice, the top 1 percent of taxpayers would receive 42 percent of the benefits, while the bottom 60 percent would receive only 7.5 percent of the benefits. Regarding distributional effect, my colleague from Nebraska talked about a standard of fairness: 60 percent of all taxpayers would get an average tax cut of $65; the wealthiest 10 percent would get an average tax cut of $1,322; the wealthiest 1 percent would get an average tax cut of $5,281.

This tax cut bill that the Republicans bring to the floor of the Senate is ''Robin Hood in reverse'' economics. Even worse, I think it represents a politics of illusion.

Not that long ago others, I think former President Bush, talked about voodoo economics. He was referring to a set of proposals in the early 1980s that said we could have massive tax cuts, increase Pentagon spending, make the investments we needed to make as a nation, and continue to reduce the deficit. That is not what happened.

It is pretty simple, I say to the people in Minnesota, and to the the people in the Nation. We are in agreement, I hope, that of the $3 trillion of surplus, $2 trillion is Social Security. It is not touched. It is to make sure that system will be solvent. Of the other $1 trillion, three-quarters of it is in assumed cuts—assuming we have the economic growth in discretionary domestic spending.

With this proposal before the Senate that the Republicans bring to the floor of the Senate, not only do we have tax cuts and benefits to people in inverse relationship to need, a ''Robin Hood in reverse'' economics, but we have a politics and an economics of illusion. We are going to explode the debt. We are going to build the debt up again. In addition, we are not going to be making the investments that we in our speeches on the floor of the Senate say that we are for.

I heard my colleague from Delaware talk about health care, talk about education, talk about children, talk about tax cuts. One more time, to use the old Yiddish proverb: ''You can't dance at two weddings at the same time.''

We are not going to be able to have this amount of tax cuts, $792 billion in tax cuts, and at the same time continue to pay down the debt and make the kind of investments we need to make. We are going to see, America, is cuts in Head Start, cuts in low-income energy assistance, cuts in community policing, cuts in environmental protection, cuts in veterans' health care, and cuts in Pell grant programs. We are not going to make any of the investments to which we say we are committed.

I think this tax cut legislation before the Senate is in many ways more serious than bad economics. And it is bad economics. It is bad economics because it will build up the debt rather than pay down the debt. It is bad economics because it could very well lead to higher interest rates. It is bad economics because it is the last thing we ought to do in an expanding economy. In addition, it is bad economics because we are not going to be able to make the investments that my colleague from Delaware says we are committed to at the same time we are doing all these tax cuts.

It is also an illusion. It will put this country in a straitjacket where we are not going to be able to do one positive

thing to make sure we have equal opportunities for every child in this country. We are not going to increase Head Start benefits; we are going to cut them. We are not going to increase health care benefits for our citizens; we are going to cut them. We are not going to do anything about the acute shortage of affordable housing; we are going to cut housing programs. We are not going to get it right for veterans in health care; we are going to cut. We are not going to do anything about the shameful statistic of right now providing benefits for only 1 percent of the kids who would benefit from Early Head Start in our country; we are going to cut.

There is not one Senator who can come to the floor of the Senate and debate me on the argument I have just made. That is exactly what we are going to do.

This is also an ideological debate. If Members believe—and maybe this is what my colleagues now believe, let me now give credit—when it comes to the most pressing issues of people's lives in the United States of America, or Minnesota, that there is nothing that the government can or should do, if you don't think we should be making any of these kinds of investments in Pell grants, or affordable child care, or Head Start, or community policing, or veterans' health care, or health care, or affordable housing, then you would be for this conference report. What this will do is put this country in a straitjacket where any kind of an investment that any Senator will talk about to expand opportunities for our citizens will be, by definition, fiscally irresponsible because we won't have any of the revenue.

I conclude this way. The political argument behind these tax cuts is a pretty effective argument if you listen to it only up to a point. The argument is that we built up the surpluses—maybe, assuming the economy continues to perform. Let's give it back to the citizens; it is your money. People in Minnesota, it belongs to you.

I maintain, as a Senator from Minnesota, it doesn't belong to me; it doesn't belong to adults. It belongs to our children, and it belongs to our grandchildren. Whatever surplus there is ought to be used to pay down the debt. We put it on their shoulders. Whatever surplus there is ought to be used to make sure their Social Security and Medicare is there, just as it will be there for us. It ought to be used to make sure there are opportunities for children so that our children and our grandchildren have the same opportunities that we have had.

The Presiding Officer, the Senator from Ohio, is committed to early childhood development. The Presiding Officer, the Senator from Ohio, came to the Senate with a commitment to children. I know that. That is his passion, and he will make an enormous difference. I don't care whether he is Republican or not. I know what he cares about, and I know he is an effective Senator.

With this measure of tax cuts, if this legislation passes, we will not only not be making any additional investments in the way we should in early childhood development, such as Early Head Start or Head Start, much less what we really should be doing for child care, much less nutrition programs, much less affordable housing programs, we will be cutting those programs.

That is shameful. That is unconscionable. That is exactly what we will be doing. I say to the President of the United States of America, Mr. President, you should veto this legislation. Let's not get into Washington, DC, bargaining where we say $500 billion or $600 billion is a reasonable compromise. If that is what we do, we still will not be in a position to make any of these investments. We still will see cuts in discretionary spending to the tune of hundreds of billions of dollars. Let's pay down the debt. Let's make sure we make a commitment to Medicare and Social Security. More than anything else, I would rather see more of the emphasis on an investment in children. I believe when we pay down our debts, the most important debt we can pay off is the debt we would leave our children.

What we owe our children is to make sure that every child in the United States of America—regardless of color of skin, regardless urban or rural, regardless high income or low income or middle income—has the same chance to reach his and her full potential. These tax cuts will make that impossible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, just so the record is clear, we have 6 hours, 3 hours to a side. The two managers have agreed we will go back and forth from one side to the other when people are present. But that is not the case now. So I yield 15 minutes on behalf of the minority to the distinguished Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this is an editorial that appeared in the New York Times on August 2. It says: ''Here we go again.'' That is exactly what this tax bill is all about. Here we go again.

> Back in 1980 Ronald Reagan assured one and all that he could cut taxes sharply, increase defense spending substantially and balance the Federal budget.

That is the promise he made. It did not work out that way. The deficits exploded. George Bush at the time:

> . . . famously derided Mr. Reagan's supply side fantasies as ''voodoo economics.''

We all remember that. The veteran Washington Post reporter Lou Cannon, in his book ''President Reagan, the Role of a Lifetime'' described the reaction of James Baker, Mr. Reagan's own chief of staff, to the transformation of economic fantasy into national policy. He wrote:

> Though not particularly well-versed in economics, Baker suspected there was something screwy about the idea that massive tax cuts would increase government revenues. Later, he would privately express regrets that the deficits had 'gotten away' from the administration and wished he had paid more attention to the consequences of the tax cuts.

Here we go again. Again, we have the fantasy being held out to the American people that somehow you can have a massive tax cut, you can have a big defense buildup, domestic needs will not be hurt, and somehow it is all going to add up. The problem with it is it is highly unlikely to happen. Let's just check the record. It shows very clearly what happened in the Reagan administration when they had this fantasy that they were going to cut taxes dramatically, have a big defense buildup. Somehow it was all going to add up. It did not add up and this plan does not add up.

This is what happened back then. President Reagan inherited a deficit of just under $80 billion and he promptly shot it to $200 billion. That is what happens when we just put our head in the sand and get wedded to an ideology and do not care about the economic results, or the economic fallout. This plan is a disaster. I do not know how else to say it. It is risky; it is radical; it is reckless. We would make a profound mistake to pass it today.

We then went into the Bush administration and the deficits went up, up, and away again. It went up to $290 billion in 1990.

In 1993, President Clinton came into office and we passed a 5-year budget plan to cut spending and, yes, raise income taxes on the wealthiest 1 percent. That plan worked. Each and every year of that 5-year plan the deficit came down until finally we have achieved a balanced budget. Why would we ever want to go back? Why would we ever want to repeat the incredible mistakes this country made in the 1980s that threatened the economic security of this country, that put this country's economy in a ditch, that led to recession, that led to job loss, that led to an extinguishment of economic growth? Why would we want to repeat that tragic mistake? Yet here we are. ''Here we go again.'' Goodness knows, don't we have more common sense than this?

This is not just my view. This is the view of economist after economist who has looked at this proposal. Mr. Samuelson, the columnist, wrote:

> The wonder is that the Republicans are so wedded to a program that is dubious as to both policy and politics.

He went on to say:

> As Federal Reserve Chairman Alan Greenspan noted the other day, tax cuts might someday be justified to revive the economy from a recession or to improve the prospects of a sweeping program of tax simplification. But there is no case for big tax cuts based merely on paper projections of budget surpluses.

That is what this is. These are plans based on projections of what might

happen over the next 10 years. What a risky way to run the economy. What a reckless way to run economic policy, to run out here and shovel $800 billion out the door before the money is collected. That puts this entire economy at risk. That puts this entire period of bringing down the deficit at risk. That puts this entire successful economic policy of improving economic growth, reducing unemployment, reducing inflation at risk. It is a mistake we should not make.

This columnist points out:

> Suppose that spending exceeds projections by one percentage point of national income and that tax revenues fall below projections by the same amount. In today's dollars, these errors . . . not out of line with past mistakes . . . would total $170 billion annually. Most of the future surpluses would vanish.

That is the reality. We are betting the farm on projections of what is going to happen over the next 10 years. Does anybody believe these projections are going to come true?

I used to be responsible for projecting the income of the State of North Dakota. That was my job. I can tell you, projecting 5 years out is very risky. Frankly, it is hard to project 1 year out. Projecting 10 years out is a total crapshoot and we are basing the economic security of this country on a 10-year projection? Are we really going to do that?

I ask my colleagues, are we really going to do that? Is this what you are seriously proposing for the United States, after the economic success we have enjoyed by reducing the deficits, by reducing debt?

Some of the very same people who said the 1993 plan would not work are here today, advocating this risky scheme. The 1993 plan, as I showed, worked. That 5-year deficit reduction plan, in fact, reduced the deficit each and every year. But when we passed it in 1993, the other side said it would crater the economy; it would ruin us.

This is what Senator GRAMM, who is on the Budget Committee and on the Finance Committee, said back in 1993:

> I want to predict tonight that if we adopt this bill the American economy is going to get weaker and not stronger, the deficit 4 years from now will be higher than it is today and not lower. . ..When all is said and done, people will pay more taxes, the economy will create fewer jobs, government will spend more money, and the American people will be worse off.

That is Senator GRAMM in 1993 when we passed the plan that did just the opposite. Let's look at the record. We passed that plan in 1993, and here is what happened: Unemployment went down to the lowest level in 41 years.

Senator GRAMM and the advocates of opposition to the 1993 plan, who are the very ones who are the advocates of this plan today, were wrong. They said it was going to increase unemployment. They were wrong. We have the lowest unemployment in 41 years. They said that that economic plan would increase inflation. They were wrong. That plan reduced inflation to the lowest level in 33 years.

Mr. President, it does not stop there. Look at the economic growth. They said the 1993 plan would retard economic growth. They were wrong. Look at the record. We have the strongest economic growth during the last 6 years of any administration going back to the administration of Lyndon Johnson.

Friends, people who are listening across the country, let's think a minute: Is the economy in good shape or is the economy in bad shape? I think every one of us knows we have the strongest economy in anyone's memory. That was built on a plan of reducing the deficits, relieving pressure on interest rates, making America more competitive, reducing home interest loans, reducing car loans, reducing student loans, because there was less deficit, less debt. Now we are on the brink of completely changing that policy and going back to the bad old days of deficits and debt and decline. Are we really going to turn back the clock to those days? I hope not. I hope we do not make as foolish a mistake as that.

Because of the 5-year plan put in place in 1993, not only have we gotten the lowest unemployment, the lowest inflation in decades, the strongest economic growth in decades, we have also seen welfare caseloads decline dramatically. That is the record. That is the fact.

The other side says: Oh, but wait a minute. Taxes are the highest they have been in 20 years.

They are not telling the whole story. Here is what has happened. Remember when we had deficits, we had a gap between the revenue of the United States and the spending of the United States. The blue line is the spending; the red line is the revenue.

Go back to 1993. There was the gap. That was the deficit, $290 billion. We cut the spending line, and we raised the revenue line. That is how we balanced the budget. We cut spending; we raised the revenue line.

When they say the taxes are the highest they have ever been, again, they are not telling the whole story. Revenues are strong because the economy is strong, but individual taxpayers are not paying more in taxes; most are paying less. That is not the Senator from North Dakota speaking, that is the respected accounting firm of Deloitte & Touche. They analyzed the tax burden, including payroll taxes and income taxes, of a family earning just under $20,000 a year. They looked at 1979, and they looked at 1999.

In 1979, that family was paying 8.6 percent of their income in taxes—payroll taxes and income taxes. That burden has been reduced to 5 percent. Why? Because when we raised taxes on the wealthiest 1 percent in the 1993 plan, we also cut taxes on 28 million Americans by increasing the earned income tax credit. So we reduced taxes for individuals.

The same is true for a family of four earning $35,000 in 1999. Again, the respected accounting firm of Deloitte & Touche went out and looked at their tax burden: 1979, 11.2 percent. That has been reduced to 10.5 percent in 1999. It is also true of a family earning $85,000 a year. In 1979, they had a total tax burden of 17 percent; in 1999, 16.3 percent.

Does that mean there should not be any tax relief? No. We should have tax relief, but we ought to have a responsible package of tax relief, not one that threatens to put us back in the economic ditch of deficits and debt. Unfortunately, that is what the Republican plan does.

On the question of the fairness of this proposal, if this is fair, I do not understand fairness. They are going to give to the top 1 percent in this country with an average income of $837,000 a $46,000 tax cut. They are going to give to the bottom 60 percent of the income earners in this country, the vast majority of people on average, a tax reduction of $138. That does not strike me as very fair.

Let's check their math. We have heard over and over they are just giving 25 percent of the money that is available in surplus back in a tax cut. That is interesting math they are using. Let's check it.

The total surplus is $2.9 trillion. That is the CBO estimate.

I ask for 3 additional minutes.

Mr. ROTH. I yield 3 minutes on behalf of the minority.

The PRESIDING OFFICER. The Senator has 3 more minutes.

Mr. CONRAD. Look at what CBO is projecting—and I emphasize projecting—as the surplus over the next 10 years, $2.9 trillion. But $1.9 trillion of that is Social Security. If you take that out, you have $1 trillion left. Republicans are proposing nearly $800 billion of tax cuts. When you do that, you add interest costs of $141 billion. That only leaves $63 billion left for debt reduction, for strengthening Medicare, for domestic needs. They are using not 25 percent of what is available; they are using 94 percent of what is available, because we have all agreed that none of the Social Security money is available.

The only way they get this number of 25 percent being used for a tax cut is when they include Social Security in the base. Are they proposing we are going to use 25 percent of the Social Security money for a tax cut? No. So they are using phony statistics. They are applying this 25 percent to two-thirds of the money that is Social Security money. They are taking 94 percent of the money that is truly available for this risky tax cut.

Here are the choices: Republicans say $800 billion of tax cuts; nothing to strengthen Medicare; nothing for domestic needs; they have $63 billion unallocated.

Our proposal in the Senate was balanced. We said save every penny of Social Security for Social Security and

then one-third for tax relief; one-third to strengthen Medicare—and, by the way, this money is not needed immediately so it can be used for the next 15 years to pay down debt—and one-third of the money for high-priority domestic needs, such as education, defense, and agriculture.

That leads our friends on the other side to say: There go the Democrats again; they just want to spend money.

Let's examine that notion. This blue line shows constant buying power of what we do with Federal spending now for domestic needs. That is what would happen if we had constant buying power. The Democratic plan is represented by this red line. It is a cut from current buying power. Here is the Republican plan down here. They have a massive cut, $770 billion over the next 10 years from what current buying power would permit.

They do not want anybody to talk about this, but the reality is, they are advocating deep cuts in education, in defense, in agriculture, and in all the rest—parks, law enforcement—because there is no way to avoid this mathematical reality. They came to this Chamber with a chart that said, yes, you could accommodate this tax cut if you froze all domestic spending for 10 years. It has never been done. What is amazing about it is that it is not what they are doing in the Appropriations Committees that meet every day. They are spending additional money.

I ask for 1 additional minute.

Mr. ROTH. On behalf of the minority, I yield 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is yielded 1 minute.

Mr. CONRAD. I thank the Chair.

Mr. President, let's be honest with the American people. This plan does not add up. It threatens to take us back to a period of growing debts. It fails to meet high-priority domestic needs such as education and agriculture and defense. It does not do anything to secure Medicare for the future. It is not real. It is not balanced. It is not responsible. This plan is not conservative.

It is radical; it is risky; it is reckless. It ought to be rejected.

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senator from North Dakota be granted 2 additional minutes from the minority time so he might be able to respond to a question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I think Senator CONRAD makes the most compelling presentation in the Senate on these budget matters. The charts he has used today have been extraordinary in their description of the folly here with respect to this plan.

I want to ask the Senator to go back to a couple charts with respect to those who made predictions some years ago because I thought that was very telling. The practice of augury in old Roman times was that the high priest would read the flights of birds and the entrails of cattle in order to evaluate the future.

We have some folks who are practicing augury in the Senate. They are the prophets who have described to us how wonderful this plan is. I know the Senator used, a bit ago, the same kind of descriptions from these same prophets 7, 8 years ago.

Could the Senator refer to that again, because I think that is most telling who brings this plan to the Senate, and what were their predictions previously?

Mr. CONRAD. I remember so well. I remember being on the floor of the Senate the day we passed the 5-year plan that got us back on track. I remember Republican leaders saying if we passed the plan, it would crater the economy. I remember Republican leaders telling us if we passed the plan it would increase unemployment, it would increase inflation, that it would cost jobs, that it would wreck the economy. They were wrong, and they were wrong on every single count. They said: If you raise taxes on the wealthiest 1 percent, and you cut spending, it is going to create a nightmare. They were wrong. They were absolutely wrong.

Maybe we are not reminding people enough. Maybe we are not learning the lessons of the past, but we have to because we should not go back to the days of deficits and debt that put this economy in the ditch.

So I am very hopeful we will learn from the past and we will recognize that to come out here, based on a projection over the next 10 years, to justify a massive tax-scheme giveaway that blows a hole in the budget, blows a hole in the deficit, leads us back to the path of debt and is a profound mistake.

It makes us all feel good. I would love to have a tax cut. I have two kids in college, and it is expensive. But I care more about their long-term future. I care about them inheriting a world that is less debt-laden than what we have done to them so far. Because our generation—and here it is—has taken the debt from 1980, and here we are today. This is what we have done with the national debt. We have run up the debt from less than $1 trillion to nearly $4 trillion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CONRAD. I ask unanimous consent for 1 final minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. That is what we have done in our generation. We have taken this national debt of less than $1 trillion and run it up to nearly $4 trillion. That is the publicly held debt. Gross debt is even higher. But this is publicly held debt.

Is that the legacy we want to leave, that we ran up the debt on our watch? I do not think so. This is what could happen if we stay the course. This is what the Congressional Budget Office tells us could happen if we stay the course. We could actually eliminate publicly held debt over the next 15 years. But it will not happen with this plan because we apparently all have our hand out. We want to take care of ourselves first and forget about the future. I hope that is not the legacy we leave.

I thank the Chair, and I thank my colleagues, and I yield the floor.

Mr. ROTH. On behalf of the minority, I yield 20 minutes to the distinguished Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. I thank the Chair and thank my colleague, the chairman.

Mr. President, last year we learned a very satisfying and important lesson. That is that there are rewards for fiscal discipline. After almost three decades of deficits and mounting national debt, we finally were able to eke out a small surplus. The very prospect of that small surplus has been a major contribution to one of the longest and most expansive periods of economic growth in our Nation's history. This fiscal discipline helped us to create favorable economic and fiscal conditions to address our long-term national challenges, especially our long-term commitments in Social Security and Medicare.

This, frankly, is a time of national celebration. The question is, What kind of celebration? Will it be a prudent and patriotic celebration of our success where we will channel our justified enthusiasm for our accomplishment into positive national family and individual goals or will it be a wanton and reckless celebration? Because our success, our opportunity to celebrate, did not give us license to return to the free spending, free period of increased indebtedness of the recent past. No. We owe it to our children and our grandchildren to save this money, to save this money until we have dealt with our future obligations to them.

Unfortunately, several major legislative actions in the 105th, now the 106th, Congress have made a mockery of our promise to maintain fiscal discipline. As an example, in February of this year, the Senate passed a military pay bill, with great enthusiasm and with great acclamations among those who would be particularly benefited and who hoped that it would strengthen our national security. The problem is, we did not provide a means of paying for it. So we were, in essence, saying we will pay for it out of our surplus.

If last February's legislation was just an aberration, a momentary lack of judgment, an inadvertent haste to turn from impeachment to legislation, it might have been forgiven. Sadly, it cannot be so characterized. It, in fact, was part of a pattern of a continued lack of fiscal discipline. It was the second time, in fact, within 8 months that we had proven ourselves unwilling to

take the hard decisions and too willing to sacrifice the well-being of future generations on the altar of expediency.

It was in October of 1998, in the waning hours of last fall's budget negotiations, that we passed a $532 billion omnibus appropriations bill. Included in that bill was $21.4 billion in so-called emergency spending. Since that $21.4 billion of emergency spending could be approved without the necessity of finding any way to pay for it, that funding came right out of the surplus. It took $3 billion out of the fiscal 1998 surplus. It took $13 billion out of the 1999 surplus. It will take $5 billion out of this year's surplus.

The action would have been even mildly palatable had all of the supposed emergency funds been allocated to true emergencies. But, in fact, many of the items that were funded out of the $21.4 billion were items which had in the past been considered normal, regular obligations of the Federal Government, not the necessary, sudden, urgent, unforeseen, temporary needs that are supposed to be the hallmarks of real emergencies.

In June, we made our third raid on the Social Security surplus, a supplemental appropriations bill that again cloaked many nonemergency spending items in emergency designation under the title of Kosovo. With all the negative public attention that had been focused on our previous raids, one would have thought that we might have at least been embarrassed back into fiscal responsibility. But, again, I am sorry that was not the case. So another $4 billion was taken out of the surplus through emergency spending for 1999 and $7 billion will be taken out in the year 2000.

What have we done thus far? We started with a total surplus for 1999 of $137 billion, of which $124 billion was Social Security. But after we had taken $13 billion for the emergency of 1998 and $4 billion for the emergency of 1999, we have reduced our surplus down to $120 billion. So we have spent every penny of the off-budget surplus, and we have spent $4 billion of the Social Security surplus to fund these emergencies.

Now, what is the chart for the year 2000? We started out with a total surplus of $173 billion, of which $147 billion was Social Security. We have the $5 billion from 1998, we have the $7 billion bloated Kosovo emergency expenditure, and just last night, we voted yet another emergency expenditure of $8 billion for agriculture. Today we have on the floor a tax bill that will cut the revenue for the year 2000 by $5 billion. So what started off as a $173 billion surplus has already shrunk to $148 billion. Every dollar of that surplus is Social Security save $1 billion, which, as I will point out in subsequent remarks, is highly in danger.

The action yesterday relative to agriculture represents the difficulty of the dilemma. Certainly American farmers are facing distressful circumstances. I happen to be an American farmer. I think I understand something of their plight. But the way to deal with this problem is not by temporary emergency fixes. The way to deal with this problem is to look at the underlying causes, which might be that we haven't been adequately dealing with fundamental issues such as crop insurance reform or that we have not been sufficiently aggressive in our trade policy in order to ensure there are open markets for American agricultural goods. Those are some of the ways in which we ought to be directing our attention, not through emergency spending to deplete our surplus.

The budget resolution says that emergency spending must meet five criteria. It must be necessary, sudden, urgent, unforeseen, and it must not be permanent. I suggest that many of these expenditures we have made over the last 2 years fail to meet those standards of emergency.

Our fiscal irresponsibility, however, is not limited just to emergency appropriations. We have defined the surplus as the difference between estimated revenue and estimated expenditures. Yet in arriving at those estimated expenditures, we have used unrealistic standards. We have created expenditure expectations that no one in this Congress believes are, in fact, going to be met; thus, the necessity to resort to these kinds of emergency measures. While we are doing that, we are also fundamentally deceiving the American people as to what our Federal Government's policies will be.

Let me use one example.

I ask unanimous consent at the end of my remarks to have printed in the RECORD an article from the New York Times of July 25, ''National Parks, Strained by RECORD Crowd, Face a Crisis.''

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. GRAHAM. There is no better time than in early August to talk about the state of our national parks, because this is a time of the year when hundreds of thousands of our fellow citizens are taking advantage of one of America's great treasures—its national park system. But it is a treasure which we have been systematically looting through indifference. It is stated in this article that in an assessment made last year, the Park Service estimated it would cost $3.54 billion to repair maintenance problems at national parks, monuments, and wilderness areas, maintenance that has been put off for decades, in some cases, because of lack of money.

Mr. President, while we may deceive ourselves into the statement that we have this significant surplus, it is a surplus which is being derived by a systematic underfunding of important national priorities, priorities which we know eventually are going to be met, but which we are now deceiving ourselves into the false illusion that there is an unrealistic surplus, a surplus which we can now use to fund these massive tax cuts.

The time is now to provide some honest leadership for the American people, not hollow statements and false promises. I am afraid that that leadership and honesty are not to be found in the tax bill before us today.

What I think we need to do is to put first things first. As Ecclesiastes says: There is a time for all things. There is a season to plant and there is a season to harvest.

What is the season today, in this time of national celebration of the results of fiscal discipline? I suggest the season for today is to deal with the challenges of our children and our grandchildren, starting with two critical national programs.

We should provide for the solvency of Social Security for our children and our grandchildren, and we should strengthen Medicare and bring it into the 21st century by providing it with the tools necessary, not just to deal with illness but to do what Americans want—to provide for their health and well-being. We should be funding those medical services that will prevent disease and illness, that will maintain our American people in their highest state of health. Unfortunately, when we have spent the resources that would be necessary to fund this tax cut before having dealt with Social Security and Medicare, there will be no money left to deal with Social Security and Medicare.

The statement will be made that Social Security is off the table; we have already dealt with it; that by placing all of the Social Security surplus into a lockbox to protect it for Social Security, we have discharged that responsibility. Well, first, I say that we have a very leaky lockbox. Willie Sutton was once asked: Why do you rob banks? The answer was: That is where the money is. Well, the lockbox assumes the money has already gotten to the bank. But Jesse James figured out that if he could rob the train before the box got to the bank, he could get the money before it could be placed in the vault. That is essentially what this emergency spending loophole is allowing us to do. We are looting the lockbox before the money arrives.

Even if we put the full amount of the Social Security surplus into the Social Security program, we would only have extended its solvency for our children to the year 2034.

The Greenspan Commission of the early 1980s had recommended that we ought to fund Social Security on a three-generational program, which would mean through the year 2075. We have not completed our task if the only thing we have done is to secure the solvency of Social Security to the year 2034.

Mr. President, we have an opportunity to lead the Nation in the way in which I believe thoughtful Americans wish to go. They wish to be prudent at

this time. They wish to celebrate the successes of fiscal discipline and to continue those successes. They want to take care of today's season of business first. They do not want us to embark upon a reckless course which would dissipate our ability to deal with our future needs and place us in the precarious position of depending upon unrealistic estimates of future revenues and a totally unrealistic expectation of future national needs.

So the issue is not the details of this tax proposal, although I believe an examination of that detail would indicate this plan is woefully lacking in basic principles of fairness and equity to all Americans. But the fundamental deficiency of this tax bill is its lack of timeliness. We should not be considering any tax cut until we have taken care of priority business—protecting Social Security for three generations and strengthening Medicare. We should not be considering any tax measures until we are certain the projections of revenue and the estimates of future needs are based on realistic, not political, assessments.

After we have carried out those first tasks, then if there are funds left available—and I suggest there probably will be —then we could consider what would be an appropriate form of returning that measure back to the American people through a tax cut. But, for today, the answer must be no to the measure that is before us. I hope that soon we will be answering yes to the responsibility we have to do America's first business first.

Thank you, Mr. President.

EXHIBIT 1

[From the New York Times, July 25, 1999]

NATIONAL PARKS, STRAINED BY RECORD CROWDS, FACE A CRISIS

(By Michael Janofsky)

YELLOWSTONE NATIONAL PARK, WY—In growing numbers that now exceed 3.1 million a year, visitors travel here to America's oldest national park to marvel at wildlife, towering mountains, pristine rivers and geological curiosities like geysers, hot springs and volcanic mudpots.

Yet many things tourists may not see on a typical trip through Yellowstone's 2.2 million acres spread across parts of Idaho, Montana and Wyoming could have a greater impact on the park's future than the growl of a grizzly or spew of Old Faithful.

For all its beauty, Yellowstone is broken. Hordes of summer tourists and the increasing numbers now visiting in the spring, fall ad winter are overwhelming the park's ability to accommodate them properly.

In recent years, the park's popularity has created such enormous demands on water lines, roads and personnel that park management has been forced to spend most of Yellowstone's annual operating budget, about $30 million, on immediate problems rather than investing in long-term solutions that would eliminate the troublesome areas.

Yellowstone is not the only national park suffering. With the nation's 378 national park areas expected to attract almost 300 million visitors this year, after a record 286 million in 1998, many parks are deferring urgently needed capital improvements.

For instance, damaged sewage pipes at Yellowstone have let so much ground water from spring thaws into the system that crews have had to siphon off millions of gallons of treated water into meadows each of the last four years.

And with budget restraints forcing personnel cutbacks in every department, even the number of park rangers with law-enforcement authority has dropped, contributing to a steady increase in crime throughout Yellowstone.

''It's so frustrating,'' Michael V. Finley, Yellowstone's superintendent, said. ''As the park continues to deteriorate, the service level continues to decline. You see how many Americans enjoy this park. They deserve better.''

Over the last decade the annual budget of the National Park Service, an agency of the Interior Department, has nearly doubled, to $1.9 billion for the fiscal year 1999 from $1.13 billion in 1990, an increase that narrowly outpaced inflation.

But in an assessment made last year, the park service estimated that it would cost $3.54 billion to repair maintenance problems at national parks, monuments and wilderness areas that have been put off—for decades, in some cases—because of a lack of money.

The cost of needed repairs at Yellowstone was put at $46 million, the most of any park area in the system. But the park service report shows that budget limits have forced virtually all national parks to set aside big maintenance projects, delays that many park officials say compromise visitor enjoyment and occasionally threaten their health and safety.

Senator Craig Thomas, a Wyoming Republican who is chairman of the Subcommittee on National Parks, and Bob Stanton, director of the park service, negotiated a deal this week to spend $12 million over the next three years for Yellowstone repairs.

Other parks may have to wait longer. The Grand Canyon National Park depends on a water treatment system that has not been upgraded in 30 years, a $20 million problem, park officials say. Parts of the Chesapeake and Ohio Canal National Historical Park along the Potomac River are crumbling, another $10 million expense. The Everglades National Park in South Florida needs a $15 million water treatment plant.

Even with a heightened awareness of need among Federal lawmakers and Clinton Administration officials, money to repair those problems may be hard to find at a time when Congress is wrestling over the true size of a projected budget surplus and how much of it will pay for tax cuts. If billions were to become available for new spending, the park service would still have to slug it out with every other Federal agency, and few predict that parks would emerge a big winner.

It is a disturbing prospect to conservationists, parks officials and those lawmakers who support increased spending to help the parks address their backlog of maintenance problems.

''It's kind of like a decayed tooth,'' said Dave Simon, the Southwest regional director for the National Parks and Conservation Association, a citizens' group that is working with Yellowstone to solve some of the long-term needs. ''If you don't take care of it, one day you'll wake up with a mouthful of cavities.''

The parks' supporters like Representative Ralph S. Regula, an Ohio Republican who is chairman of Appropriations Subcommittee on the Interior, concede that budgetary increases as well as revenue from new programs that allow parks to keep a greater share of entrance fees and concession sales have been offset by inflation, rising costs and daily operational demands that now accommodate 8.9 percent more people than those who visited national parks a decade ago.

With few dollars available for maintenance programs, the parks suffered ''benign neglect,'' Mr. Regula said, adding: ''It's not very sexy to fix a sewer system or maintain a trail. You don't get headlines for that. It would be nice to get them more money, but we're constrained.''

Denis P. Galvin, the deputy director of the National Park service, noted that only twice this century, in the 1930's and in 1966, has the Federal Government authorized money for systemwide capital improvements, and he said he was not expecting another windfall soon.

''Generally,'' Mr. Galvin said, ''domestic programs come at the back of the line when they're formulating the Federal budget, and I just don't think parks are a priority.''

Perhaps no park in America reflects the array of hidden problems more than Yellowstone, which opened in 1872, years before Idaho, Montana and Wyoming became states.

Park officials here say that the longer problems go unattended, the more expensive and threatening they become.

The budget restraints have meant reducing the number of rangers who carry guns and have the authority to make arrests.

Rick Obernesser, Yellowstone's chief ranger, said the roster had dwindled to 112 from 144 over the last 10 years, which often means leaving the park without any of these rangers from 2 A.M. to 6 A.M.

Next year, Mr. Obernesser said, the park will have only 93 of these rangers, about 1 for every 23,000 acres compared with 1 for every 15,000 acres when his staff was at peak strength.

That has not only led to slower response times to emergencies, like auto accidents and heart attacks, he said, but also to an increase in crime. Since the peak staffing year of 1989, he said, the park has experienced significant increases in the killing of wildlife, thefts, weapons charges against visitors and violations by snowmobile drivers.

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Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I ask the Senator from Delaware to yield me 20 minutes.

Mr. ROTH. I am happy to yield 20 minutes to the distinguished Senator from Oklahoma.

Mr. NICKLES. Mr. President, first, I wish to compliment my colleague, the chairman of the Finance Committee, Senator ROTH, for his leadership in bringing the bill to the floor. In addition, I compliment Senator LOTT and Senator DOMENICI because they helped make this happen.

The Senate, earlier this year, passed a budget resolution that says let's use most of the surplus that is projected to pay down the national debt. As a matter of fact, let's use over two-thirds of it to pay down the national debt. I have heard complaints from colleagues on the Democrat side saying we don't do enough. Frankly, we pay down the national debt more than the Democrats have proposed and more than the President has proposed. Maybe that is not enough for them, but it is more than they have proposed.

I compliment Senator DOMENICI and Senator LOTT, as well as Senator ROTH, for laying the groundwork to say let's

take at least one-fourth of the surplus projected and let the people keep it. Some people say give it back to them. Well, I don't think they should ever have to send it to Washington, DC, in the first place; it is their money.

That is the issue. Are we going to allow the taxpayers to keep one-fourth of the surplus, or are we going to insist on that money going to Washington, DC, and Washington spending it? Obviously, there is no limit on the number of demands we have on spending other people's money. We can spend it all just like that. It is quite easy, in fact it is the easiest thing to do. Now, we finally have an opportunity, as a result of the significant surplus, to allow people to keep more of it.

We do that in this bill. We have come up with a bill that I believe is fair, balanced, and I think is a good tax bill, a tax bill for taxpayers. I will go into some of the benefits. First, I want to repudiate some of the comments that were made against it. One Senator said it was too much. It is one-fourth of the surplus.

I don't think that is too much. We have given tax cuts in the past when we didn't even have a surplus. I happen to have supported those. We passed a tax cut in 1997—a strong majority of Congress passed it. We didn't have a surplus then. I think it was the right thing to do. We gave a tax cut because, in some cases, rates were too high. We said if we have a tax cut, it will stimulate the economy and raise more money. Guess what. That is what happened.

We cut the capital gains tax both in 1995 and in 1997. The President vetoed it in 1995. He signed it in 1997. When I say ''we,'' I am talking about Republicans because we didn't have any support in 1995 from our Democrat colleagues—maybe with one or two exceptions. We passed it in 1997. We cut capital gains from 28 to 20 percent. It helped the economy and raised a lot of money. It beat the expectations by the CBO and the Treasury Department. Why? We reduced the tax on transactions by about 230 percent and ended up having more financial transactions. As a result, you have more income and more taxes. It helped the economy. Many of us said that would happen, that it would have a very positive impact.

Let me touch on one other thing. A couple of colleagues said you can't have this tax cut because it benefits high-income people. Heaven forbid, somebody making $500,000 is going to get a greater benefit than somebody making $10,000. Let me just step back a little bit. Is this tax cut too high, too generous for high-income people? I don't think so.

Let me talk about rates. I believe marginal rates impact on whether or not somebody is going to do extra work. I have been in the private sector. I used to have a janitorial service, and marginal rates kept me from doing more work. I had a situation where I was making enough money to combine income and Social Security taxes. I was working about 40 percent of the time for the Government, and I said that is enough. I am not going to work more if the Government is going to take almost half of everything I make. It denied the advancement and expansion of my business—a small business.

I might mention, that small business is where most additional new employees are starting. Somebody says, wait a minute, this tax cut is unfair, it benefits the high income bracket. Look at what we do for high income. We reduce every single income bracket by 1 percentage point. The low end is 15 percent and we reduced it to 14 percent. The high income is 39.6 percent, and we reduced it to 38.6 percent, and so on. There is a 28 percent bracket; we move that to 27.

Somebody says, that benefits the high income. Wait a minute. We reduce it in every single bracket by 1 percentage point. It so happens that for the 15-percent bracket, to move down 1 point, that is a 7-percent reduction. If you move a 39.6 percent down to 38.6, that is a 2.6-percent reduction—less than half of a percentage reduction of the 15-percent taxpayer, or the lower income taxpayer. So I don't think this is tilted in any way. If anything, if one really looks at this, it makes the system more progressive.

So the argument that this benefits upper income doesn't fly, and it doesn't fly with history. Look at what the tax cut rates were when President Clinton was sworn into office. The maximum rate in 1992 was 31 percent. After the Clinton tax increase—or maybe I should say the Democrat tax increase because it only passed by Democrats, with the Vice President breaking the tie vote twice in this Chamber—it increased the maximum rate from 31 to 39.6 percent. Actually, it went higher than that because they also took the cap off the Medicare tax and said you have to pay Medicare tax on all income, all salary, and all wages. So you have payroll taxes and Federal income taxes and Social Security taxes, and no limit, no base, no cap on Medicare taxes.

Medicare tax is 1.45 percent of payroll, plus your employer's contribution; that is 2.9 percent. So a person in the maximum bracket pays actually 39.6, plus 2.9 percent Medicare. That is a total of 42.5 percent. When Bill Clinton was sworn in, the maximum rate was 31 percent. One year later, it was 42.5 percent on all income, all wages, on everybody in the country.

That is a massive tax increase. That is a 37-percent increase.

What are we doing in this bill? We are reducing that by one point. We reduce it from 39.6 to 38.6; 38.6 is a whole lot more than 31.

So, the tax cut that we are proposing is just a small fraction of the tax increase President Clinton and the Democrats passed in 1993—a small fraction. Yet some of my colleagues are saying we can't do that. It might deny us the ability to spend more money. We have a whole laundry list of people parading to Washington, DC, saying: Give me some more money because we want to spend it. We want more of your money because we can spend it better than you can.

Finally, I want to address the comments of one of our colleagues who says we favor a tax cut, but we don't believe now is the time to do it. Wait a minute. When are you going to do it, if not now?

We have estimates of a $3 trillion surplus over the next 10 years. And we are not going to do it now? Will we only give you a tax cut if it is $4 trillion, or $5 trillion? At what point would our colleagues say it is time to let people keep more of their own money? We are taking too much from them. If my colleagues are not going to agree to a tax cut that is only one-fourth of the surplus, they will never agree to one.

It absolutely amazes me how our Democrat colleagues all marched in step in 1993 and said: We are going to support this tax increase because Bill Clinton wants it.

You might remember that Bill Clinton shortly after that said, Oops, surprise, I agree with the business community. We increased taxes too much. He actually admitted to that. A lot of Democrats were mad, but he admitted to it anyway and then he went ahead and vetoed our tax cut in 1995.

Then in 1997, he eventually agreed to a tax cut and everybody seemed to favor it. I guess whatever Bill Clinton says the Democrats march in line to.

I don't know. But we cut taxes in 1997. We reduced capital gains from 28 to 20 percent—very positive things. They might think that was a bad thing to do. No one offered an amendment saying let's bring capital gains back up to 28 percent saying that it was terrible. A lot of people debated against it in 1997. But it was the right thing to do.

We cut taxes for families in 1997. We passed a $500 tax credit for each child in 1997. Bill Clinton campaigned for it in 1992. He didn't deliver in 1993. As a matter of fact, in 1993 he increased taxes. That tax cut didn't happen until 1997. Republicans passed it. The President vetoed it. We passed it in 1997 and he eventually signed it.

A family of four with an income of less than $80,000 has $2,000 per year that they can keep. A family with four kids gets to keep $2,000 more per year because Republicans in Congress said we are going to pass it. We promised to and we did.

We established the ROTH IRA.

We did some good things in 1997. Guess what? We didn't have the projected surplus in 1997 that we have in 1999. Now we have trillions of dollars of anticipated surplus. Let's give one-fourth of it back to the American people. Let's let them keep it. They shouldn't have to send that much to

Washington, DC. Their taxes are too high.

I will go through a couple of examples that we correct in this bill to show why their taxes are too high and what we do about it. There are too many people who send too much to Washington DC. Let me address a couple of those examples.

I mentioned a self-employed person. A self-employed person, an individual, makes $25,000. They are taxed at the marginal bracket of 15 percent on everything they make up to $25,000. Above that they are taxed at 28 percent. If somebody has a painting service in rural Delaware, and paints houses and works for himself, that individual has a taxable income of $25,000, and probably is not considered wealthy by most people's standards. Any additional contract that person makes, any additional income that person makes, is taxed at 28 percent. He also has to pay Social Security and Medicare tax. That is 15.3 percent on top of the 28 percent. Add those two together, and it is 43.3 percent. He has to pay State income tax. In my State that is 6 or 7 percent. For any additional dollar that individual makes painting houses, fifteen cents of it goes to the government.

That is too high. That is far too much.

For a married couple right now that makes $43,000, it is the same thing. For any additional dollar they make, half of it goes to the government, if they are self-employed.

That is too high. So we cut that.

We provide marriage penalty relief and several other positive things. Let me go through some more of the changes.

I mentioned that we cut all brackets by one percent. That benefits the lower more than the upper brackets. The lower brackets get a seven-percent reduction and the upper brackets get a 2.8 percent reduction. That is not stacked towards the higher income people. It is a tax cut for all taxpayers, and it benefits, percentage-wise, the lowest income taxpayers first. The lowest income taxpayer gets the break first.

Again, for somebody who says this is weighted towards the wealthy, it is absolutely totally and completely false.

We widen the 15 percent bracket. We make it 14 percent. Then we widen it. We ship $3,000 more of income into the 14-percent bracket instead of the 28-percent bracket.

That is a very positive change for an individual with an income up to $25,750. That means they get to save $390. That is fairly significant. I think that is very significant.

For a couple you are talking about double that amount. So they get to save a significant amount as well.

Marriage penalty relief: What did we do? Some people do not understand what we did. We said we would double the bracket by increasing the standard deduction—basically doubling the standard deduction for an individual. If you look at the income tax forms, and say you are filing as individuals, or joint. If you file as married, you don't get twice the individual deduction. So, frankly, it would be better off if a married couple filed as individuals. They are penalized for filing jointly.

Does it make any sense for our Tax Code to penalize people for being married to the tune of $1,400 per family? That is wrong. This bill eliminates that for most couples.

What do we do? We said, Let's double the standard deduction. It should be twice as much for those who are married as it is for individuals.

We do that with this legislation because the biggest hit is on married couples, and the marriage penalty is that individually they are taxed at 15 percent. For joint income tax they are taxed at 28 percent—almost twice as high. We move those rates to 14 and to 27 percent. We are saying for all of the income that is taxed up to 14 percent they should have twice that bracket amount for a couple. That is not the way the tax code is right now.

Let me explain it.

Individuals today are taxed at 15 percent up to $25,000. You say, OK. That is for an individual, and it would make sense for a couple then to be taxed at 15 percent up to $50,000. But that is not the present law. The present law says above $43,000 they are taxed at 28 percent. So they have $7,000 that they are taxed at a higher rate, twice the rate as what they should be. We eliminate that. We double the 15 percent bracket for married couples.

So if it is $25,000 at 15 percent for an individual, it would be $50,000 for a couple.

What does that mean in savings to a couple that makes $50,000? It means $980 a year that they will be able to keep. We are not going to penalize couples because they happen to be married and because they happen to file joint returns.

I want to compliment the chairman, because he has worked very hard in supporting this.

We have $100 billion in tax relief for married couples by eliminating the marriage penalty in this legislation—that is one eighth of this bill.

When we debated this legislation on the floor of the Senate last week, no one said take out the marriage penalty.

The marriage penalty tax elimination is one of the most important aspects of this bill and we are going to make it happen.

The upper rate reductions that I mentioned move one percent down.

That may not happen, because we have a trigger mechanism that says if we don't meet the deficit reduction targets the tax cut doesn't happen.

That is not the case for marriage penalty relief.

I encourage my colleagues. If you believe in getting rid of the marriage penalty, you had better vote for this bill. It is one of the most significant reforms that we have in this legislation.

What else did we do? Why should somebody be in favor of this?

We eliminate the death tax.

We changed the current unified credit into an exemption.

What does that mean? Right now everybody knows that we have a unified credit that says if you have a taxable estate above $650,000, you don't have to pay a death tax. If you pass away, your survivors and kids won't have to pay any death tax.

We changed that unified credit into an exemption.

What does that mean? Once you have to pay the tax, you start paying at 39 percent.

By making an exemption, you start out at a lower rate. So any taxable estate will be taxed at an 18 percent rate.

The beginning rate of a taxable estate will be 18 percent instead of 39 percent. We will be helping out estates that are just over the threshold, estates that are $1 million or $1.5 million. That is a very positive change.

Eventually, in 9 years, by the year 2009, we eliminate the death tax. At that point, estates should be taxed when the property is sold—not in the event of death but when the property is sold. If your kids inherit a business or ranch, they don't have to pay inheritance tax until they sell it; if they sell it, then they are taxed capital gains. And they have to pay tax on the base, going back to the original base. That is how it should be. If they sell, they should pay capital gains; if they don't sell, they shouldn't be hit.

I learned the hard way. This inheritance tax makes people sell businesses all the time. It makes people sell farms, ranches, homes—just name it—to cover estate taxes. That is wrong. If they should choose to sell it, then let them pay the tax on the gain. That is what we do here and that is a very significant provision in this bill.

What else do we do in this bill? We reduce capital gains taxes. We have proven time and time again, going back to the time of John F. Kennedy, reduce taxes and we generate more money to Government, particularly with marginal rates and capital gains rates. We reduced the capital gains rate in 1997 from 28 to 20 percent, and it raised a lot of money for the Federal Government. In this bill, immediately going back to January 1 of this year, we reduce the capital gains rate from 20 percent to 18 percent.

Beginning January 1 of next year we index capital gains. What does that mean? It means we will quit taxing inflation. If someone has a home and that home is escalating in price through inflation, they won't have to pay taxes on that inflated gain because the home really hasn't increased in value, it is just staying up. That is a very positive provision and I compliment the authors of the bill for their hard work.

We increase IRA deductions from $2,000 to $5,000. We haven't increased it

since we passed IRAs many years ago. That is another significant provision, so people are saving and are not so dependent on an employer or the Federal Government.

We allow self-employed persons to deduct 100 percent of their health care costs. Right now they can deduct 45 percent. This measure affects nearly 16 million taxpayers. It is a very positive provision. We allow 100-percent deductibility of health insurance for workers without generous employers. If you do not work for a generous employer, you can deduct your health care costs.

We increase child care tax credits.

We have AMT reforms so people don't get stuck paying an alternative minimum tax just because they are taking tax credits that Congress has already passed.

We allow small businesses to be able to expense up to $30,000 a year. We increase that from $19,000. This is a provision that will benefit thousands and thousands of businesses, small businesses, all across the country.

I say to my colleagues, this bill is a good tax bill, it is a fair tax relief bill. It allows small business, individuals, and married couples an opportunity to keep more of their own money instead of sending it to Washington, DC.

I urge my colleagues on behalf of the taxpayers all across America to vote ''yes'' on this bill later this evening.

Mr. President, I ask unanimous consent to have printed in the RECORD a couple of tables showing the distributional effects. Changes that we are making will show the greatest percentage of reductions are certainly pushed towards the lower income. For example, on married filing jointly, the rate reduction is 7 percent but the biggest reduction actually is for incomes of $40,000 to $60,000, receiving significant reductions, up to 17 and 22 percent, because of the marriage penalty relief that we have added.

I ask unanimous consent to have these tables printed in the RECORD.

There being no objection, the material ordered to be printed in the RECORD, as follows:

IMPACT OF RATE REDUCTION & BRACKET EXPANSION

Taxable Income	Current law						GOP tax cut						Change	
	Taxable @ 15%	Taxable @ 28%	Taxable @ 31%	Taxable @ 36%	Taxable @ 39.6%	Total tax	Taxable @ 14%	Taxable @ 27%	Taxable @ 30%	Taxable @ 35%	Taxable @ 38.6%	Total tax	Amount of change	Change as % of taxes
MARRIED FILING JOINTLY														
10,000	10,000	0	0	0	0	1,500	10,000	0	0	0	0	1,400	(100)	−7
20,000	20,000	0	0	0	0	3,000	20,000	0	0	0	0	2,800	(200)	−7
30,000	30,000	0	0	0	0	4,500	30,000	0	0	0	0	4,200	(300)	−7
40,000	40,000	0	0	0	0	6,000	40,000	0	0	0	0	5,600	(400)	−7
50,000	43,050	6,950	0	0	0	8,404	50,000	0	0	0	0	7,000	(1,404)	−17
60,000	43,050	16,950	0	0	0	11,204	57,500	2,500	0	0	0	8,725	(2,479)	−22
70,000	43,050	26,950	0	0	0	14,004	57,500	12,500	0	0	0	11,425	(2,579)	−18
80,000	43,050	36,950	0	0	0	16,804	57,500	22,500	0	0	0	14,125	(2,679)	−16
90,000	43,050	46,950	0	0	0	19,604	57,500	32,500	0	0	0	16,825	(2,779)	−14
100,000	43,050	56,950	0	0	0	22,404	57,500	42,500	0	0	0	19,525	(2,879)	−13
110,000	43,050	61,000	5,960	0	0	25,382	57,500	46,500	5,950	0	0	22,404	(2,979)	−12
120,000	43,050	61,000	15,950	0	0	28,482	57,500	46,550	15,950	0	0	25,404	(3,079)	−11
130,000	43,050	61,000	25,950	0	0	31,582	57,500	46,550	25,950	0	0	28,404	(3,179)	−10
140,000	43,050	61,000	35,950	0	0	34,682	57,500	46,550	35,950	0	0	31,404	(3,279)	−9
150,000	43,050	61,000	45,950	0	0	37,782	57,500	46,550	45,950	0	0	34,404	(3,379)	−9
160,000	43,050	61,000	54,500	1,450	0	40,955	57,500	46,500	54,500	1,450	0	37,476	(3,479)	−8
170,000	43,050	61,000	54,500	11,450	0	44,555	57,500	46,550	54,500	11,450	0	40,976	(3,579)	−8
180,000	43,050	61,000	54,500	21,450	0	48,155	57,500	46,550	54,500	21,450	0	44,476	(3,679)	−8
190,000	43,050	61,000	54,500	31,450	0	51,755	57,500	46,550	54,500	31,450	0	47,976	(3,779)	−7
200,000	43,050	61,000	54,500	41,450	0	55,355	57,500	46,550	54,500	41,450	0	51,476	(3,879)	−7
250,000	43,050	61,000	54,500	91,450	0	73,355	57,500	46,550	54,500	91,450	0	68,976	(4,379)	−6
300,000	43,050	61,000	54,500	124,600	16,850	91,961	57,500	46,550	54,500	124,600	16,850	87,083	(4,879)	−5
350,000	43,050	61,000	54,500	124,600	66,850	111,761	57,500	46,550	54,500	124,600	66,850	106,383	(5,379)	−5
400,000	43,050	61,000	54,500	124,600	116,850	131,561	57,500	46,550	54,500	124,600	116,850	125,683	(5,878)	−4
450,000	43,050	61,000	54,500	124,600	166,850	151,361	57,500	46,550	54,500	124,600	166,850	144,983	(6,379)	−4
500,000	43,050	61,000	54,500	124,600	216,850	171,161	57,500	46,550	54,500	124,600	216,850	164,283	(6,879)	−4
10,000	10,000	0	0	0	0	1,500	10,000	0	0	0	0	1,400	(100)	−7
20,000	20,000	0	0	0	0	3,000	20,000	0	0	0	0	2,800	(200)	−7
30,000	25,750	4,250	0	0	0	5,053	28,750	1,250	0	0	0	4,363	(690)	−14
40,000	25,750	14,250	0	0	0	7,853	28,750	11,250	0	0	0	7,063	(790)	−10
50,000	25,750	24,250	0	0	0	10,653	28,750	21,250	0	0	0	9,763	(890)	−8
60,000	25,750	34,250	0	0	0	13,453	28,750	31,250	0	0	0	12,463	(990)	−7
70,000	25,750	36,700	7,550	0	0	16,479	28,750	33,700	7,550	0	0	15,389	(1,090)	−7
80,000	25,750	36,700	17,550	0	0	19,579	28,750	33,700	17,550	0	0	18,389	(1,190)	−6
90,000	25,750	36,700	27,550	0	0	22,679	28,750	33,700	27,550	0	0	21,389	(1,290)	−6
100,000	25,750	36,700	37,550	0	0	25,779	28,750	33,700	37,550	0	0	24,389	(1,390)	−5
110,000	25,750	36,700	47,550	0	0	28,879	28,750	33,700	47,550	0	0	27,389	(1,490)	−5
120,000	25,750	36,700	57,550	0	0	31,979	28,750	33,700	57,550	0	0	30,389	(1,590)	−5
130,000	25,750	36,700	67,550	0	0	35,079	28,750	33,700	67,550	0	0	33,389	(1,690)	−5
140,000	25,750	36,700	67,800	9,750	0	38,667	28,750	33,700	67,800	9,750	0	36,877	(1,790)	−5
150,000	25,750	36,700	67,800	19,750	0	42,267	28,750	33,700	67,800	19,750	0	40,377	(1,890)	−4
160,000	25,750	36,700	67,800	29,750	0	45,867	28,750	33,700	67,800	29,750	0	43,877	(1,990)	−4
170,000	25,750	36,700	67,800	39,750	0	49,467	28,750	33,700	67,800	39,750	0	47,377	(2,090)	−4
180,000	25,750	36,700	67,800	49,750	0	53,067	28,750	33,700	67,800	49,750	0	50,877	(2,190)	−4
190,000	25,750	36,700	67,800	59,750	0	56,667	28,750	33,700	67,800	59,750	0	54,377	(2,290)	−4
200,000	25,750	36,700	67,800	69,750	0	60,267	28,750	33,700	67,800	69,750	0	57,877	(2,390)	−4
250,000	25,750	36,700	67,800	119,750	0	78,267	28,750	33,700	67,800	119,750	0	75,377	(2,890)	−4
300,000	25,750	36,700	67,800	152,900	16,850	96,873	28,750	33,700	67,800	152,900	16,850	93,483	(3,390)	−3
350,000	25,750	36,700	67,800	152,900	66,850	116,673	28,750	33,700	67,800	152,900	66,850	112,783	(3,890)	−3
400,000	25,750	36,700	67,800	152,900	116,850	136,473	28,750	33,700	67,800	152,900	116,850	132,083	(4,390)	−3
450,000	25,750	36,700	67,800	152,900	166,850	156,273	28,750	33,700	67,800	152,900	166,850	171,383	(4,890)	−3
500,000	25,750	36,700	67,800	152,900	216,850	176,073	28,750	33,700	67,800	152,900	216,850	170,683	(5,390)	−3

Policies as fully phased in applied to 1999 tax brackets.
Provided by Senator Don Nickles, 08/05/99

NOTICE

Incomplete record of Senate proceedings. Today's Senate proceedings will be continued in the next issue of the Record.

EXTENSIONS OF REMARKS

ALICE TENNISON

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mrs. WILSON. Mr. Speaker, I wish to bring to your attention the outstanding work of Alice Tennison.

Alice lives in Albuquerque, New Mexico, and is a constituent of mine. Recently, Alice won the Education's Unsung Heroes Award for mentoring students and founding the Student Mentorship in Education Project. The Student Mentorship in Education Project gives high school students hands-on experience in leading elementary school classrooms.

I would also like to thank ReliaStar Financial Corporation and Northern Life Insurance Company for sponsoring the event.

A good education helps students achieve their career and life goals. Alice Tennison has helped provide a quality education in New Mexico. Her work touches the lives of our next generation of teachers.

Alice Tennison continues to contribute to New Mexico education and I hope she will continue to do so well into the future. Mr. Speaker, I ask that we recognize and thank Alice Tennison for her achievement.

INNOVATIVE RESPONSES TO YOUTH VIOLENCE AND SCHOOL DROPOUTS RATES

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. HAYES. Mr. Speaker, educators in communities across the country are searching for innovative methods to assist families in combating the threats that plague so many of our nation's high schools. Drugs, juvenile violence, high school students dropping out of their education: schools have a responsibility to partner with parents in safeguarding our children from these hazards.

In 1997, the last year for which we have reliable statistics available, there were 706,000 violent crimes involving teenagers. To reduce this number, we have to start early: as former Winston-Salem, North Carolina police chief George Sweat has said, ''the fight against crime needs to start in the highchair, not wait for the electric chair.''

Nationwide, 5 percent of students drop out of school. Only 40 percent of high school dropouts are employed. Dropping out often leads students to drifting, trouble and sometimes crime and time in jail. As the demands of the workplace grow more dependent upon high levels of literacy and technical skill, high school dropouts will increasingly face problems in getting and keeping jobs.

The American family is the bedrock of hope for instilling values in children that can keep them on the right path. But our schools can help as well. The use of innovative methods to educate and encourage young people to respect themselves, to stay in school and out of trouble is essential. One such method is a public-private partnership to which over 40 percent of American schools belong. These schools work with the Channel One Network, an in-school news analysis program that reaches eight million American students daily. Studies have shown that public service announcements by this programmer for military recruitment and drug prevention have been extraordinarily effective. Students in Channel One Schools have more negative impressions of drug use. They are also more likely to consider enlisting in their nation's armed services.

I believe that schools must increase such effective programs in the areas of juvenile violence and high school dropout prevention. I intend to work hard to ensure that our government expands its support of our schools' efforts in this direction.

TRIBUTE TO OFFICER MICHAEL LEWELLEN

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Ms. SANCHEZ. Mr. Speaker, today I rise to honor Officer Michael Lewellen for his commendable service to the United States Armed Forces. It is with great pride that I present Mr. Lewellen with seven prestigious military awards and decorations including the Bronze Star Medal, the Purple Heart, the Air Medal, the National Defense Service Medal, the Vietnam Service Medal, the Combat Medical Badge, and the Republic of Vietnam Campaign Ribbon with Device.

Our nation is graced with many treasures, though none so precious as the peace we enjoy in our prosperous country. I am honored to commend Mr. Lewellen for his contribution to safeguarding that peace. It is one of our nation's great strengths that men and women have answered their country's call, and continue to heed it today to prevent the devastation we have witnessed too often this century.

Fortunately, our society has been blessed with many leaders who learned the values of leadership—responsibility, accountability and loyalty—while wearing the uniform of their country. For without their dedication to duty, we would not enjoy the many freedoms a fortunate America has to offer.

Again, I offer Mr. Lewellen my sincerest congratulations. I join together with everyone in this room to celebrate Mr. Lewellen's patriotism and to pay tribute to his service to our great nation.

BRINGING SMILES TO FLORIDA

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. DIAZ-BALART. Mr. Speaker, I rise today to offer my warmest congratulations to the dental community in Florida for their great success with Project: Dentists Care (PDC), which facilitates access to dental care for indigent or underserved populations throughout the State. In a typical year, over 700 dentists donate more than 10,000 hours to treat 6,000–7,000 patients, providing close to a million dollars worth of dentistry, all at no charge.

Project: Dentists Care Began in Palm Beach County in 1992, and now enjoys success throughout the State. Money raised from fund raisers such as the annual Dentist's Day in October, including the ball, the silent auction and art sales, helps buy supplies and equipment needed for the programs.

I am pleased to support the efforts of Project: Dentists Care, and I urge my colleagues to join me as I extend my support and best wishes for a successful Dentist Day.

COMMANDER JACKIE W. KYGER

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. ORTIZ. Mr. Speaker, I rise today to commend a gentleman who does an outstanding job commanding a Coast Guard Station in my district, Commander Jackie W. Kyger.

Commander Kyger is an absolutely superb man. He commands the South Padre Island Coast Guard Station in Port Isabel, Texas, in my district and he will be leaving Friday, August 6, for the private sector. If he carries the same gung-ho, can-do attitude that he has employed in his service to our country into the private sector, I have no doubt he will retire a millionaire.

The Port Isabel station has a very tough mission, which centers largely on drug interdiction. They have quite a small station, with a tremendous amount of space to cover. In the last Congress, it came to my attention that the station desperately needed new equipment. They were making do with surplus equipment in their quest to interdict drug smugglers along a large chunk of South Texas coast. We ask our Coast Guard to do so much: search and rescue, boat safety, drug interdiction and fishing regulation enforcement, among others.

It is just not right to give them that enormous responsibility without the equipment to do the job. In the next Coast Guard Authorization bill, I made sure to include committee report language stressing the need for new equipment, and as a result, the Port Isabel

Coast Guard station recently got two new utility vehicles that are currently being fitted. This speaks to Commander Kyger's leadership ability, ensuring that his people had the proper equipment to accomplish their mission.

Mr. Speaker, Commander Kyger will be greatly missed by the larger South Texas community, as well as the Coasties he commands. He is a devoted family man who is also committed to helping the community. He was of great help to a community project known as ''Save Our Children,'' a non-profit group that targeted young people in the Valley, encouraging them to stay away from violence and drugs, and reassuring them that they are indeed loved and are a valuable resource to South Texas. He was also instrumental in forming a partnership with the Boys Scouts of America to create a U.S. Coast Guard Explorers Post, an activity that provides a positive focus for young people after school.

I ask my colleagues to join me today in commending Jackie Kyger, an outstanding patriot, officer and family man on his departure from Coast Guard Station South Padre Island this week.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

SPEECH OF

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 2, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes:

Mr. WEXLER. Mr. Chairman, I strongly oppose the Burton Amendment to H.R. 2606, the Foreign Operations Appropriations bill, which would limit U.S. foreign aid to India.

This amendment, which cuts essential aid to India, sends the wrong message to the government in Dehli. U.S./India relations have significantly improved since the end of the cold war. In reaching out to the United States and the international community, India has undertaken dramatic economic policy reforms to become a market-oriented economy. As of today, the United States is India's largest trading partner and largest investor.

The Indian government has also taken constructive steps to improve its human rights record. We must recognize the Indian government's efforts and progress, and assist them in taking further steps to reduce human rights abuses in their country.

Although the Indian government has made progress with respect to economic reforms and human rights, they face a much tougher goal of providing for a population of close to a billion people with a rapid population growth of 1.7 percent per year. Forty percent of India's urban population and half of the rural population live below the poverty level. The Burton amendment would cut crucial U.S. humanitarian aid to India that is desperately needed for disease control, population control, malnutrition, and rural development.

India which is an important strategic ally of the United States borders Iran and Communist China. Like the United States, India has many security concerns, including the direct threat of terrorism. Radical terrorist outfits trained in Afghanistan and Pakistan, including that of Osam Bin Laden, have targeted and executed innocent civilians in Kashmir.

I believe that the United States and India have already begun to see the benefits of improved bilateral relations. Unfortunately, this amendment reverses the gains made between our two democracies and denies humanitarian assistance to the most needy in India. I urge my colleagues to defeat this amendment.

INTRODUCTION OF THE MEDICARE PARAMEDIC INTERCEPT SERVICE EQUITY ACT

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mrs. KELLY. Mr. Speaker, I rise today to introduce the Medicare Paramedic Intercept Service Equity Act, legislation which will provide reimbursement for critically needed ambulance intercepts, no matter where they occur.

In the past, paramedic ambulance companies have billed Medicare for services administered to beneficiaries during an intercept. In May 1995, the Health Care Financing Administration discontinued allowing the paramedic ambulances to bill Medicare, stating that they only grant payment for services provided by the transporting ambulance, which under an intercept would be the non-billing volunteer ambulance. This policy precludes paramedic ambulances from receiving Medicare payment for their services.

According to the providers this policy has proven to be a nightmare. It creates a situation in which the volunteer personnel might choose to not call paramedic personnel, even if it is against their best judgment, because the patient may not be able to afford the cost of the paramedic care. The billing of the patient could also be avoided, if the patient is physically transferred from the volunteer ambulance to the paramedic ambulance, thereby making it the transporting ambulance but, in the process, wasting time that could be critical to the well being and survival of the patient. However, if the volunteer company does choose to call paramedic personnel, then the cost is passed on to the patient.

Although carriers have begun billing patients for their services, they often waive the charges for seniors who cannot afford to pay the bill. As a result of this policy, many paramedic ambulance companies are experiencing serious financial losses and may have to go out of business, which jeopardizes emergency care. Additionally, many seniors have taken to calling paramedic providers to describe their conditions to see if they would require their services, before calling the volunteer ambulance.

In 1997, Congress addressed this issue in the Medicare provision of the Balanced Budget Act. This provision amended the Social Security Act to provide coverage in rural areas for paramedic intercept services under Medicare Part B. This change was intended to allow paramedic ambulance companies to bill Medicare for their services despite the fact that they were not the transporting vehicle. Yet under the Health Care Financing Administration's proposed methodology, many areas which would commonly be thought of as rural are not considered as such under the rule. Thus, these areas have all the problems of being rural, yet have none of the protections that Medicare reimbursements for paramedic intercept services would provide.

As a result, one town with the fortune of being classified as rural has paramedic intercept coverage, while the town directly next door with the same basic rural nature, but a few more residents has no coverage. This leaves seniors stuck in the middle, confused as to what areas are covered, and scared to call for an ambulance for fear they will be charged with a bill they cannot afford. The policy of only reimbursing ambulance intercepts that occur in rural areas geographically discriminates against Medicare beneficiaries by arbitrarily setting standards for reimbursement that will help only those seniors with the luck of living in a federally defined rural town.

Paramedic intercepts should be covered by Medicare no matter where a senior lives. If a senior is in medical need of an intercept, then Medicare should pay for it. The Medicare Paramedic Intercept Service Equity Act takes the debate over coverage out of rural vs. urban and towards one of medical necessity. Specifically, this bill strikes the word ''rural'' from the ambulance intercept provision of the Balanced Budget Act. In doing this, all intercepts are covered whether they are in a rural area or not.

Please join me in providing seniors with the critical emergency services they need and cosponsor this important bill.

COSTELLO HONORS 300TH ANNIVERSARY OF THE VILLAGE OF CAHOKIA

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. COSTELLO. Mr. Speaker, I rise today in honor of the 300th Anniversary of the Village of Cahokia.

As we begin to near the end of this millennium, I ask my colleagues to join me in celebrating the history of the small towns within all of our districts. Throughout this year, Cahokia, a village in my district, continues to celebrate it's tricentennial anniversary, with reflection on its vital place in American history.

The Village of Cahokia derives its name, which means ''Wild Geese'', from the Cahokia Indian tribe. Today, it is recognized not only as a wonderful, thriving community of Southern Illinois but also as the site of the Cahokia Mounds, which is both an Illinois State Historic Site and a World Heritage Site. The Cahokians, members of the Illini Confederation, along with their relatives, the Tamaroas, were the first people known to inhabit this small and beautiful region in the Mississippi Valley. While the Cahokian tribe continues to provide a vital, unique character to the region, in 1699, the diversity of the community was further strengthened with Cahokia's founding by missionary priests from the Seminary of Quebec.

As the 18th century progressed, this community also became the principal commercial center in the mid-west. Specializing in the trade of Indian goods and fur, Cahokia's economic development thrived. This served as the impetus for prompting the expansion of Agriculture as a viable livelihood, which was so necessary to feed the rapidly growing community of settlers.

The Village of Cahokia also took pride in its role in winning a battle of the American Revolution. Captain Joseph Bowman and George Rogers Clark negotiated peace agreements in Cahokia at Fort Bowman with neighboring tribes of the Illini Confederation, and then launched an attack on British occupied Vincennes. Both their soldiers and ammunition were primarily supplied by the residents of Cahokia.

Cahokia has long been recognized as a significant force in Illinois politics. In the 18th and 19th centuries, the Cahokia Courthouse served as an important center of activity in the Northwest. At one point it was both the judicial and administrative center for a massive area which rose up to the borders of Canada.

Today, I am honored to represent Cahokia, which has embraced its heritage of both Native-American history, as well as the influx of French and other ethnicities, spurred by westward expansion. This close community of churches, civic groups, and businesses inspires us to remember the legacy of our forefathers, while also celebrating the future.

Mr. Speaker, I ask my colleagues to join me in recognizing the Village of Cahokia this month in commemoration of its 300th Anniversary!

MUSEUM FOR AFRICAN ART

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. NADLER. Mr. Speaker, I am pleased to recognize one of New York City's premier cultural institutions, the Museum of African Art, and to invite my colleagues to visit the Museum over the August recess. Founded in 1984, the Manhattan-based Museum is the only independent museum in the United States devoted exclusively to historical and contemporary African art.

The Museum for African Art is dedicated to increasing public understanding and appreciation of African art and culture. Through exhibitions and catalogues of the highest aesthetic and scholarly merit, the Museum offers definitive research and scholarship on African cultural groups and their regional influences.

The Museum provides thematic comparison and exploration of artistic ideas reflected in the great variety of cultures in Africa, innovative methods of display and interpretation of African art to involve audiences directly in the exhibition process, and programs that stimulate lifelong learning and appreciation of African art and culture.

In April 1999, the Museum opened a groundbreaking exhibition entitled ''A Congo Chronicle: Urban Art and the Legend of Patrice Lumumba.'' Consisting of 50 paintings by famed African artist Tshibumba Kanda-Matulu and several other urban artists of the time, this exhibition offers a uniquely personal encounter with the African independence movement as it was born and took hold among the population.

African art aficionados are looking forward to the September unveiling of the exhibit, Liberated Voices: Contemporary Art from South Africa. Featuring close to 100 works, including paintings sculptures, installations, photographs, and videos made since Apartheid ended in 1994. This exhibition highlights major trends in contemporary South African artistic practice. The exhibit will focus on the diverse works of young artists in today's South Africa. Through their personal experiences Museum visitors will gain a greater insight into this dynamic country.

Mr. Speaker, the Museum for African Art is a unique resource. I hope all of my colleagues will have the opportunity to visit the Museum to learn more about African art and its influence and significant contributions to our culture and society.

IN CELEBRATION OF THE BIRTH OF MORGAN JULIANN TAYLOR

HON. DAVID M. McINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. McINTOSH. Mr. Speaker, last Wednesday, July 28, 1999, Morgan Juliann Taylor was born. She is the daughter of my chief of staff, Jeff Taylor and his wife Julie. God blessed them with a beautiful, healthy child. When we debate issues on the floor of the U.S. House of Representatives which will impact the lives of children, I like to think of children I know, especially my own daughter, Ellie. From this time forward, I will also keep Morgan Juliann in my mind and heart as this great body works to make this country a better place to live for Ellie, Morgan and all of our children and grandchildren.

TRIBUTE TO ISAAC DARKO

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. SERRANO. Mr. Speaker, I rise to once again congratulate and to pay tribute to Mr. Isaac Darko, a constituent of mine and a distinguished student at Columbia University in New York. He will be recognized for his academic and scientific achievements as a participant in the National Institutes of Health (NIH) Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds (UGSP) on August 5, 1999 for the second year in a row.

Isaac graduated from the Health Professions and Human Services High School in 1997 and has just completed his freshman year at Columbia University. This summer he has been working at the NIH Department of Molecular Biology under the supervision of Dr. Alfred Johnson. He has been working on the epidermal growth factor receptor (EGFR), which is expressed in such cancers as breast and prostate cancer and in other cancer cell lines.

Mr. Speaker, the UGSP scholars search is highly competitive and nationwide. Currently, the program has 24 scholars from all over the nation, from institutions such as Columbia University, MIT, Harvard, Georgetown, U.C. Davis, and Stanford. In order to participate in the program, a Scholar must either have a 3.5 Grade Point Average or be in the top 5 percent of his/her class. Candidates must also demonstrate a commitment to pursuing careers in biomedical research and must be from a disadvantaged background. The current group is composed of 32 percent Hispanics, 32 percent African Americans, 21 percent Asians, 10 percent Caucasians, and 5 percent Native American, with a balance between the genders of 52 percent female and 48 percent male.

Mr. Speaker, being selected for this program for two consecutive years indicates that Isaac has demonstrated that he has the ability and the desire to be an asset and a role model in our community. We are proud of his accomplishments and I know he is taking full advantage of the opportunity presented to him. He is a terrific example for future participants in this program and others like it.

Mr. Speaker, I ask my colleagues to join me in congratulating once again Mr. Issac Darko for his outstanding accomplishments and also in commending the National Institutes of Health Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds for offering opportunities to students like Isaac.

FAMILY BUILDING ACT OF 1999

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. WEINER. Mr. Speaker, today I introduced the Family Building Act of 1999.

This legislation will assure the millions of Americans suffering from the disease of infertility that the treatments they so desperately need will be covered by their health insurance plans.

There is nothing more basic to human beings than the desire to have a family. Yet, more than 6 million American families will suffer from infertility at some point in their reproductive lives. However, fewer than 1 in 4 employer-based insurance plans include coverage for infertility.

Imagine being given the devastating news that you have a fertility problem. Fortunately, your physician confidently informs you that the majority of couples who seek treatment for their infertility are able to have a baby. So you leave the office feeling hopeful if not optimistic. Then news even more devastating than your diagnosis comes your way: your health plan has decided that infertility is a disease they don't think worthy of covering. Their profits mean more than your inability to have a family.

It's unfair, and it happens too often in this country.

As fewer and fewer of our citizens are allowed any meaningful choice in health plans, Americans are being denied access to medical treatments that provide them with their only hope of becoming a parent. This is unfair, and the Family Building Act of 1999 will put a stop to it.

The insurance industry may claim that providing infertility coverage will cost them so

much money that they will either go out of business or that employers will not be able to provide any coverage at all. This is not the case.

Studies completed by the American Society for Reproductive Medicine have shown that providing comprehensive infertility coverage will add only three dollars per member per year. Thirteen states have already passed similar legislation and it has not driven the insurance companies out of business, nor has it caused employers to drop their health insurance. In fact, in Massachusetts a study shows that the cost for HMOs actually went down when they started providing coverage.

Insurance coverage for infertility also allows for better medicine. We have all heard about and been concerned with the rising number of triplets, quadruplets and even higher numbers of multiple births from fertility treatments. Proper insurance coverage will allow patients and their physicians to pursue conservative, medically appropriate treatments and lower the risk of multiple births.

Consider: just three dollars a year could allow thousands of Americans to become parents. I think it's worth it, the American people think it's worth it and I hope this House will show it thinks it's worth it by passing the Family Building Act of 1999.

ISSUES FACING YOUNG PEOPLE

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. SANDERS. Mr. Speaker, I would like to have printed in the RECORD statements by high school students from my home State of Vermont, who were speaking at my recent town meeting on issues facing young people today. I am asking that you please insert these statements in the CONGRESSIONAL RECORD as I believe that the views of these young persons will benefit my colleagues.

WORKERS' RIGHTS AND WELFARE REFORM

(On behalf of Daniel Peyser and Jenn Donohue)

Daniel Peyser: I'm going to be covering workers' rights, and specifically minimum wage, and maybe health care, and Jenn is going to be doing welfare reform, which will tie into it.

A key issue regarding the basic rights of workers is a livable wage. There was a minimum wage increase that was from $4.25 to $5.15, but it is still not livable. It is nice to have the wage increase, but it is not significantly helping us out. I make minimum wage, and it's a pain when you are not making enough money that you feel that you would deserve more for the work that you put in. But, over the past two decades, the minimum wage, with that one exception of that increase, has largely, for most people, stagnated or declined, and combined with inflation, the real value of the minimum wage hasn't increased very much since around 1955 to 1970.

It used to be, after World War II, that when productivity went up in companies that the workers got cut into the action and everyone prospered. But between 1983 and 1989, we have seen that, as companies reach record profits, that workers aren't getting cut in any more. And between 1983 and 1989, 99 percent of the new wealth that was accumulated went to the top 20 percent of the income groups.

America is now the most economically stratified country in the industrialized world. So there's a lot of issues that also tie in with livable wage. I mean, you have welfare, which is one issue. And one of the incentives perhaps for a lot of people who are on welfare would be a higher minimum wage. I think the answer to the problem would be to require companies to, first of all, raise the minimum wage to something that is easily livable. Ideally, I would have said $9 an hour or so. Cut back working hours, so require companies, based on how much money they make, to hire a certain number of workers, also based on their expenses, which would help unemployment rates.

Other issues that tie in are, a large part of having an unbalanced budget can be attributed to having stagnated wages. College education prices have gone up 80 percent over the past two decades, I think, as far as the cost of real value. And it is going to be harder and harder for people who are making minimum wage now to send their kids to college or to support their families.

Congressman Sanders: Jenn?

Jenn Donohue: As a senior in high school, the time is coming where I have to go out and find a job and employment. And, as Dan was saying, it bothers me in both respects, that there are people out there who are making minimum wage, trying to feed their kids, trying to buy necessities, basic things that people need, and they are getting welfare; and there are other people out there who don't work, who wait for the check to come every month, and that's what they live on, they have no initiative to get up, get out, and get a job.

Welfare was established for people in need, to help them get back up on their feet until the time came where they were okay, and they were all set, and they didn't need it as much as they did before. But now, I think, there is a problem where people are using it as their basic income. They have no desire to get up and get a job. And it is not the case with all people who are on welfare. Some people need it intensely. They are working two jobs, their spouse is working two jobs. Their kids are going to school, they need food and products all kids need.

I just think that something has to be done to change the way that welfare is going, because it is unfair to deprive people who really need the welfare of the money, when it is going to people who are just using it—I mean, there are women who get pregnant so they will have more money coming in the door. It is sick and it's twisted, and something needs to be done to reform welfare, so that the people who need it are getting it, and the people who need it and aren't doing anything to get it do something about that.

Congressman Sanders: Thanks for tackling a very, very important issue.

ZERO TOLERANCE FOR ALCOHOL

(On behalf of Laura Megivern)

Laura Megivern: My name is Laura Megivern, and I'm from South Burlington High School.

In all 50 states, it is illegal for anyone under 21 to purchase and possess alcoholic beverages. Following this logic, it should therefore be illegal for anyone under the age of 21 to have a blood alcohol concentration of anything over .00. However, this is not the case. In Vermont, anything under a .02 alcohol level is legal for someone under 21 years old, who cannot legally purchase or possess any alcoholic product.

It is required that all states have a zero tolerance law for people under the legal drinking age. A zero tolerance law is defined as any law that states that persons under 21 are not allowed to have a blood alcohol level of anything more than .02, .01 or .00. In 1994, according to the National Highway Safety Administration, motor vehicle traffic crashes cost the United States more than $150 billion in economic costs. Crashes involving 15- to 20-year-olds cost the United States years more than $21 billion in 1994.

Although they may be effective, there is a bit of a discrepancy in the fact that, although youth are not permitted to purchase or possess alcohol, it is all right for them to have some alcohol in their blood. One reason why the legal limit is set above zero is because of problems with the calibration of instruments, and because of the margin of error that may exist in the use of a Breathalyzer.

Other reasons brought up while the law was being created were that some foods may raise the alcohol level in breath, and that wine consumed in church as part of communion may raise the blood alcohol to an illegal level. The amount of wine ingested during communion would most likely be immeasurable, unless the Breathalyzer test was administered just afterwards. Also, an average high school student taking one dose of NyQuil would be under this limit, as the alcohol level would barely be measurable—although, in my opinion, if you feel bad enough to take NyQuil, a cough syrup advertised as helping someone get to sleep, you probably shouldn't be driving anyway. Some yeast products may also raise the alcohol content, but not to a measurable level, according to Dan Steinbar of the Day One Program, an outpatient rehabilitation program. He also says that, a beginning drinker without a high tolerance to alcohol, like a teenager, would be showing signs of impairment, especially of slurred speech and impairment of judgment, at a .02 blood alcohol concentration.

To get to a .02 blood alcohol concentration, you would need to drink a can of beer, 12 ounces, or 6 ounces of wine. In fact, for a 150-pound male, one can of beer, 5 ounces of wine, or 1.5 ounces of hard liquor puts the blood alcohol concentration above the legal limit even for someone over 21. However, if the male waited two hours to drive, he would be below it.

The rationale for zero tolerance is clearly understandable. According to the National Highway Traffic Safety Administration, 21 percent of 15- to 20-year-old drivers involved in fatal crashes had some alcohol in their blood in 1996. In the same year, an estimated 846 lives were saved by the minimum-age drinking laws, and an estimated 16,513 lives have been saved by these laws since 1975.

Although there is a discrepancy in the legal limit and what one would hope would be the legal limit, I see the reasoning behind it, although I hope that, one day, equipment will be in use in Vermont that has no margin of error, so that we can have an actual zero tolerance law, rather than a .02 tolerance law, because zero should mean zero.

MAXINE DEAMOS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. SKELTON. Mr. Speaker, let me take this opportunity to recognize Maxine Deamos upon her retirement from the Lafayette Regional Health Center in Lexington, Missouri.

Ms. Deamos first started working at the former Lexington Memorial Hospital 34 years ago. During her tenure, she worked as a nursing aid in various departments of the hospital,

including surgery, obstetrics, and the operating room. At the time of her retirement, Ms. Deamos was employed in the sterile central supply, the part of the hospital that provides sterile processing for surgical instruments and equipment. A standout employee during her 34 years, she was named Lafayette Regional Health Center Employee of the Year in 1967 and given the Smile Award, recognizing her cheery attitude, in 1997.

Maxine Deamos is an outstanding citizen of the Lexington community, and her wonderful personality will be missed by all at Lexington Regional Health Center. During her quieter times, Ms. Deamos plans to travel, work on her crafts, and spend time with her grandchildren. Mr. Speaker, I am sure that our colleagues join me in recognition of this outstanding Missourian.

A TRIBUTE TO LULAC

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Ms. SANCHEZ. Mr. Speaker, I rise today to honor one of the most influential Hispanic civil rights organizations in the United States. The League of United Latin American Citizens is celebrating its 70th anniversary of service to the Latino community.

In 1929 LULAC was formed in Corpus Christi, TX. Formed as a grassroots self-help organization, LULAC has a distinguished record of fighting for Hispanic education, employment and civil rights. Today, LULAC's 250,000 members make it the largest Hispanic organization in the U.S. Its 600 councils nationwide have been significant in empowering Latino communities in Texas, New Mexico, California, Florida, Washington, DC and New York.

Education has always been a chief priority for LULAC, providing more than half a million dollars in scholarships for Latino students. LULAC National Educational Service Centers serve over 18,000 students with counseling and dropout prevention programs. At the same time, its commitment to the assurance of equal access has been fundamental in LULAC's fight for affirmative action and women's rights.

In the Hispanic business community, LULAC has been important in furnishing training and management expertise, while also providing support for economic development. LULAC has also made great strides in combating Hispanic unemployment through the development of programs like SER-Jobs for Progress and Vocational Training Centers.

I am proud to represent the city of Santa Ana, which is the home of the first LULAC council in California. Its work in my community is indispensable. In fact, LULAC was responsible for desegregating Orange County Schools in 1946 with Mendez v. Westminister School District.

I congratulate LULAC for its 70 years of service to Hispanics in the United States. Its outstanding work should be an inspiration to other Latino leaders and elected officials, especially those here in Congress. I applaud LULAC's on its anniversary, and give thanks for all its good work.

THE PUBLIC SCHOOL MODERNIZATION ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. STARK. Mr. Speaker, I rise today in support of H.R. 1660, the Public School Modernization Act. It is time for Congress to take action and make an investment in the future of America, our children. This legislation will provide significant help to local school districts in meeting their needs both to build new classrooms to keep up with skyrocketing school enrollments and to renovate and modernize their existing facilities.

Overall, California alone projects a $20.1 billion five-year cost for school modernization, including $11 billion for modernization and technology upgrades of old facilities. These technology upgrades include very basic amenities such as additional electrical outlets, and telephone jacks for internet connection.

Additionally, California will need $4 billion just to build new facilities to accommodate growing enrollment. California would get just over $3 billion under the Public School Modernization Act. This bill will provide $24 billion in interest-free funds for school modernization projects and deserves our support.

According to the Committee for Education Funding, the Republican education agenda is projected to cut over $3 billion from the Department of Education's budget including a $1 billion cut from Title I funding, a program aimed at supporting children in poverty. Funding will also be slashed dramatically for Federal Pell Grants and the Head Start Program.

It would be prudent to cut funding for wasteful defense programs, and unnecessary manned space exploration. It is time to make a significant improvement in the education of our children. I urge my colleagues to support HR 1606. Our children's future depends on it.

A DARK CHAPTER IN OUR NATION'S HISTORY

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. WEXLER. Mr. Speaker, I am here to support Italian Americans who were singled out during World War II as enemy aliens of the United States. Unfortunately, like many Japanese Americans who were persecuted during World War II, over 600,000 Italian Americans were subjected to harsh treatment by the American government, including being evicted from their homes and subjected to strict curfews. Hundreds of Italian Americans were sent to internment camps.

It is unconscionable that these hard working Americans were denied fundamental human rights and freedoms. Like many other ethnic communities in the United States, Italian Americans fought bravely in World War II and played a major role in defeating the Axis powers. However, many Italian Americans who remained in the United States during World War II faced discrimination including the families of soldiers who were injured or killed in Europe and in the Pacific.

I believe that it is incumbent upon the President and the United States government to acknowledge this dark chapter of our nation's history. Italian Americans who were victims of persecution are entitled to no less, and America needs to acknowledge the truth. I urge my colleagues to support H.R. 2442.

INTRODUCTION OF THE ELECTRONIC BENEFIT TRANSFER INTEROPERABILITY AND PORTABILITY ACT OF 1999

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. GOODLATTE. Mr. Speaker, today I introduced the Electronic Benefit Transfer Interoperability and Portability Act of 1999. The sole focus of the bill is to allow food stamp beneficiaries the ability to redeem their benefits in any eligible store regardless of location. Beneficiaries had this ability under the old paper food stamp system but lost it as states migrated to an electronic benefits transfer system.

Under the old paper food stamp system, recipients could redeem their food coupons in any authorized food store anywhere in the country. For example, a food stamp recipient living in Bath County, VA could use their food stamps in their favorite grocery store even if it happened to be in West Virginia. Similarly, a recipient living in Tennessee could visit their Mother in Virginia and purchase food for their children while away from home. Unfortunately, as we move to electronic delivery of benefits, this is currently not the case. My bill provides for the portability of food assistance benefits and allows food stamp recipients the flexibility of shopping at locations that they choose.

Across the country we are finding that people live in one state and shop in another. This cross border shopping is conducted for a variety of reasons. One of them is convenience, another is the cost of goods. The supermarket industry is a very competitive industry. Every week stores advertise specials in newspaper ads across the country. People not only shop at locations convenient to them but also shop around for the best prices. Customers paying with every type of tender except EBT have the flexibility to shop where they choose. Why shouldn't recipients of food assistance benefits be allowed to stretch their dollars in the same way that other consumers do, without regard to state borders?

EBT potability is simply allowing recipients of benefits under the food stamp program to redeem those benefits without regard to state borders at the stores they choose. In addition to portability, my legislation allows for the interoperability of EBT transactions. Interoperability can be simply defined as the ability of various computers involved in authorizing, routing and settling an EBT transaction to talk to each other.

I offered a Sense of the Congress Amendment to the Welfare Reform bill that Congress passed in 1996. My amendment urged states to work together to achieve a seamless system of food stamp benefit redemption. States did a decent job considering the circumstances. They are now asking for an extra nudge to realize the goal of my earlier amendment.

My legislation requires states to conform their EBT standards to a national, uniform operating system that the states themselves choose. The clear choice, the Quest operating system, has already been adopted by 33 states.

Pilot studies have been conducted to determine cost and other efficiencies that might be realized by EBT interoperability. The pilot program determined my bill would only cost the Food Stamp Program $500,000. That's not a lot of money for an $18 billion program. Also, the State of Missouri found around $32 million in abuse of the program that they never would have found if their EBT system couldn't talk with neighboring state systems.

Mr. Speaker, the bill I introduce today is simple. It returns the national redemption convenience to the beneficiaries of the program, gives the states the guidance they are looking for, and provides another tool in the fight against fraud, waste and abuse in the Food Stamp Program. Thank you for this time and I urge support from the membership for the Electronic Benefit Transfer Interoperability and Portability Act of 1999.

AMERICAN INVENTORS PROTECTION AT OF 1999

SPEECH OF

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1999

Mr. FORBES. Mr. Speaker, I rise today in opposition to a bill that jeopardizes America's future prosperity by endangering the protection of our nation's independent inventors. HR 2654 seeks to extensively reform the patent process, which should only occur after deliberative discussion and with the opportunity for amendment. This bill will pass this body without even the courtesy of open debate. Such an important matter demands a thorough dialogue.

Small inventors, like the industrious citizens of Eastern Long Island, provided sparks of inspiration that helped build this nation. The Constitution ensures that inventors have the exclusive right to the product of their efforts. The bill upon which HR 2654 is based would severely erode that protection. Without considered debate and extensive review of HR 2654, we have no idea whether it would be similarly harmful.

Technology has driven America's latest economic boom. It is the foundation of the new economy as we move into the 21st Century. Bill Gates, Steve Jobs, and Raymond Damadian, the inventor of the MRI, were once independent inventors whose ideas have changed the face of society and how we view ourselves. Their creations were protected and have contributed to the prosperity America now enjoys. Tomorrow's inventors deserve the same treatment.

Mr. Damadian, a valued constituent of mine, has written extensively on the issue of patent reform given his unique position as an independent inventor who has seen the impact of his ideas on the lives of his fellow citizens. In correspondence with our colleague, Representative Manzullo, he strenuously objected to passing this bill that could cost independent inventors a right protected by the U.S. Constitution. I would like to place that letter into the CONGRESSIONAL RECORD at this point.

In more depth, he explored the problems with HR 2654's companion bill, S. 507, in a highly erudite letter to the Senate Majority Leader, TRENT LOTT. In that correspondence, he highlights the U.S. patent as ''one of America's great blessings'' and clearly outlines the serious problems with that bill from removing the U.S. Patent Office from the purview of Congressional oversight to eroding cherished Constitutional guarantees.

Mr. Speaker, as Mr. Damadian has written, Congress should not hastily pass laws that could have far-reaching impacts without and discussion. It is clear that we do not know what the effects of HR 2654 will be. We owe it to our independent inventors, and to our future, to be sure.

FONAR CORPORATION,
Melville, NY, August 3, 1999.

Hon. DONALD MANZULLO,
House of Representatives,
Cannon HOB, Washington, DC.

DEAR CONGRESSMAN MANZULLO: It has come to my attention that an effort is under foot to steal the U.S. Patent System in what I consider an outrageous usurpation of power. the House of Representatives intends to pass a bill, H.R. 2654, that will void the constitutionally granted patent rights of independent inventors everywhere.

Remarkably it is doing so without even a written bill informing the affected parties or even their Representatives what the bill contains. Even more remarkably it is doing it under a suspension of the rules, whose predicate is that there is no opposition to the bill, when independent inventors everywhere are BOILING over the prospect of losing their constitutionally granted rights to a patent.

Please be advised that Roberts Rines speaks only for himself and not for the rest of us great masses of independent inventors, whose rights are being taken away without a hearing, without a vote, without a single sentence of the bill to view and in the darkness of the night, a villainy that will live in infamy!

Sincerely yours,
RAYMOND DAMADIAN,
President and Chairman; Inductee, National Inventors Hall of Fame.

TENTH ANNIVERSARY OF THE B–2 BOMBER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 4, 1999

Mr. SKELTON. Mr. Speaker, let me take this means to recognize the tenth anniversary of the first flight of the B–2 bomber. The anniversary was recently celebrated at a ceremony at Air Force Plant 42 in Palmdale, CA, on July 17, 1999.

The first public display of the B–2 was in late 1988, at Air Force Plant 42 in Palmdale, CA. This was followed by the first flight of the B–2 on July 17, 1989, at Edwards Air Force Base, CA. Northrop Gumman's Military Aircraft Systems Division unveiled its brand new product—a low-observability, Multi-role bomber that can fly 6,000 nautical miles (9,600 kilometers) without refueling. The plane's revolutionary design, while instantly recognizable to the human eye, makes it all but invisible to radar.

The B–2 is an engineering marvel. The plane's low-observability characteristic derives from a combination of reduced infrared acoustic, electromagnetic, visual, and radar signatures. These facts make it difficult for even the most sophisticated defensive systems to detect and engage the B–2. While most of the technical aspects of the plane remain classified, the B–2 owes some of its stealth capabilities to special coatings, the flying wing design, and the composite materials of which it is made. These innovations are complemented by the highest-precision bombing technology in existence. The B–2 is now outfitted with the Joint Direct Attack Munition (JDAM) guidance kit. This system combines the Global Positioning System and Inertial Navigation System for incredibly accurate bombing.

The B–2 is based at Whiteman Air Force Base, near Knof Noster, MO. The first B–2, the Spirit of Missouri, was delivered to Whiteman on December 17, 1993. During the recent air war, B–2 made 30-hour round-trip missions from this base to Kosovo, where they dropped eleven percent of the precision ordnance while flying less than one percent of the sorties. As General Leroy Barnidge said at the tenth anniversary ceremony, ''The airplane exceeded everybody's expectations. It's got a war-fighting capability that is second to none.''

Mr. Speaker, I know that all of our colleagues in the House will join me in celebrating the tenth anniversary of the most revolutionary design in bombing aircraft since World War II.

IT'S TIME TO CONSIDER A PATIENTS' BILL OF RIGHTS

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. MOORE. Mr. Speaker, the people of Kansas' Third District sent me to Washington, D.C., to represent their concerns and do all I can to address major, pending federal issues. For this reason, I was very disappointed when it became apparent in the last few days that the House would not be considering proposals to enact a Patients' Bill of Rights.

One of my first actions as a freshman Member of Congress was to join as an original cosponsor of H.R. 358, the Patients' Bill of Rights. This important legislation will ensure basic rights for patients and give them the protections they deserve. While the majority was unable to reach the consensus necessary within their caucus to bring a proposal in this area before the House for consideration this week, I am pleased that Commerce Committee Ranking Democrat JOHN DINGELL has continued active discussions with three members of the majority who are physicians—Doctors GANSKE, COBURN and NORWOOD—in an attempt to reach a bipartisan consensus on a proposal to provide meaningful protections for managed care patients and physicians.

I also want to bring to the attention of my colleagues a recent newspaper column by Steve Rose, the chairman of Sun Publications, which publishes the Johnson County Sun and several other newspapers that serve my congressional district. I commend to everyone Mr. Rose's commentary regarding the real-world problems that indicate a need for enactment this year of a Patients' Bill of Rights.

DARLA WANTS HER RIGHTS

My good friend Darla is all for the Patients' Bill of Rights. She's had it up to here and won't take it anymore.

Just last week, Darla called her doctor to ask if he thought it might be a good idea for her to try a new medication on the market called Celebrex, for her arthritis. Darla also has a stomach disorder, ulcerative colitis, so she has to be careful of side effects.

Her doctor thought Celebrex was a good medication to try, at first in a small dose. So, he called the pharmacy in Overland Park and ordered a 30-day supply. When Darla arrived at the counter, however, she met trickled-down red tape, straight from the insurance company.

The pharmacist explained that the health insurance provider had denied the prescription until Darla tried a generic brand first.

''What's the difference between the generic drug and Celebrex?'' asked Darla. The pharmacist replied, ''They're about the same, except the generic drug can be a little harder on your stomach.''

''That won't do,'' replied Darla, ''I have ulcerative colitis, and I can't stand any medications that irritate the stomach.''

The pharmacist was sympathetic, but there was nothing to be done. Darla was advised to consult her doctor, who could contact the insurance company.

That's exactly what Darla did. She called her doctor and explained what had happened.

Said the doctor, ''I'll contact the insurance company, and get this resolved.''

A day later, Darla got a call from her doctor.

''I just spent an hour-and-a-half on the phone with the insurance company,'' said the doctor. ''I could not speak with anyone with any medical background. After being put on hold three times, and being switched from one person to another, all I got was a clerk who wouldn't budge. I lost.''

Darla is still fuming.

There are millions of Darlas out there. And when the President calls for a Patients' Bill of Rights, he has a lot of folks clapping.

Ironically, the President's proposal would do nothing for Darla. It only addresses mandatory emergency room care, an appeals process when insurance companies deny critical procedures, and the right of patients to sue insurance companies.

Nonetheless, Darla figures, probably correctly, that if this first Bill of Rights can be passed, it undoubtedly will be amended later to deal with some of her issues.

Insurance companies will scream that governments' intervention will only drive up health care costs. And they're probably right.

But if you asked Darla, she would be glad to pay a little more to let the insurance companies know they cannot just roll over her, or her doctor.

The Bill of Rights cure might be worse than the insurance disease, but Darla is so frustrated, she says she's willing to take that risk.

CHILDREN'S ASTHMA RELIEF ACT OF 1999

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. WAXMAN. Mr. Speaker, I rise today to join my colleague, FRED UPTON, in introducing the Children's Asthma Relief Act of 1999.

Asthma is one of the most significant and prevalent chronic diseases in America. The Centers for Disease Control and Prevention (CDC) reports that 6.4 percent of the population, or 17.3 million Americans, report having asthma. This represents a dramatic 75 percent increase in self-reported cases from 1980 to 1994.

Asthma is disproportionately hurting children. Today, it is the most common childhood chronic disease. Five million American children have asthma. And as Surgeon General David Satcher recently concluded, the United States is ''moving in the wrong direction, especially among minority children in the urban communities.'' The most devastating indicator of our Nation's lack of progress is the news that, from 1980 to 1993, the mortality rate for children and teens with asthma rose a staggering 78 percent.

Just a few days ago, Dr. Philip Landrigan reported in the Journal of Asthma that higher asthma hospitalization rates are associated with children, communities of color and the poor. The potential causes for the disproportionate impact of asthma are wide ranging, from the lack of preventive care, poor housing conditions and increased exposure to indoor allergens, to sedentary lifestyles and the siting of polluting commercial facilities.

Our country can and must do more to prevent and treat asthma. I am pleased to introduce the Children's Asthma Relief Act of 1999, which was originally introduced by DICK DURBIN and MIKE DEWINE in the Senate. This legislation provides $50 million for pediatric asthma prevention and treatment programs, allowing states and local communities to target and improve the health of low-income children suffering from asthma. The Act would also increase the enrollment of these children into Medicaid and state Children's Health Insurance Programs (CHIP), such as California's Healthy Families.

I am also pleased that the Act includes mobile ''breathmobiles'' among the community-based programs eligible for funding. These school-based mobile clinics were developed by the Southern California chapter of the Asthma and Allergy Foundation of America, in conjunction with Los Angeles County, Los Angeles Unified School District and the University of Southern California.

This legislation has the support of leading child health and asthma organizations, including the American Lung Association, the American Academy of Pediatrics, Association of Maternal and Child Health Programs, the National Association of Children's Hospitals, the American Academy of Chest Physicians and the Children's Health Fund.

As an honorary co-chair of Asthma Awareness Day, I urge my colleagues to join us in cosponsoring the Children's Asthma Relief Act of 1999.

INTRODUCTION OF A BILL TO EXPAND ALASKA NATIVE CONTRACTING OF FEDERAL LAND MANAGEMENT

HON. DON YOUNG

OF AKASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. YOUNG of Alaska. Mr. Speaker, I am pleased to introduce a bill to expand Alaska Native contracting of Federal land management functions and activities and, promote hiring of Alaska Natives by the federal government within the State of Alaska.

This bill was developed in response to my request to the Alaska Federal of Natives at their retreat in August of 1998. Pursuant to the Indian Self-Determination and Education Assistance Act, tribes are authorized to enter into contracts with the Department of the Interior to directly administer programs previously administered by that agency. Congress strongly advocated this change to allow tribes to provide direct and improved services to their members.

The bill entitled ''Alaska Federal Lands Management Demonstration Project'' would direct the Secretary of the Interior to enter into a demonstration project in fiscal years 2000 and 2001 with no less than six eligible Alaska Native tribes or tribal organizations to manage a conservation unit or other public land unit within the closest proximity of that tribal organization.

The bill further directs the Secretary to fully fund these demonstration projects in the same manner he would have funded the programs if they were still being managed by the Department of the Interior.

It has always been my strong belief that Alaska Natives can manage conservation units or national park systems units as well or even better than the federal government. Alaska Natives have demonstrated their reliance of the land, the conservation of its bounty and great respect for the cautious management of its resources to preserve for future generations. I believe that Alaska Natives should be given the opportunity to manage federal conservation units that are in close proximity to their own lands.

The Alaska regional non-profits worked long and hard to carefully draft a bill which would have the support of the Alaska Federation of Natives and all of the Alaska regional non-profits. I believe it is time that we authorize Alaska Native entities to manage federal conservation units in the manner consistent with lands that they have carefully preserved and utilized for thousands of years. This bill does exactly that.

BROOKFIELD ZOO'S SALT CREEK WILDERNESS EXHIBIT

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. LIPINSKI. Mr. Speaker, I am pleased to announce that on August 14th Brookfield Zoo will celebrate the grand opening of its newest attraction, the Salt Creek Wilderness exhibit.

Representing a northeastern Illinois wetland, Salt Creek Wilderness includes the existing Indian Lake, the Ellen Thorne Smith nature trail, and a new demonstration wetland exhibit called Dragonfly Marsh. Guests will be able to hike along a wood-chipped trail that circles the 4-acre lake to see trumpeter swans and several other waterfowl species. At the north end of the lake, the trail is paved and leads onto a wheelchair-accessible boardwalk that overlooks Dragonfly Marsh.

Support for the Salt Creek Wilderness project comes from the Chicago Zoological Society, Forest Preserve District of Cook

County, Illinois Environmental Protection Agency, U.S. Environmental Protection Agency—Region 5, U.S. Fish and Wildlife Service, The Conservation Fund, Army Corps of Engineers, and the Urban Resources Partnership. With the assistance of these project partners, the new exhibit will help to raise awareness of the importance of protecting not just animals in other parts of the world, but also species and natural habitats in our own communities.

Brookfield Zoo has always been a leader among zoos around the world. The zoo's mission is to focus on enhancing visitor understanding of the critical need for people to live more sustainable and harmoniously with the natural world through naturalistic environmental settings and accompanying interpretive materials. I invite all my colleagues to join me in celebrating the opening of the Salt Creek Wilderness exhibit, which, I am certain, will greatly strengthen the zoo's mission.

A BILL TO REPEAL THE SPECIAL OCCUPATIONAL TAX (SOT) ON THE SALE OF ALCOHOLIC BEVERAGES

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. CAMP. Mr. Speaker, along with several of my colleagues on the Ways and Means Committee, Ms. THURMAN, Mr. NUSSLE, Mr. MATSUI, Mr. MCINNIS, and Mr. JOHN LEWIS, I am introducing a bill today to repeal the Special Occupational Tax (SOT) on the sale of alcoholic beverages.

We are introducing this bill to alleviate a problem that many of our constituents have raised with us. I know that many of our colleagues have also heard from convenience store owners, innkeepers, restaurant owners, vintners, wholesalers and other small business owners complaining about the burden of the Special Occupational Tax on the sale of alcoholic products.

The SOT is an annual tax imposed on all businesses that manufacture, distribute or sell alcohol products. Whether it's a seasonal restaurant, an Elks Lodge, convenience or grocery store, or even a campground or florist that delivers wine with flowers—no one is spared from the tax.

However, it is especially burdensome for small retain stores. Over 90 percent of all SOT revenue comes from retailers. In addition, small producers—especially wineries—have a difficult time meeting the obligations of this tax.

A recent General Accounting Office study, which conceded that the alcohol industry is a heavily taxed and regulated industry already, illustrated the problems caused by this tax, particularly on small business owners. This tax is an unnecessary burden and should be eliminated.

I urge all of my colleagues to join me as cosponsors on this bill to repeal this unfair tax on small businesses.

HONORING MATTHEW EMMONS ON CAPTURING A GOLD MEDAL AT THE PAN AMERICAN GAMES

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. SAXTON. Mr. Speaker, today I rise to congratulate a young man from Pemberton Township, New Jersey, Matthew Emmons. Matthew brought home the gold with a near perfect score in the men's Prone Free Rifle competition at the 1999 Pan American games in Winnipeg, Canada. Matthew has made his country and the Pemberton Township community proud with his resounding victory under difficult conditions and against some of the world's finest athletes.

The sport of small-arms target shooting dates from the invention of the pistol and the rifle in the 16th century. For several centuries, the sport was contested only in sporadic impromptu fashion, because the firearms of that period were too undependable and inaccurate to meet the requirements of large-scale organized competition. Turkey shoots and weekend target-shooting matches were popular among the frontiersmen of colonial America.

During the American Revolution (1775–1783) and the American Civil War (1861–1865) rural sharpshooters played a strategic role as snipers. Popular interest in rifle shooting reached new heights after the Civil War, when the sport became a favorite diversion of city dwellers, groups of whom organized weekend target-shooting excursions into the countryside. New advances in the manufacture of weapons and ammunition, meanwhile, resulted in high standards of accuracy and reliability. By 1870, conditions were ripe for organized regional and national competition. Matthew has added to this great and venerable history with his honorable performance.

Mr. Speaker, Matthew's mental and physical fortitude guided him to victory. His patience, steadiness, clear vision and accuracy will likely lead to success at the University of Alaska, Fairbanks where he has enrolled, and to greater accomplishments in Olympic competition.

A TRIBUTE TO WILL RUBENS

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. KING. Mr. Speaker, I rise today to acknowledge just how fortunate I, my staff and the people of the Third District of New York were to have an intern that could serve as both Commissioner of Food and Beverage and Director of Internal Security for the past two months. To some he was known as Will Rubens but to me he was simply, ''The Commish''. Forget the fact that my Notre Dame doormat was stolen or the fact that my model E–2C Hawkeye was vandalized under his watch. In his investigation of these crimes, the Commish' was undeterred and never allowed conspiracy theories to be generated by anyone other than himself. There was never a business card fight he didn't prematurely end for the sake of my staff or a private conversation he didn't interrupt. Despite the increase in crime in my office over the last two months I know that the Commish's powers are being wasted here while numerous crimes of ineptitude go unresolved on the football fields of the University of Michigan at Ann Arbor—an ineptitude which will be glaringly disclosed when Notre Dame's Fighting Irish pulverize the Wolverines on September 4th. I am confident that the Commish' will go on to bigger and better things and it has truly been a pleasure and honor to have him work in my office this summer. His intelligence and unique sense of humor will be missed. I thank you Will for all your hard work and effort. All the best.

INTERNET PHARMACY CONSUMER PROTECTION ACT OF 1999

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. WAXMAN. Mr. Speaker, I rise today to join my colleagues, RON KLINK, JOHN DINGELL, and BART STUPAK, in introducing the Internet Pharmacy Consumer Protection Act of 1999.

While the Internet is transforming global finance and culture, it is also raising novel questions about the practices of medicine and pharmacy. There is no question that the World Wide Web and other forms of e-commerce have facilitated consumer access to health information and products. Patients clearly benefit from the rapid dissemination of reliable medical knowledge, and from novel, convenient ways of receiving health care.

But unwary consumers are also increasingly exposed to fraud or quackery from anonymous, unaccountable vendors. Illegal, unsafe or unapproved drugs and dietary supplements are more widely available than ever. Hundreds of offshore and domestic ''pill mills'' dispense Viagra or Xenical to patients sight unseen—as well as to shorthair cats, the deceased, and patients with life-threatening counterindicated health conditions, as an investigation by WWMT of Kalamazoo, Michigan discovered.

On July 30, the Commerce Subcommittee on Oversight and Investigations held a hearing on online pharmacies. We heard a clear message from the testimony of Federal Trade Commission, the Food and Drug Administration, the Department of Justice, state authorities like the Texas Department of Health, and investigative media—regulators simply cannot enforce existing laws to protect consumers from illegal online pharmacies unless they know who is responsible and where they are.

The Internet Pharmacy Consumer Protection Act of 1999 requires very simple disclosures from online pharmacies. Tell us your name and place of business. Tell us where your pharmacy is licensed. And tell us where your online physician, if any, is licensed. That's all.

With this basic information, regulators are hamstrung. No enforcement is possible or requires unsustainable commitments of limited law enforcement resources. But enactment of and compliance with this legislation would quickly separate legitimate from illegitimate online pharmacies.

Failure to comply with these minimal requirements would also help warn consumers from questionable websites. In fact, Congress

and the Administration are already aggressively encouraging responsible online businesses to provide comparable disclosures regarding their privacy policies. The lack of licensure and privacy information at an online pharmacy should provide a clear warning of caveat emptor.

Nor does this legislation pose a technical barrier to e-commerce. It only asks online pharmacies to provide the same licensure information as brick and mortar pharmacies do when they hang framed licenses on the wall. It is a simple matter to add a few new links to online pharmacy sites. In fact, any person with rudimentary knowledge of HTML could write up the necessary information and upload it to a website in a matter of minutes.

The Internet Pharmacy Consumer Protection Act of 1999 is a simple and commonsense way to help federal and state authorities enforce existing consumer and public health protections. Responsible online pharmacies are likely already in compliance with the legislation, or could be in a matter of minutes. But illegal, unprofessional or questionable online pharmacies will be exposed to greater scrutiny and more susceptible to the enforcement of essential legal protections and State licensure requirements.

I urge my colleagues to join us in cosponsoring the Internet Pharmacy Consumer Protection Act of 1999.

INTRODUCTION OF LEGISLATION TO AMEND THE ALASKA NATIVE CLAIMS SETTLEMENT ACT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing legislation that would address several matters of concern to Alaska Natives through an amendment to the Alaska Native Claims Settlement Act (ANCSA).

As my colleagues know, ANCSA was enacted in 1971, stimulated by the need to address Native land claims as well as the desire to clear the way for the construction of the Trans-Alaska Pipeline and thereby provide our country with access to the petroleum resources of Alaska's North Slope. As the years pass, issues arise which require amending that Act. The Resources Committee as a matter of course routinely considers such amendments and brings them before the House.

Consequently, I am introducing this bill containing several such amendments to ANCSA in order to facilitate having its provisions circulated during the upcoming Congressional recess through the Congress and the Administration as well as the State of Alaska for review and consideration.

This bill has nine provisions. One provision would allow common stock to be willed to adopted-out descendants and another would clarify the liability for contaminated lands. The clarification of contaminated land would declare that no person acquiring interest in land under this Act shall be liable for the costs of removal or remedial action, any damages, or any third party liability arising out or as a result of any contamination on that land at the time the land was acquired under this Act.

SECTION 5. ALASKA NATIVE VETERANS

Section 5 of the bill amends the Act further to allow equal access to Alaska Native Veterans who served in the military or other armed services during the Viet Nam war. Alaska Natives have faithfully answered the call of duty when asked to serve in the armed services. In fact, American Indians and Alaska Natives generally have the highest record of answering the call to duty.

Under the Native Allotment Act, Alaska natives were allowed to apply for lands which they traditionally used as fish camps, berry picking camps or hunting camps. However, many of our Alaska natives answered the call to duty and served in the services during the Viet Nam war and were unable to apply for their native allotment. This provision allows them to apply for their native allotments and would expand the dates to include the full years of the Viet Nam war. The original dates recommended by the Administration only allowed the dates January 1, 1969 to December 31, 1971. Our Alaska Natives veterans should not be penalized for serving during the entire dates of the Viet Nam conflict. This provision corrects that inequity by expanding the dates to reflect all the years of the Viet Nam war—August 5, 1964 to May 7, 1975.

SECTION 8. ELIM NATIVE CORPORATION LAND RESTORATION

In 1917, the Norton Bay Reservation was established on 350,000 acres of land located on the north side of Norton Bay southeast of Nome, Alaska for the benefit of Alaska Natives who now reside in the village of Elim, Alaska. The purpose of the establishment of the reservation included providing a land, economic, subsistence, and resources base for the people of that area.

In 1929, through an Executive Order, 50,000 acres of land were deleted from the reservation with little consultation and certainly without the informed consent of the people who were to be most affected by such a deletion. After passage of ANCSA, only the remaining 300,000 acres of the original Reservation were conveyed to the Elim Native Corporation. This loss of land from the original Reservation has become over the years a festering wound to the people of Elim. It now needs to be healed through the restoration or replacement of the deleted fifty thousand acres of land to the Native Village Corporation authorized by ANCSA to hold such land.

As I am sure my colleagues will agree, the history of our nation reflects many examples of injustices to Native Americans. As hearings will confirm, this is one of those calls out to be sensibly remedied and can be with relative ease as outlined in this section of the bill.

Again, I am introducing this bill today to facilitate having its provisions circulated and reviewed during the August recess by the Department of the Interior, the State of Alaska and Alaska natives.

TRIBUTE TO THE U.S. ASIATIC FLEET AND U.S.S. TRINITY

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. LIPINSKI. Mr. Speaker, I rise today to salute the bravery and valor exhibited by the veterans of the U.S. Navy Asiatic Fleet.

From 1910 to 1942, the Asiatic Fleet protected American interests and promoted American ideals in the Far East. At the time, the fleet was comprised of 3 cruisers, 13 World War I vintage destroyers, 29 submarines and a small number of gunboats and patrol aircraft. Following the declaration of war against Imperial Japan, the outnumbered and outgunned Asiatic Fleet courageously fought against a vastly superior Japanese armada comprised of 10 carries, 28 cruisers, 113 destroyers, and 63 submarines.

The fleet participated in the first surface U.S. naval engagement of World War II. Fighting with little aircover, the brave men and women of the fleet fought against all odds, but in the end they suffered staggering losses. The fleet lost 22 ships, 1826 killed, and 518 POWs.

The U.S.S. *Trinity* was one of the few surviving ships.

From September 1 to September 4, the surviving U.S.S. *Trinity* crew and their families will hold a reunion in Chicagoland. Although I will not be able to join them, I wish them all the best as they gather together to fellowship, renew their friendships, and cherish the thoughts of their fallen comrades.

Protecting freedom and democracy has a price, and many of the brave Americans in the Asiatic Fleet paid the ultimate price. As Americans, we are truly blessed to have had so many extraordinary men and women serve in our armed forces. Their Sacrifices enables us to live in the world we live in today.

So let us not forget their deeds. Let us not forget their blood, sweat, and tears. Let us remember the sacrifices they made, so that we may live in freedom instead of tyranny.

I submit that the many untold stories of the Asiatic Fleet and the U.S.S. *Trinity* are all profiles of courage.

Mr. Speaker, I salute them all today.

SALUTE TO JUDIE SEDELL, DEPUTY PROBATION OFFICER OF THE YEAR

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. GALLEGLY. Mr. Speaker, Judie Sedell of Simi Valley, California, says she just loves chasing criminals. She's good at it, too, which is one of the reasons this mother of two grown children recently was honored by the Ventura County Probation Agency as its Deputy Probation Officer of the Year.

Now in her 21st year as a probation officer, Judie not only is an exceptional probation officer, she is an exceptional person. Not only does she have the respect of her colleagues in the criminal justice system, she also has gained the admiration of her clients, even when they fail to stay on the right side of the law. In fact, Judie handles some of the highest-risk offenders, including rapists and armed robbers, and makes more arrests than any other officer in her unit.

Her success is due to hard work, a wonderful sense of humor and her ability to treat her clients with a combination of firmness, empathy, respect and dignity. She recently was observed joking with a convicted felon who had violated his probation. She gave him a candy bar, and, a short while later, told him he was under arrest. When she handcuffed him, he

reacted calmly because he knew Judie was only doing her job because he had failed to do his.

Judie's supervisor describes her as a consummate team player, a role model for novice officers and a source of amazement for veterans who cannot figure out how she maintains her enthusiasm. A former social worker, Judie says she finds great satisfaction in protecting her community while helping felons to lead productive lives after being imprisoned. ''It doesn't happen very often, but when you see someone's life turn around, it's an extremely rewarding experience,'' Judie recently told her local newspaper.

I am proud to say that Judie Sedell not only is an outstanding constituent, she and her husband Mike, Simi Valley's city manager, are also my friends. I urge my colleagues to join me in wishing her many more years of continued success.

MARV VALENTINE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. CAMP. Mr. Speaker, I rise today to draw the attention of my colleagues in the U.S. House of Representatives and my constituents in the 4th Congressional District to the distinguished career of a man I am proud to represent in Congress, Mr. Marv Valentine of Clare, Michigan.

Mr. Valentine is retiring after having dedicated 30 years of his life to Camp Rotary in Clare, and serving on the Lake Huron Council, Boy Scouts of America.

Through dedication, perseverance, and selflessness, Mr. Valentine and his wife, Justine, have built Camp Rotary into one of the finest scouting establishments in the Nation.

Scouting troops from the Midwest, and those from as far away as West Virginia, have experienced the wonder of Michigan's natural beauty at Camp Rotary. Located on 1,100 acres off Old Highway 27 in Clare, the camp is nestled in a woods of whispering white pines, next to a sparkling lake where deer and wild turkeys roam.

Besides serving as a home for scouts, Camp Rotary has also hosted football and band camps. Years ago, Mr. Valentine initiated an outdoor educational program for public and private schools.

Over three decades, more than 60,000 young people have learned new skills and made lifelong friends at Camp Rotary under Mr. Valentine's guiding hand and watchful eye.

On behalf of the campers and my constituents, I would like to thank him for his dedication to shaping so many lives and giving these young people priceless memories of their carefree days as a child at camp.

RECOGNIZING THE 25TH ANNIVERSARY OF SUE AND ED SMITH

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Ms. WOOLSEY. Mr. Speaker, in 1972 Sue Weinreb and her three children Kara, Dana and David, and Edmund Smith and his three children, Corrie, Peter and Eddie moved to thirteen acres in Sonoma County, California to begin a life together. She was 29, he was 37. Together they had little money, no electricity, no running water, no house, and six kids between the ages of three and nine. Three boys and three girls. The original Brady Bunch. That summer they began the first of many do-it-yourself projects—building a home which would eventually take eight years to complete. Meanwhile, during that first year together, the 8 of them lived in a 24' trailer, a tent, and a Datsun, and took baths once a week at the neighbor's house down the road. Two years later, on June 29, 1974, they left the kids with a babysitter and snuck off to a rare weekend alone to get married. They planted eight redwood seedlings in the yard, to honor the new family.

In 1976 Sue and Ed started an environmental consulting business which they ran out of the barn. Over the next 12 years they grew the business into a full service analytical testing laboratory which employed 50 people in an 11,000 sq. ft. building in Santa Rosa. Other ventures followed. Meanwhile, they somehow managed to attend every one of their children's swimming meets, awards ceremonies, dance concerts, football games, and school plays. They made Halloween costumes and birthday crowns, helped with science fair projects, and joined in the wooden spoon duels in the kitchen. They volunteered when the community, built a playground, and they were involved in local politics. Because of their busy schedules, they made sure the family ate dinner together every night. And, they made sure to pass on their special interests to their children: sewing, woodworking, fishing, photography, science, art and travel.

Later, after the youngest had left home and they'd sold their business, they traveled to Africa, Australia, and Europe. No lazing around fancy hotels for them. Pictures show them kayaking with orca whales, riding donkeys, carving wooden masks, scuba diving, feeding giraffes and monkeys, and rock climbing.

This summer, Sue and Ed Smith will celebrate their 25th wedding anniversary with friends and family under those same eight redwood trees, which now tower over the house they built. Those 25 years haven't always been easy. There were especially terrible times—a separation, the death of Peter at age 28. But, there were especially joyous times—the births of their grandchildren Nick Smith Shafer and Scott Anderson Shafer (with their oldest son recently announcing that a third is on the way).

Sue and Ed's marriage is a testament to what can be created when a couple has a shared vision and a commitment to do whatever needs to be done to do the job right. They have always provided support for each other, their community, and their kids, to help, to listen, and to do.

Their greatest accomplishments thus far? The creation of a family, not without its strains and difficulties like all families, but a family where the grown children—now a teacher, a legislative assistant for a member of Congress, a stay-at-home mom/sex educator, an accountant with a fledgling business, and a lighting director/screenwriter—genuinely enjoy and care for each other and their parents. And, after 25 years of marriage, Sue and Ed Smith are truly best friends who treasure each other's company. They are a wonderful example of family values and an inspiration to all of us.

PERSONAL EXPLANATION

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. PHELPS. Mr. Speaker, on rollcall No. 342, I was very surprised to discover that my vote for final passage of H.R. 2605, the Energy and Water Appropriations Act, was not recorded. I was definitely present for all the preceding votes on amendments and for final passage.

Although I do not understand why my vote on final passage was not recorded, I know I was present on July 27 and intended to vote for passage of H.R. 2605, The Energy and Water Appropriations Act, on Tuesday, July 27. Please let it be noted that I support The Energy and Water Appropriations Act, as amended. I would have voted in favor of passage.

A TRIBUTE TO THE HONORABLE LLOYD WELCH POGUE

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mrs. MORELLA. Mr. Speaker, I rise today to wish The Honorable Lloyd Welch Pogue, a member of the Provincial Families of Maryland, who has resided in Maryland more than 60 years, a happy 100th-year birthday anniversary on 21 October 1999. I also wish to make special mention of his appointment by President Franklin D. Roosevelt as a Member and Chairman of the United States Civil Aeronautics Board. The USCAB rendered valuable services in the World War II program throughout the period of this Nation's involvement in that War. His professional career culminated in his being named Partner in a large law firm.

AMERICAN INVENTORS PROTECTION ACT OF 1999

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1999

Mrs. MINK of Hawaii. Mr. Speaker, I rise today in opposition to H.R. 1907, the American Inventors Protection Act of 1999. My position on this legislation is a result of my deep concern for the rights of those whom the bill claims to protect, the small, independent inventors whose ideas have revolutionized our country from its very inception. Along with these concerns, I object to the speed, secrecy, and convoluted method by which this bill has been slipped onto the floor late at night under suspension of the rules. The process by which H.R. 1907 comes to the House floor for a vote is an example in how not to proceed with a piece of legislation that not only attempts to

constrain citizens' Constitutional rights, but has vital importance to our nation's economy in this era of furious, global competition in technology.

I find the manner with which this bill was brought to the House floor unacceptable. The fundamental right of a person to his or her intellectual property lies at stake in this situation. This is not a bill which should be passed without meaningful, in-depth investigation and debate. Far from a lengthy, informed process, H.R. 1907 make its way to this chamber following a slippery, silent path which featured name changes, number changes, unpublished documents, and finally, this evening, an unpublished bill, finished only minutes before being called up for approval. This is deplorable. Why must this bill be taken up in such a circuitous way? If it is a wonderful piece of legislation that protects the rights of the small inventor, why is it not open to more than the minimum debate and why can't we hold hearings on this final version, whose ink is not yet dry?

The Judiciary Committee marked up H.R. 1907 without the benefit of hearings; providing no public forum for the stakeholders involved. This stark omission comes despite extensive controversy surrounding this issue in the 105th Congress. There is no published committee report on H.R. 1907 and, until this evening, this House was scheduled to consider a patent bill almost half the length of H.R. 1907. I was expecting to debate H.R. 2654, and was shocked to find that H.R. 1907 was resurrected and had usurped its place. This is an appalling way to manage legislation embodying such an expansive scope and consequences.

H.R. 1907 provides for the publication of patent applications before the patent is granted if the inventor also applies for a patent in a foreign country. This leaves open the possibility that large companies may prey on the unprotected ideas of the small inventor between the time of publication and patent approval. This type of situation needs to be brought to a public forum, discussed among many members, not just the few speaking tonight. I am deeply distressed by this lack of opportunity.

Mr. Speaker, our nation's founders designed our society to be a land of unfettered opportunity where individual rights are zealously protected and elected officials considered future laws of the land in a public forum. Both of these ideals are jeopardized by this legislation. H.R. 1907 places at risk the right to enjoy the benefits generated by a person's ingenuity and innovative ideas. Without this right, we strangle the incentive for people to create and develop vital products and services which could improve our daily lives and bolster our economy. This subject matter deserves lengthy consideration, substantial debate, and open discussion, not a quick, suspension vote after a whirlwind visit to Committee.

IN TRIBUTE TO JERRY L. GLADDEN

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. GALLEGLY. Mr. Speaker, I rise to honor my good friend Jerry L. Gladden, who will retire this month after 30 years, 1 month, 2 weeks and 6 days with the Rancho Simi Recreation and Park District.

For more than 20 years, Jerry has served as general manager for the district and clerk of the board, leading the district capably and efficiently through several financial crises as he continued to see that Simi Valley and Oak Park, California, has superb parks and recreational programs.

Jerry has contributed to the community in many other ways as well. He was president of the Simi Valley Noontime Lions Club from 1976 to 1977. Since 1979, he has been a member of the Simi Valley Rotary Club, for which he has chaired several committees. He is a former member of the Simi Valley Chamber of Commerce and served on the United Way Allocations Committee for seven years.

But Jerry's greatest legacy will be the recreational opportunities he created and maintained.

A general manager's greatest challenge is to keep his agency solvent. When money became tight, Jerry helped form the Rancho Simi Foundation, a non-profit organization with the responsibility of raising funds to help support recreation programs. He pushed for a continuing grant program, which has brought in more than $6.2 million to the Park District during the past 25 years. He is responsible for establishing a lease/operator concession program that generates more than $1 million for the district each year. He also found ways to cut insurance premiums for the district.

In addition, Jerry established a volunteer program with a core of more than 200 volunteers who clear trails, clean parks, perform clerical work and help run youth programs. He also established a fundraising program that has raised more than $40,000 in cash and gifts to help support special events for Simi Valley's youth.

Apparently he had too much time on his hands and accepted the position of chief administrative officer for the Rancho Simi Open Space Conservation Agency, a joint powers authority between the Park District and the City of Simi Valley. The agency manages Corriganville Park, an old-time movie ranch that was the model for present-day Universal Studios.

Not surprisingly, Jerry has won numerous awards for his hard work, dedication and success.

Jerry and his wife, Donna, have three children and four grandchildren. When time permits, he enjoys woodworking and restoring cars. He is also still learning to golf. It is unknown if more time on the greens will actually improve his game.

Mr. Speaker, I know my colleagues will join me in recognizing Jerry L. Gladden for his decades of dedicated service and in wishing him and his family Godspeed in his retirement. His dedication to recreational opportunities will be difficult for the Park District to replace.

JUDICIAL CORRUPTION IN ARGENTINA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. TOWNS. Mr. Speaker, I submit the following testimony of Dr. Federico Westerkamp, founder of the Center for Legal and Social Studies.

JULY *22,1999.*

To the members of Congress: Rep. TOM LANTOS, Rep. ERIC FALEOMAVAEGA, Rep. JOHN EDWARD PORTER

First of all, thank you very much for inviting me, as a founding member of the Center for Legal and Social Studies (CELS) of Buenos Aires, to act as a witness in this Members Briefing on Judicial Corruption in Argentina.

In my view, the judiciary of my country is in a delicate state. Charges of corruption have proliferated in the last years. Several judges are under legal processes although they move with the certain slowness. Various judges are currently under close scrutiny. Some of them are being submitted to the so called impeachment under the old system where the House of Representatives makes the accusation and the Senate decides if removal is fitting or not.

With few exceptions, mainly for ethical corruption, the system of impeachment failed and the new 1995 constitution replaced with the Council of the Magistracy, a method which just recently started. Many hopes have been placed on the new system, which in its first cases will show whether or not it will fulfill the hopes of the citizenry.

There are some courts which have being charged of prevarication, abuse of authority, bad fulfillment of the public functions and ideological falsehood. These are the most common charges against the bad judges, and we hope that the Council of Magistracies proceeds with decision and courage so that the new institution does not fail.

In the last decade one case has precisely demonstrated the three categories already mentioned and I do not hesitate signaling that it is the case of the three judges: Mariano Bergers, Roberto Murature and Julio Caesar Corvalan de la Colina, who have all acted as lower court judges in the case of the Buenos Aires Yoga School (BAYS). The case was initiated in December 1993 under the command of the first judge named above, storming the school headquarters and also various private properties of their members, and putting two distinguished ladies in prison without any proof of having committed any crime; on the contrary, all charges against the yoga school were unproved and all the noisy campaign of the court, full of false accusations and with lavishness of false information, created a sense of hysteria in the population of the country, which incredulous, did not know whether to believe or disbelieve the information from the judge, his secretary and various employees and chaperones.

The authorities of the Yoga School were threatened with imprisonment. Former judge Berges pronounced serious anti-Semitic expressions against the president of BAYS Dr. Percowicz, and several of his advisors wrote similar expressions on the walls during the searches.

As time passed and the facts appeared in the real image, many people—myself among them—realized that everything was a bluff, probably due to the ideological background of the court, and as the truth began to be revealed, the public began to disbelieve the charges against the whole Yoga school, including its students. Judge Berges opted for giving up the case, as he knew that the House Impeachment Committee was going to accuse him before the Senate, in order to remove him.

A new lower court judge, Roberto Murature took over; the campaign against the Yoga school was still promoted, but at this time it was obvious that the process was weakening, so the second judge was relieved

of the case by a suspicious division in the court, and a the third judge took over.

The process has revealed that the charges against the Yoga school were promoted by three families whose daughters were suffering bad treatment before entering the Yoga school, from their mothers and fathers. (In the first case the woman was charged by her stepfather of showing strange behavior, that he ascribed to the Yoga School and its alleged ''brain washing'' by members of the school).

The stepfather, with his so called ''expert'' in cults Mr. Silletta started a virulent campaign against the Yoga School, through the media. Last March, the third judge started the second process against the yoga school (double jeopardy, ''non bis in idem''), victimizing three women, Veronica Cane, Valeria Llamas, and Carla Paparella and under petition of their parent declared them mentally ''incapable'' without taking into consideration their psychiatric reports compulsorily ordered by the first judge Berges. The three women, hopeless, came to my home in order to ask me, as a well known human rights defender, for help.

That is the reason why I am here. I have tried to speak with Judge Corvalan de la Colina, and with the Secretary of the court, but it was useless, the judge never received myself nor the three women. It seems he is accustomed to ignoring the arguments of anyone who knows what is happening in his court.

This is why I have decided to present my testimony as a witness at this briefing, in order to protect the above mentioned women, and to carry over my experiences as a member and founder of human rights NGO's, such as the Assembly of Human Rights, The Center for Legal and Social Studies, and the Movement for Life and Peace.

Thank you very much Honorable Representatives.

A TRIBUTE TO CAPTAIN LOUIS ''DEAK'' CHILDRESS

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. DOOLEY of California. Mr. Speaker, I rise today to pay tribute to Captain Louis ''Deak'' Childress, who is leaving his post this month as the Commanding Officer of Naval Air Station Lemoore, in Lemoore, California. For the past three years, Captain Childress has dedicated himself to improving the quality of life of the Lemoore community and expanding the base's military capabilities.

Captain Childress began his Naval career in 1973. He has held numerous assignments, including flying the F–4 Phantom from the decks of the USS *Nimitz* and USS *Forrestal* in Oceana, Virginia, serving as an instructor pilot at NAS Miramar in San Diego, and serving in the Persian Gulf as Senior Naval Representative to COMUSNAVCENT's contingency planning cell in Dharhran, Saudi Arabia.

In March of 1995, he was promoted to his current rank of Captain, and reported as the Commanding Officer of Naval Air Station, Lemoore in July of 1996. While serving as Commanding Officer of the base, Childress has played a vital role in improving the facilities and quality of life at NAS Lemoore. Responding to the concerns of his sailors and pilots regarding living conditions on the base, Captain Childress facilitated visits to the base by members of the defense committees in Congress and high-level Navy officials. He has led efforts to build the base's infrastructure, which resulted in the 1998 announcement that five squadrons of the new F/A–18E/F Super Hornet Fighter aircraft will be based at Lemoore, bringing an additional 6,000 personnel to the base.

Captain Childress' continued efforts to improve conditions at the base is exemplified by the changes that have been made over the last three years under his leadership. Some of these accomplishments include his implementation of the innovative Regionalization Business Analysis, facility renovations in anticipation of the new F/A–18E/F program, and brand new housing facilities.

Mr. Speaker, I ask my colleagues to join me today in congratulating Captain Childress for his devoted service to the Navy and the Lemoore community. He has distinguished himself as an innovative leader and dedicated Navy Captain. We wish him the best as he leaves Lemoore to continue his service to the Navy.

A PROCLAMATION RECOGNIZING THE MARRIAGE OF DAVID GOODWIN AND KERRY JANAS

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. NEY. Mr. Speaker, I commend the following article to my colleagues:

Whereas David Goodwin and Kerry Janas were united in marriage on Saturday, August 7, 1999 in Cleveland, Ohio;

Whereas, David and Kerry declared their love before God, family and friends;

Whereas, David and Kerry may be blessed with all the happiness and love that two can share and may their love grow with each passing year;

Whereas, from this day forward, David and Kerry will always remember the reason they vowed their love and commitment to each other. Mr. Speaker, I ask that my colleagues join me in congratulating David and Kerry Goodwin on their recent nuptials.

WILBUR ''PONY'' WILSON: AN ATHLETE'S FRIEND

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. ANDREWS. Mr. Speaker, it is with great sadness that the Rutgers University-Camden community is informed about the passing of Wilbur ''Pony'' Wilson. Pony Wilson served the Rutgers-Camden campus as athletic director for almost 30 years. He passed away this past Saturday evening. Few will deny Pony's true legacy is his commitment to encouraging students to pursue their studies and their dreams. He believed that education, not sports, was the driving force for young men and women who competed in athletics at Rutgers-Camden.

In an interview prior to his retirement, Pony noted ''What's most rewarding is that kids now—since the late 60's and early 70's—are graduating. When you talk about the percentage of the kids that played [sports], we had a high rate on the basketball teams who got their degrees.''

To many, Pony was not only a colleague or a coach, he was a friend to professors and students alike who passed through the Rutgers-Camden campus. The current Athletic Director, Ed Cialella, who was Pony's first hire in 1969 when he joined the college as an Assistant Instructor of Physical Education, reflects, ''We lost a friend of athletics, and an athlete's friend.''

During his tenure at Rutgers-Camden, Pony developed the athletic department from a five-sport program—with no on-campus facilities and no women's teams—to one that boasts as many as 14 teams with ample competition for both genders. He was known throughout the NCAA Division III conference for his belief that education, not sports, was the priority of the men and women at Rutgers-Camden.

Pony believed that ''student athletes are students first.'' On behalf of all those lives that Pony Wilson touched, I would like to convey my most sincere condolences to his family. May his unfailing commitment to university athletics and education continue to live on in every one of us.

SAN FRANCISCO BOARD OF SUPERVISORS ASKS BAY AREA RAPID TRANSIT (BART) TO AVOID STEEL PRODUCED BY STRIKE BREAKERS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in commending the Board of Supervisors of San Francisco for their adoption of a resolution, which was unanimously adopted on Monday, urging that Bay Area Rapid Transit (BART) refrain from purchasing steel rails produced by strikebreakers at Oregon Steel's Rocky Mountain Steel Mill in Pueblo, Colorado. This principled action reflects the Supervisors' deep concern for the safety of Bay Area public transport consumers, as well as their commitment to defending fair labor practices in San Francisco and across our nation.

The Rocky Mountain Steel Mill in Pueblo, Colorado, illegally replaced 1,100 striking steelworkers in 1997. This outrageous and illegal action is only the most recent in a long record of that company's reckless disregard for the welfare of its own employees. This rogue corporation has been charged by the National Labor Relations Board (NLRB) with over 100 violations of federal laws, and has been found guilty by the Occupational Safety and Health Administration (OSHA) of 62 willful and serious health violations, resulting in the second largest OSHA fine in the history of the State of Colorado. Communities have both the right and the obligation to expect higher standards of conduct from the entities that do business with them.

Mr. Speaker, I strongly support the Supervisors' request that BART refuse to purchase rails for the San Francisco Airport expansion project from the Rocky Mountain Steel Mill.

This vital transportation project cuts through the heart of my congressional district, and I strongly believe that the safety of my constituents should not be put at risk by the shoddy work of inexperienced strikebreakers and the corporate recklessness of Rocky Mountain's executives.

Since the decision to terminate its workforce eighteen months ago, Rocky Mountain Steel has reportedly encountered serious quality problems with its manufactured products. Under no circumstances should the well-being of BART's hundreds of thousands of regular commuters be jeopardized by this corporation's careless and irresponsible behavior.

Mr. Speaker, I applaud the initiative taken by the San Francisco Board of Supervisors to urge BART to end its purchases of Rocky Mountain Steel. The company's striking steelworkers deserve better, and the safety of Bay Area commuters demands no less.

TRIBUTE TO BARBARA AND JAY VINCENT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to salute two very special individuals, Barbara and Jay Vincent of Richmond, California. Barbara and Jay each deserve recognition in their own right for the countless hours they have individually given to their community. From Barbara's leadership with the PTA, League of Women Voters and the Richmond Planning Commission, to Jay's involvement with the YMCA, Richmond Farmers' Market and the East Brother Light Station restoration, the Vincents' commitment has touched every corner of the City.

Yet, perhaps the greatest contribution Barbara and Jay have made to the future of Richmond is their tireless efforts to preserve our region's open space and natural resources. Long appreciating the beauty of the San Francisco Bay and its habitats, the Vincents have worked to ensure that the Richmond shoreline will continue to be accessible and enjoyed by generations to come. It is indeed fitting that the City of Richmond recently honored these efforts by dedicating the Barbara and Jay Vincent Park, a spectacular bayside site with sweeping vistas of San Francisco, the Golden Gate Bridge, Angel Island, and Mt. Tamalpais.

It has been my distinct honor and pleasure to know and work with the Vincents during my tenure in the U.S. Congress. Their personal dedication to community service has always been an exceptional source of inspiration. I know my colleagues join me today in celebrating their many accomplishments, and in expressing our deepest appreciation.

COLUMBINE HIGH SCHOOL

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. TANCREDO. Mr. Speaker, today, I rise with a heavy heart, but a heart that is buoyed by thoughts of hope and inspiration. In a little over a week, the first day of school begins at Columbine High School in Littleton, Colorado, which is located in my district.

We can all remember the first day of school and the excitement that went along with it. The anticipation for the year ahead and what it would bring. The exhilarating feeling of seeing friends, joining new clubs and sports teams, and being a part of something special. I doubt that many of us would ever trade our experiences in high school for anything.

Tragically, more than 2,000 students will begin school at Columbine without twelve of their classmates, and one teacher. These individuals are not among them not because they have graduated and gone onto college or moved to another town and now attend another school. They are not pursuing passions such as being a Navy pilot, fishing, singing, playing football, traveling to France, acting, playing music, working as a missionary, playing volleyball, praying, or being a father. They are not with them, because they were the victims of a senseless and destructive act that took place April 20, 1999.

Among these students will be twenty-two individuals who were wounded during the events of April 20th and are hoping to return to school this year. These students and teachers face challenges in the coming days and beyond that no one should have to face in the future. Richard Castaldo, Sean Graves, Anne Marie Hochhalter, Lance Kirklin, Kasey Ruegsegger, Patrick Ireland, Mark Taylor, Jennifer Doyle, Makai Hall, Mark Kintgen, Nicole, Nowlen, Danny Steepleton, Brian Anderson, Stephen Austin Eubanks, Nicholas Foss, Joyce Jankowski, Adam Kyler, Stephanie Munson, Patricia Nielsen, Charles Simmons, Evan Todd, and Michael Johnson are strong enough to stand up and begin another chapter in their lives, a chapter that we will help them write by giving them every opportunity to have a year of safe and enjoyable memories. Three of the wounded, Valeen Schnurr, Lisa Kreutz, and Jeanna Park, received their diplomas last Spring, and have now begun the important step of continuing on with life after such a tragic event.

This tragedy has caused us as Americans to reevaluate and reflect on our own moral and social values and to reexamine the role that we play as parents, relatives, and family members in the lives of our nation's children. This tragedy has driven many of us to work to bring not only healing, but also a reformation of our way of life. Everyone who lives in America felt what happened to those students. The phrase, ''it can't happen in my backyard'' is now gone for the residents of the Sixth District.

I do, however, feel hope and inspiration today. I feel a sense of hope when I see and hear the determination and genuine concern that individuals have when discussing our schools and a desire to make them a safe and prosperous environment. I feel a great sense of inspiration in these students and teachers who are walking back through the same doors they ran out on April 20, 1999. In fact, as of August 2, no students had applied for a transfer from Columbine. We are witnessing real courage.

I ask that my colleagues in the United States Congress, any my fellow citizens, pray for the students of Columbine High School as they start a new year. Pray that the smiles of youth return to these students. Pray that we have the power and the faith to do our part to ensure that this horrible violation of innocence is never repeated again.

And, most of all, pray for the families of: Cassie Bernall, Steven Curnow, Corey DePooter, Kelly Fleming, Matthew Kechter, Daniel Mauser, Daniel Rohrbough, Rachel Scott, Isaiah Shoels, John Tomlin, Lauren Townsend, Kyle Velazques, and Dave Sanders, the twelve students and one teacher who will not be starting school this year.

HONORING ST. BARTHOLOMEW SCHOOL ON ITS 75TH ANNIVERSARY

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. CROWLEY. Mr. Speaker, I would like to honor the St. Bartholomew School in Elmhurst, Queens on the occasion of its 75th Anniversary.

St. Bartholomew has been in the forefront of providing a quality value-based education to the children of the community for three-quarters of a century. The School, the third largest Catholic parochial school in the entire Diocese of Brooklyn and Queens, currently has an enrollment of some 650 students and is accredited by the prestigious Middle States Association.

St. Bart's, as it is affectionately known, first opened its doors in 1923, and has since then been an integral and significant element in the life of the Elmhurst community. Elmhurst was recently identified in the September issue of National Geographic magazine as ''Elmhurst 11373, the most ethnically diverse zip code in the United States.'' Affiliated with St. Bartholomew Roman Catholic Parish, St. Bart's School ably reflects that rich diversity of heritage in a most enthusiastic way, welcoming students of many religions and national origins to participate in its outstanding academic program.

In addition to a full schedule of academic subjects, students in all grades receive instruction in computer skills, physical education, and library science, and participate in a host of interesting and informative clubs and extracurricular activities. But most importantly, the religious and lay faculty cooperate in striving for the utmost creativity in education, emphasizing values and excellence in an atmosphere of healthy academic discipline.

Finally, I would like to commend Sister Augusta Conter, o.p., Principal, and Mr. Thomas Straczynski, Social Studies teacher and Chairman of the 75th Anniversary Committee, as well as all of the committee members whose tireless efforts made the anniversary and its many events a tremendous success.

Mr. Speaker, please join me in paying this 75th Anniversary tribute to a superb institution of learning and to the people who help make it all possible.

IN HONOR OF PRIVATE HARRY H. MARGOLIS

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. NADLER. Mr. Speaker, Pericles said, while speaking at a funeral for fallen soldiers, ''If our country should appear great to you, remember that her glories were purchased by brave and valiant men, by men who knew their duty.'' I rise today to honor one such man, Private Harry H. Margolis. Pvt. Margolis was born on September 8, 1913, and died 30 years later in France during World War II. When he began his active service 10 months earlier, he left behind in New York his wife Isobel, their 17-month-old son Harvey, and his parents.

Many years later, Pvt. Margolis' son began to wonder if his father should have been awarded a medal for his sacrifice that day in 1944. His mother then called my office in response to her son's inquiry. Now, exactly 55 years and 1 day after Pvt. Margolis perished at the Battle of St. Louis, he has been awarded the Purple Heart. He has finally received the recognition he so richly deserves and his family can rest assured that the United States of America is deeply grateful for the life that was given in her name on July 11th, 1944. Such glorious gifts will never be forgotten.

HONORING THE ALBANIAN AMERICAN WOMEN'S ORGANIZATION

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. ENGEL. Mr. Speaker, I rise to honor the Albanian American Women's Organization (AAWO), ''Motrat Qiriazi.'' The AAWO is a nonprofit group committed to the advancement of Albanian Women within their families, communities, and society.

The Albanian American Women's Organization was founded in 1993 by a small group of Albanian immigrants in New York City. ''Motrat Qiriazi'' is named for sisters Qiriazi, the first Albanian women educators who dedicated their lives to the empowerment of Albanian women. The organization is composed entirely of volunteers and numbered more than 1,200 in 1998.

When the situation deteriorated in Kosova, the AAWO began to focus its attention on helping the people in crisis. In 1999, the AAWO raised $54,000 and developed strong ties with organizations like the International Rescue Committee. The leadership of the AAWO met with First Lady Hillary Clinton at the White House on August 2, 1999. They are currently involved in giving support to recent immigrants and refugees, including providing host families and job placement.

Once again, I offer my most heartfelt commendation to the AAWO for their hard work and commitment to helping people both in the United States and throughout the Balkans.

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. McDERMOTT. Mr. Speaker, I was absent and unable to vote due to my recovery from heart surgery, August 2, 1999—August 6, 1999.

On August 2, 1999: I would have voted in favor of the Motion to Instruct Conferees on H.R. 2488 (Rollcall number 356). I would have voted in favor of the motion to suspend the rules and pass H.R. 747 (Rollcall number 357). I would have voted in favor of the motion to suspend the rules and pass H.R. 1219 (Rollcall number 358). I would have voted against the Andrews amendment to H.R. 2606 (Rollcall number 359).

On August 3, 1999: I would have voted against the Paul amendment to H.R. 2606 (Rollcall number 360). I would have voted against the Paul amendment to H.R. 2606 (Rollcall number 361). I would have voted in favor of the H.R. 2606 (Rollcall number 362). I would have voted in favor of the engrossment and third reading of H.R. 2031 (Rollcall number 363). I would have voted in favor of H.R. 2031 (Rollcall number 364). I would have voted against H.J. Res. 58 (Rollcall number 365). I would have voted against H.R. 987 (Rollcall number 366).

On August 4, 1999: I would have voted in favor of approving the journal (Rollcall number 367). I would have voted in favor of the motion to suspend the rules and pass H.R. 1907 (Rollcall number 368). I would have voted against the H. Res. 273 (Rollcall number 369). I would have voted in favor of the Serrano amendment to H.R. 2670 (Rollcall number 370). I would have voted in favor of the motion that the Committee Rise (Rollcall number 371). I would have voted in favor of the Scott amendment to H.R. 2670 (Rollcall number 372). I would have voted in favor of the DeGette amendment to H.R. 2670 (Rollcall number 373). I would have voted in favor of the Coburn amendment to H.R. 2670 (Rollcall number 374). I would have voted in favor of agreeing to the Senate amendments to H.R. 1664 (Rollcall number 375).

On August 5, 1999: I would have voted in favor on approving the journal (Rollcall number 376). I would have voted against H. Res. 274 (Rollcall number 377). I would have voted in favor of the motion to recommit H.R. 2488 (Rollcall number 378). I would have voted against agreeing to the conference report to H.R. 2488 (Rollcall number 379)

Daily Digest

HIGHLIGHTS

Senate agreed to the Budget Reconciliation/Tax Relief Conference Report.

Senate agreed to the Water Resources Development Act Conference Report.

Senate

Chamber Action

Routine Proceedings, pages S10267–S10303

Measures Introduced: Sixty-six bills and ten resolutions were introduced, as follows: S. 1499–1564, S.J. Res. 31–32, S. Res. 175–178, and S. Con. Res. 51–54. **(See next issue.)**

Measures Reported: Reports were made as follows:

S. 720, to promote the development of a government in the Federal Republic of Yugoslavia (Serbia and Montenegro) based on democratic principles and the rule of law, and that respects internationally recognized human rights, to assist the victims of Serbian oppression, to apply measures against the Federal Republic of Yugoslavia, with an amendment in the nature of a substitute. (S. Rept. No. 106–139)

Report to accompany S. 1255, to protect consumers and promote electronic commerce by amending certain trademark infringement, dilution, and counterfeiting laws (S. Rept. No. 106–140)

S. 97, to require the installation and use by schools and libraries of a technology for filtering or blocking material on the Internet on computers with Internet access to be eligible to receive or retain universal service assistance, with an amendment in the nature of a substitute. (S. Rept. No. 106–141)

S. 798, to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of national security. (S. Rept. No. 106–142)

S. 199, for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko.

S. 275, for the relief of Suchada Kwong.

S. 452, for the relief of Belinda McGregor, with an amendment.

S. 486, to provide for the punishment of methamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States, with an amendment in the nature of a substitute.

S. 620, to grant a Federal charter to Korean War Veterans Association, Incorporated. **(See next issue.)**

Measures Passed:

Adjournment Resolution: Senate agreed to S. Con. Res. 51, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives. **(See next issue.)**

Tobacco Production and Marketing Information: Senate passed S. 1543, to amend the Agricultural Adjustment Act of 1938 to release and protect the release of tobacco production and marketing information. **(See next issue.)**

U.S. Capitol Construction: Senate agreed to H. Con. Res. 167, authorizing the Architect of the Capitol to permit temporary construction and other work on the Capitol Grounds that may be necessary for construction of a building on Constitution Avenue Northwest, between 2nd Street Northwest and Louisiana Avenue Northwest, after agreeing to the following amendment proposed thereto: **(See next issue.)**

Gorton (for McConnell) Amendment No. 1608, to authorize the Architect of the Capitol to permit temporary construction and other work on the Capitol grounds, to provide that health and safety requirements, including access for the disabled, be observed. **(See next issue.)**

Anticybersquatting Consumer Protection Act: Senate passed S. 1255, to protect consumers and promote electronic commerce by amending certain trademark infringement, dilution, and counterfeiting laws, after agreeing to a committee amendment in

the nature of a substitute, and the following amendment proposed thereto: **(See next issue.)**

Brownback (for Hatch/Leahy) Amendment No. 1609, to clarify the rights of domain name registrants and Internet users with respect to lawful uses of Internet domain names. **(See next issue.)**

Veterans Entrepreneurship and Small Business Development Act: Senate passed H.R. 1568, to provide technical, financial, and procurement assistance to veteran owned small businesses, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **(See next issue.)**

Brownback (for Bond) Amendment No. 1617, to make amendments with respect to the Board of Directors of the National Veterans Business Development Corporation. **(See next issue.)**

Indonesia Elections: Senate agreed to S. Res. 166, relating to the recent elections in the Republic of Indonesia, after agreeing to a committee amendment. **(See next issue.)**

Technical Correction: Senate passed S. 1072, to make certain technical and other corrections relating to the Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.), after agreeing to the following amendments proposed thereto: **(See next issue.)**

Brownback (for DeWine) Amendment No. 1618, to clarify certain duties of the Centennial of Flight Commission. **(See next issue.)**

Brownback (for Helms) Amendment No. 1619, to make a technical correction. **(See next issue.)**

Poison Control Center Enhancement and Awareness Act: Senate passed S. 632, to provide assistance for poison prevention and to stabilize the funding of regional poison control centers, after agreeing to a committee amendment in the nature of a substitute. **(See next issue.)**

Mineral Leasing on Indian Lands: Senate passed S. 944, to amend Public Law 105–188 to provide for the mineral leasing of certain Indian lands in Oklahoma. **(See next issue.)**

Asia-Pacific Economic Cooperation Forum: Senate agreed to S. Con. Res. 48, relating to the Asia-Pacific Economic Cooperation Forum. **(See next issue.)**

U.S. Customs Service Authorization: Senate passed H.R. 1833, to authorize appropriations for the United States Customs Service, after agreeing to a committee amendment in the nature of a substitute. **(See next issue.)**

Export-Import Bank Quorum Requirement: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 2565, to clarify the quorum requirement for the Board of Directors of the Export-Import Bank of the United States, and the bill was then passed, clearing the measure for the President. **(See next issue.)**

Federal Building Naming: Senate passed H.R. 211, to designate the Federal building and United States courthouse located at West 920 Riverside Avenue in Spokane, Washington, as the ''Thomas S. Foley Federal Building and United States Courthouse'', and the plaza at the south entrance of such building and courthouse as the ''Walter F. Horan Plaza'', clearing the measure for the President. **(See next issue.)**

International Religious Freedom Act Amendments: Senate passed S. 1546, to amend the International Religious Freedom Act of 1998 to provide additional administrative authorities to the United States Commission on International Religious Freedom, and to make technical corrections to that Act. **(See next issue.)**

Appreciating U.S. Army Personnel Service: Senate agreed to S. Res. 176, expressing the appreciation of the Senate for the service of United States Army personnel who lost their lives in service of their country in an antidrug mission in Colombia and expressing sympathy to the families and loved ones of such personnel. **(See next issue.)**

National Alcohol and Drug Addiction Recovery Month: Senate agreed to S. Res. 177, designating September, 1999, as ''National Alcohol and Drug Addiction Recovery Month''. **(See next issue.)**

Construction Industry Payment Protection Act: Senate passed H.R. 1219, to amend the Office of Federal Procurement Policy Act and the Miller Act, relating to payment protections for persons providing labor and materials for Federal construction projects, clearing the measure for the President. **(See next issue.)**

Private Relief: Senate passed S. 199, for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko. **(See next issue.)**

Private Relief: Senate passed S. 275, for the relief of Suchada Kwong. **(See next issue.)**

Private Relief: Senate passed S. 452, for the relief of Belinda McGregor, with an amendment, after agreeing to a committee amendment. **(See next issue.)**

Safety of Soldiers Missing in Action: Senate passed H.R. 1175, to locate and secure the return of Zachary Baumel, an American citizen, and other Israeli soldiers missing in action, after agreeing to a committee amendment, and the following amendment proposed thereto: **(See next issue.)**

Brownback (for Leahy) Amendment No. 1620, to provide for the consideration of assistance to certain governments relating to the location and return of certain soldiers. **(See next issue.)**

Federal Charter: Senate passed S. 620, to grant a Federal charter to Korean War Veterans Association, Incorporated. **(See next issue.)**

Wireless Communications and Public Safety Act: Senate passed S. 800, to promote and enhance public safety through the use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, after agreeing to committee amendments. **(See next issue.)**

Department of the Interior Appropriations: Senate resumed consideration of H.R. 2466, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, taking action on the following amendments proposed thereto: **Pages S10274–86**

Adopted:

Gorton (for Burns) Amendment No. 1563, to increase funds in the Bureau of Indian Affairs Tribal College account by $700,000 with offset from Forest Service land acquisition in the San Juan National Forest. **Pages S10275–76**

Gorton (for Campbell) Amendment No. 1564, to provide additional funding to the United States Fish and Wildlife Service for activities relating to the Preble's meadow jumping mouse, with an offset from Forest Service Land Acquisition in Colorado. **Pages S10275–76**

Gorton (for DeWine) Amendment No. 1565, to make unobligated funds available for the acquisition of land in the Ottawa National Wildlife Refuge, for the Dayton Aviation Heritage Commission, and for the preservation and restoration of the birthplace, boyhood home, and schoolhouse of Ulysses S. Grant, Ohio. **Pages S10275–76**

Gorton (for Lugar/Bayh) Amendment No. 1566, to transfer $700,000 in land acquisition funds from the San Juan National Forest (Silver Mountain), Colorado to the Patoka River National Wildlife Refuge, Indiana. **Pages S10275–76**

Gorton (for Mack/Graham) Amendment No. 1567, to provide funding for construction of the Seminole Rest facility at the Canaveral National Seashore, Florida, with an offset from the J.N. Ding Darling National Wildlife Refuge, Florida. **Pages S10275–76**

Gorton (for Reid) Amendment No. 1568, to provide $150,000 for the U.S. Fish and Wildlife Partners for Fish and Wildlife Program within the Habitat Conservation Program. This funding will support the Nevada Biodiversity Research and Conservation Initiative for migratory bird studies at Walker Lake, Nevada. The increase in $150,000 for the Nevada Biodiversity Research and Conservation Initiative is offset by a $150,000 decrease in the Water Resources Investigations program of the U.S. Geological Service of which $250,000 was directed for hydrologic monitoring to support implementation of the Truckee River Water Quality Settlement Agreement. **Pages S10275–76**

Rejected:

Smith (of N.H.)/Ashcroft Amendment No. 1569, to eliminate funding for the National Endowment for the Arts. (By 80 yeas to 16 nays (Vote No. 260), Senate tabled the amendment.) **Pages S10276–86**

Pending:

Gorton Amendment No. 1359, of a technical nature. **Page S10274**

Senate will resume consideration of the bill on Wednesday, September 8, 1999.

Water Resources Development Act: Senate agreed to the conference report on S. 507, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States. **Pages S10286–90**

Budget Reconciliation/Tax Relief: By 50 yeas to 49 nays (Vote No. 261), Senate agreed to the conference report on H.R. 2488, to amend the Internal Revenue Code of 1986 to reduce individual income tax rates, to provide marriage penalty relief, to reduce taxes on savings and investments, to provide estate and gift tax relief, to provide incentives for education savings and health care, clearing the measure for the President.

Pages S10290–S10303 (continued next issue)

Transportation Appropriations: Senate began consideration of the motion to proceed to the consideration of H.R. 2084, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000.

(See next issue.)

A motion was entered to close further debate on the motion to proceed to the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur at 9:30 a.m., on Thursday, September 9, 1999. **(See next issue.)**

Subsequently, the motion to proceed was withdrawn. **(See next issue.)**

Legislative Branch Appropriations—Agreement: A unanimous-consent agreement was reached providing that when the Senate receives from the House

the conference report on H.R. 1905, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000, the conference report be deemed agreed to. **(See next issue.)**

Nominations—Agreement: A unanimous-consent agreement was reached providing that all nominations received by the Senate during the 106th Congress, remain in status quo, notwithstanding the August adjournment of the Senate and the provisions of Rule 31, paragraph 6 of the Standing Rules of the Senate, with certain exceptions. **(See next issue.)**

Authority for Committees: All committees were authorized to file legislative reports during the adjournment of the Senate on Friday, August 27, 1999, from 11 a.m. to 1 p.m. **(See next issue.)**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Convention (No. 182) for Elimination of the Worst Forms of Child Labor (Treaty Doc. 106–5).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and was ordered to be printed. **(See next issue.)**

Messages From the President: Senate received the following messages from the President of the United States:

A message from the President of the United States transmitting, a draft of proposed legislation entitled ''Central American and Haitian Parity Act of 1999''; to the Committee on the Judiciary. (PM–55). **(See next issue.)**

Nominations Confirmed: Senate confirmed the following nominations:

By 81 yeas to 16 nays (Vote No. EX. 259), Richard Holbrooke, of New York, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations.

By 81 yeas to 16 nays (Vote No. EX. 259), Richard Holbrooke, of New York, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations.

Mervyn M. Mosbacker, Jr., of Texas, to be United States Attorney for the Southern District of Texas for the term of four years.

M. Osman Siddique, of Virginia, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nauru, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Tonga, and Ambassador Extraordinary and Plenipotentiary of the United States of America to Tuvalu.

Robert Z. Lawrence, of Massachusetts, to be a Member of the Council of Economic Advisers.

Martin George Brennan, of California, to be Ambassador to the Republic of Uganda.

William J. Rainer, of New Mexico, to be Chairman of the Commodity Futures Trading Commission.

William J. Rainer, of New Mexico, to be a Commissioner of the Commodity Futures Trading Commission for the term expiring April 13, 2004.

Richard Monroe Miles, of South Carolina, to be Ambassador to the Republic of Bulgaria.

Charles A. Blanchard, of Arizona, to be General Counsel of the Department of the Army.

Carol DiBattiste, of Florida, to be Under Secretary of the Air Force.

Barbro A. Owens-Kirkpatrick, of California, to be Ambassador to the Republic of Niger.

Earl E. Devaney, of Massachusetts, to be Inspector General, Department of the Interior.

Barbara J. Griffiths, of Virginia, to be Ambassador to the Republic of Iceland.

Sylvia Gaye Stanfield, of Texas, to be Ambassador to Brunei Darussalam.

Tibor P. Nagy, Jr., of Texas, to be Ambassador to the Federal Democratic Republic of Ethiopia.

Jeffrey A. Bader, of Florida, to be Ambassador to the Republic of Namibia.

Martin Neil Baily, of Maryland, to be a Member of the Council of Economic Advisers.

4 Army nominations in the rank of general.

3 Navy nominations in the rank of admiral.

A routine list in the Foreign Service.

Pages S10268–74 (continued next issue)

Nominations Received: Senate received the following nominations:

Carol J. Parry, of Illinois, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years expiring January 31, 2012.

John Goglia, of Massachusetts, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2003. (Reappointment)

Paul L. Hill, Jr., of West Virginia, to be Chairperson of the Chemical Safety and Hazard Investigation Board for a term of five years. (Reappointment)

Paul L. Hill, Jr., of West Virginia, to be Member of the Chemical Safety and Hazard Investigation Board for a term of five years. (Reappointment)

Norman A. Wulf, of Virginia, to be a Special Representative of the President, with the rank of Ambassador.

Marianne O. Battani, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Steven D. Bell, of Ohio, to be United States District Judge for the Northern District of Ohio.

Ronald A. Guzman, of Illinois, to be United States District Judge for the Northern District of Illinois.

David M. Lawson, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Ann Claire Williams, of Illinois, to be United States Circuit Judge for the Seventh Circuit.

James A. Wynn, Jr., of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

Melvin W. Kahle, of West Virginia, to be United States Attorney for the Northern District of West Virginia for a term of four years.

Ted L. McBride, of South Dakota, to be United States Attorney for the District of South Dakota for a term of four years.

Robert S. Mueller, III, of California, to be United States Attorney for the Northern District of California for a term of four years.

John W. Marshall, of Virginia, to be Director of the United States Marshals Service.

Linda Joan Morgan, of Maryland, to be a Member of the Surface Transportation Board for a term expiring December 31, 2003. (Reappointment)

Sylvia V. Baca, of New Mexico, to be an Assistant Secretary of the Interior.

Richard A. Meserve, of Virginia, to be a Member of the Nuclear Regulatory Commission for a term of five years expiring June 30, 2004.

George L. Farr, of Connecticut, to be a Member of the Internal Revenue Service Oversight Board for a term of four years. (New Position)

George B. Daniels, of New York, to be United States District Judge for the Southern District of New York.

Ruben Castillo, of Illinois, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2003.

Sterling R. Johnson, Jr., of New York, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2001.

Diana E. Murphy, of Minnesota, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2005. (Reappointment)

Diana E. Murphy, of Minnesota, to be Chair of the United States Sentencing Commission.

Diana E. Murphy, of Minnesota, to be a Member of the United States Sentencing Commission for the remainder of the term expiring October 31, 1999.

William Sessions, III, of Vermont, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2003. **(See next issue.)**

Messages From the President: **(See next issue.)**

Messages From the House: **(See next issue.)**

Communications: **(See next issue.)**

Petitions: **(See next issue.)**

Executive Reports of Committees: **(See next issue.)**

Statements on Introduced Bills: **(See next issue.)**

Additional Cosponsors: **(See next issue.)**

Amendments Submitted: **(See next issue.)**

Authority for Committees: **(See next issue.)**

Additional Statements: **(See next issue.)**

Text of H.R. 1906 as Previously Passed: **(See next issue.)**

Record Votes: Three record votes were taken today. (Total—261) **Pages S10274, S10286 (continued next issue)**

Adjournment: Senate convened at 9:30 a.m., and adjourned according to the provisions of S. Con. Res. 51, at 8:52 p.m., until 12 Noon, on Wednesday, September 8, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record.)

Committee Meetings

(Committees not listed did not meet)

U.S. FARM ECONOMY

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings on the market and financial performance of the United States agricultural sector, after receiving testimony from Robert M. Bor, USA Rice Federation, and Katherine Ozer, National Family Farm Coalition, both of Washington, D.C.; John McNutt, Iowa City, Iowa, on behalf of the National Pork Producers Council; and Jack Hamilton, Lake Providence, Louisiana, on behalf of the National Cotton Council.

HUD MULTIFAMILY HOUSING ASSISTANCE RESTRUCTURING

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation concluded oversight hearings on activities of the Office of Multifamily Housing Assistance Restructuring of

the Department of Housing and Urban Development, after receiving testimony from Ira G. Peppercorn, Director, Office of Multifamily Housing Assistance Restructuring, Department of Housing and Urban Development; Steven D. Pierce, Massachusetts Housing Finance Agency, Boston; Deborah Whitaker, Community Preservation Corporation, New York, New York; John T. McEvoy, National Council of State Housing Agencies, Washington, D.C.; and Michael F. Petrie, P/R Mortgage and Investment Corporation, Indianapolis, Indiana, on behalf of the Mortgage Bankers Association of America.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nominations of Armando Falcon, Jr., of Texas, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development, Martin Neil Baily, of Maryland, to be a Member of the Council of Economic Advisers, Robert Z. Lawrence, of Massachusetts, to be a Member of the Council of Economic Advisers, Dorian Vanessa Weaver, of Arkansas, to be a Member of the Board of Directors of the Export-Import Bank of the United States, and Dan Herman Renberg, of Maryland, to be a Member of the Board of Directors of the Export-Import Bank of the United States, after the nominees testified and answered questions in their own behalf. Mr. Renberg was introduced by Senator Specter.

Also, Committee concluded hearings on the nomination of Harry J. Bowie, of Mississippi, to be a Member of the Board of Directors of the National Consumer Cooperative Bank.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings on the nominations of Jimmy J. Kolker, of Missouri, to be Ambassador to Burkina Faso, Jeffrey A. Bader, of Florida, to be Ambassador to the Republic of Namibia, Martin George Brennan, of California, to be Ambassador to the Republic of Uganda, Harriet L. Elam, of Massachusetts, to be Ambassador to the Republic of Senegal, Gregory Lee Johnson, of Washington, to be Ambassador to the Kingdom of Swaziland, David H. Kaeuper, of the District of Columbia, to be Ambassador to the Republic of Congo, Delano Eugene Lewis, Sr., of New Mexico, to be Ambassador to the Republic of South Africa, Tibor P. Nagy, Jr., of Texas, to be Ambassador to the Federal Democratic Republic of Ethiopia, and Barbro A. Owens-Kirkpatrick, of California, to be Ambassador to the Republic of Niger, after the nominees testified and answered questions in their own behalf. Mr. Kolker was introduced by Senator Daschle and Representative Holt.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 486, to provide for the punishment of methamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States, with an amendment in the nature of a substitute;

S. 620, to grant a Federal charter to Korean War Veterans Association, Incorporated;

S. 199, for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko;

S. 275, for the relief of Suchada Kwong;

S. 452, for the relief of Belinda McGregor, with an amendment; and

The nomination of Mervyn M. Mosbacker, Jr., to be United States Attorney for the Southern District of Texas.

House of Representatives

Chamber Action

Bills Introduced: 92 public bills, H.R. 2713–2804; 2 private bills, H.R. 2805–2806; and 12 resolutions, H.J. Res. 65, H. Con. Res. 173–179, and H. Res. 277–280, were introduced. **(See next issue.)**

Reports Filed: Reports were filed today as follows:

H.R. 853, to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, amended (H. Rept. 106–198 Pt. 2);

H.R. 853, to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending,

strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, amended (H. Rept. 106–198 Pt. 3);

H.R. 1867, to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office (H. Rept. 106–294);

H.R. 2668, to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, amended (H. Rept. 106–295);

H.R. 1922, to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office (H. Rept. 106–296, Pt. 1);

H.R. 417, to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, amended (H. Rept. 106–297, Pt. 1);

Conference report on S. 507, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States (H. Rept. 106–298);

Conference report on H.R. 2587, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000 (H. Rept. 106–299);

H.R. 2559, to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, amended (Rept. 106–300); and

Conference report on S. 1059, to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces (Rept. 106–301).

Pages H7276–H7316 (continued next issue)

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Kolbe to act as Speaker pro tempore for today. **Page H7251**

Journal Vote: Agreed to the Speaker's approval of the Journal of Wednesday, August 4, by a yea and nay vote of 356 yeas to 50 nays with 1 voting ''present'', Roll No. 376. **Pages H7251–52**

Financial Freedom Act: The House agreed to the conference report on H.R. 2488, to amend the Internal Revenue Code of 1986 to reduce individual income tax rates, to provide marriage penalty relief, to reduce taxes on savings and investments, to provide estate and gift tax relief, and to provide incentives for education savings and health care by yea and nay vote of 221 yeas to 206 nays, Roll No. 379.

Pages H7261–76

Agreed to H. Res. 274, the rule that provided for consideration of the conference report was agreed to by a yea and nay vote of 224 yeas to 203 nays, Roll No. 377. **Pages H7252–61**

Rejected the Rangel motion to recommit the conference report to the committee on conference with instructions, to the extent permitted within the scope of conference, to insist on limiting the net 10-year tax reduction to not more than 25% of the currently projected non-Social Security surpluses (or if greater, the smallest tax reduction permitted within the scope of conference); and shall insist on not including any provision which would constitute a limited tax benefit within the meaning of the Line Item Veto Act in order to A. preserve 100% of the Social Security Trust Fund surpluses for the Social Security program and preserve 50% of the currently projected non-Social Security surpluses for purposes of reducing the publicly held national debt, and B. insure that there will be adequate budgetary resources available to extend the solvency of the Social Security and Medicare systems, and provide a Medicare prescription drug benefit, the by yea and nay vote of 205 yeas to 221 nays, Roll No. 378.

Pages H7274–75

Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations: The House passed H.R. 2670, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000 by yea and nay vote of 217 yeas to 210 nays, Roll No. 387. The House completed general debate and began considering amendments on August 4. **(See next issue.)**

Rejected the Bonior motion to recommit the bill to the Committee on Appropriations with instructions to report it back with an amendment that increases the amount provided for Community Oriented Policing Services to the amount requested in the President's budget, with corresponding adjustments to keep the bill within the committee 302(B) allocation by a recorded vote of 208 ayes to 219 noes, Roll No. 386. **(See next issue.)**

Agreed to:

The Ehlers amendment that increases NOAA funding by $390,000 for research projects;

(See next issue.)

The Terry amendment that increases Merchant Marine Academy funding by $2 million for repair of buildings; **(See next issue.)**

The Tiahrt amendment, as modified, that prohibits the expenditure of any appropriation to denigrate or otherwise undermine the religious or moral beliefs of students who participate in programs funded by the Department of Justice; **(See next issue.)**

The Deal amendment that prohibits any funds appropriated from being used to process or provide visas to countries that deny or unreasonably delay accepting the return of their citizens under section 243(d) of the Immigration and Nationality Act;

(See next issue.)

The Traficant amendment, as modified, that prohibits the transport of maximum or high security prisoners to a facility that is not certified by the Bureau of Prisons as appropriately secure for housing such prisoners; **(See next issue.)**

The Vitter amendment that prohibits any funds to be used by United States delegates to the Standing Consultative Commission in any activity to implement the Memorandum of Understanding relating to the Anti-Ballistic Missile Limitation Treaty entered into by the United States, Russia, Kazakhstan, Belarus, and Ukraine on September 26, 1997;

(See next issue.)

The Hayworth amendment that prohibits the expenditure of any funds for activities in support of adding or maintaining any World Heritage Site (agreed to by a recorded vote of 217 ayes to 209 noes, Roll No. 383); and **(See next issue.)**

The Tauzin amendment that prohibits any funds to be used by the FCC to enforce or administer the Uniform Systems of Accounts for Telecommunications Companies with respect to any common carrier that was determined to be subject to price cap regulation by the Commission's order or has elected to be subject to price cap regulation (agreed to by a recorded vote of 374 ayes to 49 noes, Roll No. 384). **(See next issue.)**

Rejected:

The Hall of Ohio amendment that sought to strike the provision that prohibits the payment of United Nations arrearages unless expressly authorized by an Act that makes such payments contingent upon United Nations reform (rejected by a recorded vote of 206 ayes to 221 noes, Roll No. 380);

(See next issue.)

The Bass amendment that sought to require that the Federal Communications Commission develop and implement a plan for the efficient allocation of telephone numbers (rejected by a recorded vote of 169 ayes to 256 noes, Roll No. 381); **(See next issue.)**

The George Miller of California amendment that sought to limit the amount obligated or expended for the Inter-American Tropical Tuna Commission (rejected by a recorded vote of 211 ayes to 215 noes, Roll No. 382); and **(See next issue.)**

The Kucinich amendment that sought to prohibit any funds to be used for the filing of a complaint or any motion seeking injunctive relief in any legal action brought under the North American Free Trade Agreement Implementation Act or Uruguay Round Agreements Act (rejected by a recorded vote of 196 ayes to 226 noes, Roll No. 385).

(See next issue.)

Withdrawn:

The Stearns amendment was offered, but subsequently withdrawn, that sought to reduce State Department general administrative funding by $500,000 to highlight personnel issues relating to Ms. Linda Shenwick's employment at the U.S. Mission to the United Nations; **(See next issue.)**

The Inslee amendment was offered, but subsequently withdrawn, that sought to strike Section 620 that prohibits any funds appropriated to be used for the implementation of or the preparation for the Kyoto Protocol; **(See next issue.)**

The Davis of Illinois amendment was offered, but subsequently withdrawn, that sought to prohibit funding to any law enforcement agency except one identified in an annual summary of data on the use of excessive force published by the Attorney General;

(See next issue.)

The Campbell amendment was offered, but subsequently withdrawn, that sought to require that aliens have access to secret evidence used to detain or deport them; **(See next issue.)**

The Wynn amendment was offered, but subsequently withdrawn, that sought to increase funding for the Equal Employment Opportunity Commission by $33 million and reduce Administration of Foreign Affairs funding accordingly; **(See next issue.)**

The Crowley amendment was offered, but subsequently withdrawn, that sought to prohibit any funding to be used for joint training programs between the Royal Ulster Constabulary and any Federal law enforcement agency; **(See next issue.)**

The Dingell amendment was offered, but subsequently withdrawn, that sought to prohibit grants to states that have not certified that 95 percent or more of records evidencing a State judicial or executive determination are sent to the FBI to support implementation of the National Instant Criminal Background Check System; and **(See next issue.)**

The Jackson-Lee amendment was offered, but subsequently withdrawn, that sought to establish new provisions cited as the Hate Crimes Prevention Act. **(See next issue.)**

Late Report: The Commerce Committee received permission to have until midnight on September 7, 1999 to file reports on H.R. 1714, H.R. 1858, H.R. 486, H.R. 2130, and H.R. 2506. **(See next issue.)**

VA, HUD Appropriations: The House agreed to H. Res. 275, the rule providing for consideration of H.R. 2684, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000. Agreed to order the previous question by yea and nay vote of 217 yeas to 208 nays, Roll No. 388. **(See next issue.)**

Legislative Branch Appropriations: The House agreed to the conference report on H.R. 1905, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000 by a yea and nay vote of 367 yeas to 49 nays, Roll No. 389. **(See next issue.)**

Earlier, agreed that it be in order to consider the conference report, that it be considered as read, that all points of order be waived; and that the previous question be ordered to final adoption without intervening motion except 20 minutes of debate, equally divided and controlled and one motion to recommit. **(See next issue.)**

Committee Resignations: Read a letter from Representative Clyburn wherein he resigns from the Committee on Appropriations and read a letter from Representative Ackerman wherein he resigns from the Committee on Banking and Financial Services. **(See next issue.)**

Committee Election: The House agreed to H. Res. 277 electing Representative Forbes to the Committees on Appropriations and Banking and Financial Services. **(See next issue.)**

Water Resources Development Act: House agreed to the conference report on S. 507, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States—clearing the measure for the President. **(See next issue.)**

Technical Corrections to Water Resources Development Act: The House passed H.R. 2724, to make technical corrections to the Water Resources Development Act. **(See next issue.)**

Extension of Aviation Programs: The House passed S. 1467, to extend the funding levels for aviation programs for 60 days. Subsequently, agreed to strike all after the enacting clause and insert the text of H.R. 1000, a similar House-passed bill. Agreed to amend the title. **(See next issue.)**

The House then agreed to insist on its amendments to S. 1467 and ask for a conference. Appointed as conferees: From the Committee on Transportation and Infrastructure for consideration of the Senate bill and the House amendment and modifications committed to conference: Representatives Shuster, Young of Alaska, Petri, Duncan, Ewing, Horn, Quinn, Ehlers, Bass, Pease, Sweeney, Oberstar, Rahall, Lipinski, DeFazio, Costello, Danner, E. B. Johnson of Texas, Millender-McDonald, and Boswell. From the Committee on the Budget for consideration of titles IX and X of the House amendment, and modifications committed to conference: Representatives Chambliss, Shays, and Spratt. From the Committee on Ways and Means for consideration of title XI of the House amendment and modifications committed to conference: Representatives Nussle, Hulshof, and Rangel. **(See next issue.)**

Permission for Temporary Construction on the Capitol Grounds: The House agreed to the Senate amendment to H. Con. Res. 167, authorizing the Architect of the Capitol to permit temporary construction and other work on the Capitol Grounds that may be necessary for construction of a building on Constitution Avenue Northwest, between 2nd Street Northwest and Louisiana Avenue Northwest. **(See next issue.)**

International Religious Freedom Act: The House passed S. 1546, to amend the International Religious Act of 1998 to provide additional administrative authorities to the United States Commission on International Religious Freedom, and to make technical corrections to that Act—clearing the measure for the President. **(See next issue.)**

Veteran Owned Small Business: The House agreed to the Senate amendments to H.R. 1568, to provide technical, financial, and procurement assistance to veteran owned small businesses—clearing the measure for the President. **(See next issue.)**

Tobacco Production and Marketing Information: The House passed S. 1543, to amend the Agricultural Adjustment Act of 1938 to release and protect the release of tobacco production and marketing information—clearing the measure for the President. **(See next issue.)**

Summer District Work Period: The House agreed to S. Con. Res. 51, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives. **(See next issue.)**

Speaker pro Tempore: Read a letter from the Speaker wherein he designated Representative Morella or, if not available, Representative Wolf to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 8.

(See next issue.)

Resignations—Appointments: Agreed that notwithstanding any adjournment of the House until Wednesday, September 8, 1999, the Speaker, Majority Leader, and Minority Leader were authorized to accept resignations and to make appointments authorized by law or by the House. **(See next issue.)**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 8. **(See next issue.)**

Presidential Message—Legislative Proposal: Read a letter from the President wherein he transmitted a legislative proposal entitled ''Central American and Haitian Parity Act of 1999—referred to the Committee on the Judiciary and ordered printed H. Doc. 106–114. **(See next issue.)**

Senate Messages: Message received from the Senate appears on page H7252.

Referral: S. 695 was referred to the Committee on Veterans' Affairs. **(See next issue.)**

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear in the next issue.

Quorum Calls—Votes: Seven yea and nay votes and seven recorded votes developed during the proceedings of the House today and appear on pages H7251–52, H7260, H7275, H7275–76 (continued next issue). There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and pursuant to the provisions of S. Con. Res. 51, adjourned at 12:13 a.m. on Friday, August 6 until 10:00 a.m. on Wednesday, September 8.

Committee Meetings

FOOD STAMP PROGRAM—REVIEW OPERATIONS

Committee on Agriculture, Subcommittee on Department Operations, Oversight, Nutrition, and Forestry held a hearing to review the operations of the Food Stamp Program. Testimony was heard from Shirley Watkins, Under Secretary, Food, Nutrition, and Consumer Services, USDA; Clarence H. Carter, Commissioner, Department of Social Services, State of Virginia; Douglas E. Howard, Director, Family Independence Agency, State of Michigan; Lynda G. Fox, Secretary, Department of Human Resources, State of Maryland; Melba L. Price, Associate Director, Department of Social Services, State of Missouri; and public witnesses.

U.S. FUTURE EXCHANGES—REGULATORY RELIEF

Committee on Agriculture: Subcommittee on Risk Management, Research, and Specialty Crops held a hearing to review regulatory relief for U.S. futures exchanges. Testimony was heard from the following officials of the Commodity Futures Trading Commission: David D. Spears, Acting Chairman; Barbara Pedeson Holum, James E. Newsome and Thomas J. Erickson, all Commissioners; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Commerce: Ordered reported, amended, the following bills: H.R. 1714, Electronic Signatures in Global and National Commerce; H.R. 1858, Consumer and Investor Access to Information Act of 1999; H.R. 486, Community Broadcasters Protection of 1999; H.R. 2130, Hillory J. Farias Date-Rape Prevention Drug Act of 1999; and H.R. 2506, Health and Research and Quality Act of 1999.

CAMPAIGN FINANCE FIGURES

Committee on Government Reform: Held a hearing on ''White House Insider Mark Middleton: His Ties to John Huang, Charlie Trie, and Other Campaign Finance Figures''. In refusing to give testimony, Mark Middleton invoked Fifth Amendment privileges.

MISCELLANEOUS MEASURES

Committee on the Judiciary, Subcommittee on Crime held a hearing on the following bills: H.R. 2558, Prison Industries Reform Act of 1999; and H.R. 2551, Federal Prison Industries Competition in Contracting Act of 1999. Testimony was heard from Representative Hoekstra; Kathleen M. Hawk Sawyer, Director, Bureau of Prisons, Department of Justice; Reginald A. Wilkson, Director, Department of Rehabilitation and Correction, State of Ohio; and public witnesses.

OVERSIGHT

Committee on the Judiciary: Subcommittee on Immigration and Claims held an oversight hearing on the H–1B Temporary Professional Worker Visa Program. Testimony was heard from public witnesses.

OUTER CONTINENTAL SHELF LEASING—LANDS OFFSHORE FLORIDA

Committee on Resources, Subcommittee on Energy and Mineral Resources held a hearing on H.R. 33, imposing certain restrictions and requirements on the leasing under the Outer Continental Shelf Lands Act of lands offshore Florida. Testimony was heard from Representative Goss; Walt Rosenbusch, Director, Minerals Management Service, Department of the Interior; Jay Hakes, Administrator, Energy Information Administration, Department of Energy; Mike Joyner, Director, Legislative and Governmental Affairs, State of Florida; and a public witness.

COASTAL COMMUNITY CONSERVATION ACT

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans approved for full Committee action, amended, H.R. 2669, Coastal Community Conservation Act of 1999.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks and Public Lands approved for full Committee action the following bills: H.R. 20, Upper Delaware Scenic and Recreational River Mongaup Visitor Center Act of 1999; H.R. 748, amended, to amend the Act that established the Keweenaw National Historical Park to require the Secretary of the Interior to consider nominees of various local interests in appointing members of the Keweenaw National Historical Parks Advisory Commission; H.R. 1615, Lamprey Wild and Scenic River Extension Act; H.R. 1665, amended, to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation; H.R. 2140, amended, to improve protection and management of the Chattahoochee River National Recreation Area in the State of Georgia; and H.R. 2339, National Discovery Trails Act of 1999.

BIPARTISAN CAMPAIGN FINANCE REFORM ACT

Committee on Rules: Granted by voice vote, a structured rule providing one hour of general debate on H.R. 417, Bipartisan Campaign Finance Reform Act of 1999 divided equally between the chairman and ranking minority member of the Committee on House Administration. The rule makes in order only those amendments printed in the Rules Committee report. The rule provides that amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The rule also waives all points of order against the amendments printed in the report except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the bill for amendment. The rule permits the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairmen Thomas and Goodling; Representatives Ewing, Shays, Hutchinson, Shaw, Calvert, Brady of Texas, Wamp, Hoyer, Davis of Florida. Meehan and Levin.

CONFERENCE REPORT—WATER RESOURCES DEVELOPMENT ACT

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany S. 507, Water Resources Development Act of 1999, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Boehlert.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following measures: H.R. 2681, Rail Passenger Disaster Family Assistance Act; H.R. 2679, Motor Carrier Safety Act of 1999; H. Con. Res. 171, congratulating the American Public Transit Association for 25 years of commendable service to the transit industry and the Nation; and H.R. 1300, amended, Recycle America's Land Act of 1999.

The Committee also approved the following: 1 lease resolution; 1 repair and alteration resolution; and Corps of Engineers Survey resolutions.

U.S. NEGOTIATING OBJECTIVES—WTO SEATTLE MINISTERIAL MEETING

Committee on Ways and Means: Subcommittee on Trade held a hearing on United States Negotiating Objectives for the WTO Seattle Ministerial Meeting. Testimony was heard from Representatives Weller, Becerra, Regula and Miller of Florida; Susan G, Esserman, Deputy U.S. Trade Representative; Sheldon R. Jones, Director, Department of Agriculture, State of Arizona; and public witnesses.

COMMITTEE MEETINGS FOR FRIDAY, AUGUST 6, 1999

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing on the Narcotics Threat from Colombia, 9 a.m., 2154 Rayburn.

Joint Meetings

Joint Economic Committee: to hold hearings on the employment and unemployment situation for July, 9:30 a.m., 2212 Rayburn Building.

Next Meeting of the SENATE

12 noon, Wednesday, September 8

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 1 p.m.), Senate will resume consideration of H.R. 2466, Department of the Interior Appropriations.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, September 8

House Chamber

Program for Wednesday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Andrews, Robert E., N.J., E1758
Camp, Dave, Mich., E1754, E1756
Costello, Jerry F., Ill., E1748
Crowley, Joseph, N.Y., E1759
Diaz-Balart, Lincoln, Fla., E1747
Dooley, Calvin M., Calif., E1758
Engel, Eliot L., N.Y., E1760
Forbes, Michael P., N.Y., E1752
Gallegly, Elton, Calif., E1755, E1757
Goodlatte, Bob, Va., E1751
Hayes, Robin, N.C., E1747
Kelly, Sue W., N.Y., E1748
King, Peter T., N.Y., E1754
Lantos, Tom, Calif., E1758
Lipinski, William O., Ill., E1753, E1755
McDermott, Jim, Wash., E1760
McIntosh, David M., Ind., E1749
Miller, George, Calif., E1759
Mink, Patsy T., Hawaii, E1756
Moore, Dennis, Kans., E1752
Morella, Constance A., Md., E1756
Nadler, Jerrold, N.Y., E1749, E1760
Ney, Robert W., Ohio, E1758
Ortiz, Solomon P., Tex., E1747
Phelps, David D., Ill., E1756
Sanchez, Loretta, Calif., E1747, E1751
Sanders, Bernard, Vt., E1750
Saxton, Jim, N.J., E1754
Serrano, José E., N.Y., E1749
Skelton, Ike, Mo., E1750, E1752
Stark, Fortney Pete, Calif., E1751
Tancredo, Thomas G., Colo., E1759
Towns, Edolphus, N.Y., E1757
Waxman, Henry A., Calif., E1753, E1754
Weiner, Anthony D., N.Y., E1749
Wexler, Robert, Fla., E1748, E1751
Wilson, Heather, N.M., E1747
Woolsey, Lynn C., Calif., E1756
Young, Don, Alaska, E1753, E1755

(Senate and House proceedings for today will be continued in the next issue of the Record.)

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