

Mike Waters; Impact on State, Local, and Tribal Governments: Marjorie Miller; Impact on the Private Sector: Karen Raupp.

Estimate Approved By: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Mr. INHOFE. I would also like to take this opportunity to note for the record that I believe there are several unrealistic sections of the CBO score that appear to be based on several unconventional interpretations of the Committee reported bill.

CBO estimates that the recreation fee program will result in \$27 million in estimated outlays for 2005 and \$13 million in estimated outlays for 2006, at which point CBO assumes that the outlays become a \$7 million annual revenue. The recreation user fee program established in the bill, creates a program to directly fund the operation and maintenance needs associated with recreation at Corps reservoirs. The committee reported bill amends section 225 of WRDA 1999. That particular section of WRDA 99 provides the Secretary of the Army a temporary authority under the Land and Water Conservation Fund, to withhold a limited portion of recreation user fees and provides authority to spend those revenues on the operation and maintenance of recreation facilities at Corps reservoirs. The committee bill further amended this authority to allow the Corps to withhold 100 percent of the recreation fees, on a permanent basis and directed the Corps to establish a program to facilitate the efficient collection of revenues. The CBO interpretation of this section assumes that the Corps will withhold the recreation fees it currently collects and spend them directly on O&M. However, when the Corps implements the program for fees CBO assumes that the agency's authority for withholding such fees disappears, and the agency will blithely turn them over to the General Treasury leaving their O&M budget in shambles. Such an outcome is in direct contravention of the obvious purpose of the entire section. And while such an interpretation of the section is possible, I have yet to encounter a situation where an agency turned funds over to the Treasury when they were authorized to withhold and spend them directly.

Section 1006 authorizes the Corps to deposit revenues collected in conjunction with operations at Corps reservoirs. With respect to the generation of hydro-power, the Corps does not currently collect any fees from the Power Marketing Administrations, PMAs. In the case of PMA revenue, the PMAs send a portion of their revenue to the Treasury. In order to provide direct funding for the Corps, the committee bill provides for a 0.22 cent charge per kilowatt of electricity produced. Bonneville Power Administration is specifically exempt from the 0.22 cent per kilowatt hour fee. Despite this exemption, CBO assumes that Bonneville Power will ignore its other authorizing statutes and turn over more than

\$800 million a year to the Corps. I would point out that the 0.22 cent per kilowatt fee, was the committee's best estimate at the size of a fee that would be required to directly fund \$150 million for O&M, which was the amount recommended in the president's budget. Excluding Bonneville Power Administration, CBO estimated that the 0.22 cent per kilowatt hour would result in \$173 million in direct O&M outlays. I believe that CBO erroneously included Bonneville Power Administration in the estimate of direct spending. Bonneville Power Administration receipts, if collected by the Corps, would total \$7.1 billion over a 10-year period.

While CBO erroneously overestimates, the direct spending associated with O&M at Corps reservoirs, it completely underestimates the direct spending that will likely be required should the Fish and Wildlife mitigation provision become enacted. Section 1011 establishes a new standard for fish and wildlife mitigation for Corps of Engineers projects. Because the standard specifically amends WRDA 1986 with changing the dates specified in WRDA 86 with respect to the applicability of the standard to completed and on going projects, a strict reading of the new standard makes it applicable to all projects authorized after November 17, 1986. Moreover, the standard sets a very high bar by requiring the Corps to "acquire and restore the same number of acres of habitat" to fully replace the hydrologic and ecological functions of "each acre of habitat adversely affected." While on its face such a requirement may seem innocuous, there is no deminimus level for the determination of an adverse effect. Strictly speaking, even relatively minor changes to land use or hydrology would trigger the requirement for the Corps to acquire an equal number of acres as those that are modified, and restore all of those acres. The liability that this imposes on the Corps for mitigation of projects to this standard for everything since 1986 is likely substantial. Given that most non-Federal sponsors are local and State governments, this potentially represents a significant unfunded mandate as well.

NATIONAL RUNAWAY PREVENTION MONTH

Mr. HATCH. Mr. President, I rise today to commend the Senate for passing S. Res. 430, a resolution designating November 2004 as National Runaway Prevention Month. National Runaway Prevention Month is a public education initiative to increase awareness of issues facing runaways. This resolution will sensitize the public about solutions to the runaway dilemma and educate them on the role they play in preventing youth from running away.

Runaway and "throwaway" episodes among our Nation's youth are a widespread problem, with one out of every seven children and youth in the United States running away or being turned

out of their home before the age of 18. A recent study by the Department of Justice's Office of Juvenile Justice and Delinquency Prevention estimates that nearly 1.7 million youth experienced a runaway or throwaway episode in a single year. The primary causal factors of running away or being turned out are severe family conflict, abuse and neglect, and parental abuse of alcohol and drugs.

All of the conditions that lead young people to leave or be turned out of their homes are preventable. However, we need to make interventions available to strengthen families and support youth in high-risk situations. Successful interventions are grounded in partnerships among families, community-based human service agencies, law enforcement agencies, schools, faith-based organizations, and businesses.

Preventing young people from running away and supporting youth in high-risk situations are a family, community, and national responsibility. Please join us in increasing public attention to the challenges that youth are facing today and in encouraging all Americans to play a role in supporting the millions of young people who have run away from their home environments or who are at-risk of doing so each year.

NATIONAL SEVERE STORMS LABORATORY 40TH ANNIVERSARY

Mr. INHOFE. Mr. President, in Oklahoma, we know the importance of predicting and tracking severe weather. Each spring, during tornado season, people in Oklahoma brace themselves for dangerous storms. However, instead of hiding in the dark, like they used to do, today, they can depend on a stellar source for up-to-date, real-time information. The National Severe Storms Labs NSSL has played a vital role in providing research for predicting and tracking this harmful weather. In light of this, I rise today to recognize the 40th anniversary of the vital office of the NSSL within the Department of Commerce/National Oceanic and Atmospheric Administration, in Norman, Oklahoma.

The National Severe Storms Laboratory was established in 1964 and leads the way in investigations of all aspects of severe and hazardous weather. NSSL is a vital part of NOAA Research and the only federally supported laboratory focused on severe weather. The lab's scientists and staff constantly explore new ways to improve understanding of the causes of severe weather and ways to use weather information to assist National Weather Service, NWS, forecasters, as well as Federal, university and private sector partners.

These scientists are working on ways to improve short-term weather forecasting computer models for the National Weather Service's basic tornado research to understand how tornadoes form, as well as real-time delivery of