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105th Congress, 2d Session - - - - - House Report 105-831

(105-89)

SUMMARY OF LEGISLATIVE AND OVERSIGHT ACTIVITIES

ONE HUNDRED FIFTH CONGRESS

FIRST SESSION

Convened JANUARY 7, 1997

Adjourned NOVEMBER 13, 1997

SECOND SESSION

Convened JANUARY 27, 1998

Adjourned OCTOBER 21, 1998

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

U.S. HOUSE OF REPRESENTATIVES



December 17, 1998.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed

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WASHINGTON : 1998

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(Numbered notes on next page)

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¹Elected January 26, 1997 (H.Res. 78)

²Elected March 6, 1997 (H.Res. 84)

³Elected April 17, 1997 (H.Res. 120)

⁴Resigned from Congress August 2, 1997

⁵Elected August 1, 1997 (H.Res. 213)

⁶Elected November 12, 1997 (H.Res. 325)

⁷Resigned from Committee November 13, 1997

⁸Elected March 27, 1998 (H.Res. 400)

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(Listed Alphabetically)

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¹ Elected to Subcommittee Mar. 12, 1997

² Resigned from Congress Aug. 2, 1997

³ Resigned from Committee Nov. 13, 1997

⁴ Elected to Subcommittee Mar. 11, 1998

⁵ Elected to Subcommittee June 25, 1998

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LETTER OF SUBMITTAL

DECEMBER 17, 1998.

Hon. Robin H. Carle,
The Clerk, House of Representatives,
Washington, DC.

DEAR MS. CARLE: In compliance with Rule XI, Clause 1(d) of the Rules of the House of Representatives, there is transmitted herewith the Summary of Activities of the Committee on Transportation and Infrastructure for the 105th Congress.

The purpose of the report is to provide the Members of the House of Representatives, and the general public, with an overview of the legislative and oversight activities conducted by this committee, pursuant to Rule X, Clause 1(q) of the Rules of the House of Representatives.

This document is intended as a general reference tool, and not as a substitute for the hearing records, reports, and other committee files.

Sincerely yours,

BUD SHUSTER,

Chairman, Committee on Transportation and Infrastructure
Enclosure.

Union Calendar No. 472

105TH CONGRESS } 2d Session }	HOUSE OF REPRESENTATIVES {	REPORT 105-831
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SUMMARY OF LEGISLATIVE AND OVERSIGHT ACTIVITIES—COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

DECEMBER 17, 1998.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and
Infrastructure, submitted the following

REPORT

PROVISIONS OF THE RULES OF THE HOUSE OF REP- RESENTATIVES APPLICABLE TO COMMITTEE ACTIVITIES; JURISDICTION OF THE HOUSE COMMITTEE ON TRANS- PORTATION AND INFRASTRUCTURE

“RULE X

“ESTABLISHMENT AND JURISDICTION OF STANDING COMMITTEES

“The Committees and Their Jurisdiction

“1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee as listed in this clause shall (in accordance with and subject to clause 5) be referred to such committees, as follows:

“(q) Committee on Transportation and Infrastructure.

“(1) Coast Guard, including lifesaving service, lighthouses, lightships, ocean derelicts, and the Coast Guard Academy.

“(2) Federal management of emergencies and natural disasters.

“(3) Flood control and improvement of rivers and harbors.

“(4) Inland waterways.

“(5) Inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.

“(6) Navigation and the laws relating thereto, including pilotage.

“(7) Registering and licensing of vessels and small boats.

“(8) Rules and international arrangements to prevent collisions at sea.

“(9) Measures relating to the Capitol Building and the Senate and House office buildings.

“(10) Measures relating to the construction or maintenance of roads and post roads, other than appropriations therefor; but it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road.

“(11) Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.

“(12) Measures relating to merchant marine, except for national security aspects of merchant marine.

“(13) Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.

“(14) Oil and other pollution of navigable waters, including inland, coastal, and ocean waters.

“(15) Marine affairs (including coastal zone management) as they relate to oil and other pollution of navigable waters.

“(16) Public buildings and occupied or improved grounds of the United States generally.

“(17) Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams) .

“(18) Related transportation regulatory agencies.

“(19) Roads and the safety thereof.

“(20) Transportation, including civil aviation, railroads, water transportation, transportation safety (except automobile safety), transportation infrastructure, transportation labor, and railroad retirement and unemployment (except revenue measures related thereto) .

“(21) Water power.

FOREWORD

One of the oldest committees in the Congress, and the largest with 75 members, the Transportation and Infrastructure Committee achieved a variety of accomplishments during the 105th Congress, ranging from building better roads and bridges to preparing our communities for natural disasters to making our airports safer. Always with an eye toward its goal of building for the future of America, the Committee's initiatives focused on providing a safe, efficient and reliable infrastructure for our nation's citizens, environment and economy.

During the 105th Congress, the Committee saw 36 pieces of historic legislation become law. Clearly, the crown jewel of the Committee's accomplishments was the passage of the Transportation Equity Act for the 21st Century, or TEA 21 (H.R. 2400). This new law provides the framework for making the necessary investments in our country's infrastructure, ensuring that the American people have the roads, bridges and transit systems they need to maintain a high quality of life. This Act guarantees that in exchange for the gas taxes we all pay, we will get smoother roads, stronger bridges and safer highways.

Previously, much of these tax dollars were shunted away from the very highways and bridges they were promised to finance, to be spent on various unrelated programs. This was a dishonesty perpetrated against every taxpayer that ever rolled up to a gas pump. But with TEA 21, the level of investment in highways and transit systems is now commensurate with the amount of gas taxes that go into the Highway Trust Fund.

However, similar to the previous plight of the Highway Trust Fund, the Aviation Trust Fund remains a hostage of the current budget process; too much of the taxes collected from users are spent elsewhere and not on aviation improvements. This practice should end, and the success of TEA 21 provides a valuable precedent for taking the Aviation Trust Fund, as well as the Harbor Maintenance and Inland Waterways Trust Funds, off-budget.

Though TEA 21 required a large quantity of the Committee's attention during the 105th Congress, it was by no means the only significant work done during that period.

To help families in the event of an airplane crash, the Committee passed and the President signed the Foreign Airlines Family Assistance Act (H.R. 2476) which requires airlines to submit plans to the Department of Transportation (DOT) on how it will address the needs of the families in the event of an aviation disaster involving one of its aircraft. Last Congress, the Committee passed legislation that would require domestic airlines to file similar plans with DOT.

Having a heart attack is always a life-threatening situation. Having a heart attack aboard an aircraft is even worse. To help heart attack victims in the air, the Committee passed legislation

(H.R. 2843) to require the Federal Aviation Administration to study the benefit of requiring airlines to carry defibrillators. There are more than 72 deaths a year aboard aircraft and approximately 63 percent of the deaths are due to cardiac problems. This new law will save lives.

To improve air services to underserved communities, the Committee passed legislation (H.R. 2748) that will encourage airlines to develop business in the underserved communities across the United States. In addition, the Committee authorized funds to ensure that our nation's airports have the money they need to meet the growing consumer demand for airline flights and to make sure that our airports are able to provide consumers with a safe environment.

To better prepare for emergencies and natural disasters, and to mitigate their effects, the Committee passed several important measures. The Drought Management Policy Act of 1998 (H.R. 3035) establishes a national commission to integrate and coordinate approaches to drought management so as to reduce adverse environmental, economic and social impacts of drought.

The Disaster Mitigation Act of 1998 (H.R. 3869) also seeks to mitigate disasters, but takes a unique "first strike" approach by authorizing funds to undertake pre-disaster activities, such as moving facilities out of harm's way and making infrastructure more resistant to floods, hurricanes and earthquakes.

In an effort to restore and protect America's estuaries, the Committee passed the Coastal Pollution Reduction Act (H.R. 2207) to reauthorize and improve the National Estuary Program and to allow the opportunity for a more cost-effective approach to coastal pollution control.

The Water Resources and Environment Subcommittee also passed legislation to reform the Environmental Protection Agency's widely criticized program to clean up hazardous waste sites. The Superfund Acceleration, Fairness and Equity Act (H.R. 2727) also establishes a brownfields revitalization program.

To help U.S. shipping companies and to encourage international shipping competition, the Committee passed legislation (S. 414) that will level the playing field for the U.S. shipping industry. In addition to the many, much-needed reforms, the new law will finally allow the U.S. shipping industry to keep transportation costs confidential from foreign competitors.

In an effort to reverse the disturbing trend of increased drug use by our children, the Committee passed legislation (H.R. 2204) that seeks to stop the drugs from entering the United States. This new law gives the Coast Guard the funds they need to aggressively pursue drug smugglers and protect our borders from illegal drug traffic.

The unfortunate tragedy that occurred in the Capitol in the summer of 1998 demonstrated the need for effective Federal building security. This event took place amid a year-long review the Committee conducted of the General Services Administration's efforts to increase security in Federal buildings. Through this process, the Committee was able to uncover waste in the protective service area, including millions of dollars in unused and abandoned security equipment.

The Committee continued its oversight of the courthouse construction program, and after careful review, approved 12 new court related projects, at an estimated cost of approximately \$350 million. These projects represent the court's priority projects as developed in response to a Congressional mandate to rate and rank projects.

The Committee produced legislation (S. 2364) reauthorizing the programs of the Economic Development Administration (EDA) and the Appalachian Regional Commission (ARC). Although these agencies are vital to numerous economically distressed communities throughout the country, they have not been reauthorized or reformed in over 17 years. The legislation reforms both programs to insure their efficiency and effectiveness.

In addition, upon the Committee's recommendation, Congress approved significant and much needed improvements for the John F. Kennedy Center for the Performing Arts in Washington, an important cultural center of our nation (H.R. 1747).

Amtrak saw enacted new legislation (H.R. 2247) to start our nation's passenger rail service on the road to solvency and financial independence. Wider latitude in making its own business decisions, as well as sensible limits to lawsuits are elements of this legislation that should allow Amtrak to function more like a true business. This legislation's ultimate goal is to free Amtrak from the Federal subsidies, which have been a constant necessity in keeping its trains running.

With this solid record of achievement, the Committee will forge ahead in the 106th Congress, using these two years as a blueprint for what must be accomplished. Important transportation and environmental issues remain to be tackled, and if this pattern of accomplishment continues, America's infrastructure will continue to strengthen, and the American people will continue to reap the benefits of their investment.

BUD SHUSTER,

Chairman, Committee on Transportation and Infrastructure

BILLS ENACTED INTO LAW

PUBLIC LAW NO.	DATE ENACTED	BILL NO.	TITLE
105-33	Aug. 5, 1997 ...	H.R. 2015	To provide for reconciliation pursuant to subsections (b)(1) and (c) of section 105 of the concurrent resolution on the budget for fiscal year 1998 (Title IX, "Asset Sales, User Fees, and Miscellaneous Provisions", incorporates the sale of Governors Island, New York; the sale of air rights adjacent to Washington Union Station; and the extension of higher vessel tonnage duties). Balanced Budget Act of 1997.
105-34	Aug. 5, 1997 ...	H.R. 2014	To provide for reconciliation pursuant to subsections (b)(2) and (d) of section 105 of the concurrent resolution on the budget for fiscal year 1998 (Section 901, "General Revenue Portion of Highway Motor Fuels Taxes Deposited into Highway Trust Fund"). Taxpayer Relief Act of 1997.
105-52	Oct. 6, 1997	H.R. 2443	To designate the Federal building located at 601 Fourth Street, NW, in the District of Columbia, as the "Federal Bureau of Investigation, Washington Field Office Memorial Building", in honor of William H. Christian, Jr., Martha Dixon Martinez, Michael J. Miller, Anthony Palmisano, and Edwin R. Woodruffe.
105-63	Oct. 22, 1997 ..	S. 1000	To designate the United States courthouse at 500 State Avenue in Kansas City, Kansas, as the "Robert J. Dole United States Courthouse".

BILLS ENACTED INTO LAW—Continued

PUBLIC LAW NO.	DATE ENACTED	BILL NO.	TITLE
105–85	Nov. 18, 1997 ..	H.R. 1119	To authorize appropriations for fiscal year 1998 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, and for other purposes (including provisions in Section 593, Authority for Personnel to Participate in Management of Certain Non-Federal Entities; Section 601, Increase in Basic Pay for Fiscal Year 1998; Section 1026, Reports Relating to Export of Vessels That may Contain Polychlorinated Biphenyls; Section 2861, Land Transfer, Eglin Air Force Base, Florida; and Section 3606, Determination of Gross tonnage for Purposes of Tank Vessel Double Hull Requirements). National Defense Authorization Act for Fiscal Year 1998.
105–93	Nov. 19, 1997 ..	H.R. 1479	To designate the Federal building and United States courthouse located at 300 Northeast Frist Avenue in Miami, Florida, as the “David W. Dyer Federal Building and United States Courthouse”.
105–94	Nov. 19, 1997 ..	H.R. 1484	To redesignate the United States courthouse located at 100 Franklin Street in Dublin, Georgia, as the “J. Roy Rowland United States Courthouse”.
105–95	Nov. 19, 1997 ..	H.R. 1747	To amend the John F. Kennedy Center Act to authorize the design and construction of additions to the parking garage and certain site improvements, and for other purposes. John F. Kennedy Center Parking Improvement Act of 1997.
105–109	Nov. 20, 1997	S. 1347 (H.R. 2834)	To permit the city of Cleveland, Ohio, to convey certain lands that the United States conveyed to the city.
105–117	Nov. 21, 1997	S. 1258 (H.R. 849)	To amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to prohibit an alien who is not lawfully present in the United States from receiving assistance under that Act.

BILLS ENACTED INTO LAW—Continued

PUBLIC LAW NO.	DATE ENACTED	BILL NO.	TITLE
105–122	Dec. 1, 1997 ...	S. 819 (H.R. 1851)	To designate the United States courthouse at 200 South Washington Street in Alexandria, Virginia, as the “Martin V. B. Bostetter, Jr. United States Courthouse”.
105–123	Dec. 1, 1997 ...	S. 833	To designate the Federal building courthouse at Public Square and Superior Avenue in Cleveland, Ohio, as the “Howard M. Metzenbaum United States Courthouse”.
105–130	Dec. 1, 1997 ...	S. 1519 (H.R. 2516)	To provide a 6-month extension of highway, highway safety, and transit programs pending enactment of a law reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991. Surface Transportation Extension Act of 1997.
105–134	Dec. 2, 1997 ...	S. 738 (H.R. 2247)	To reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes. Amtrak Reform and Accountability Act of 1997.
105–137	Dec. 2, 1997 ...	S. 1193 (H.R. 2036)	To amend chapter 443 of title 49, United States Code, to extend the authorization of the aviation insurance program, and for other purposes. Aviation Insurance Reauthorization Act of 1997.
105–142	Dec. 5, 1997 ...	H.R. 2626	To make clarifications to the Pilot Records Improvement Act of 1996, and for other purposes.
105–144	Dec. 15, 1998	H.R. 2979	To authorize acquisition of certain real property for the Library of Congress, and for other purposes.
105–148	Dec. 16, 1997	H.R. 2476	To amend title 49, United States Code, to require the National Transportation Safety Board and individual foreign air carriers to address the needs of families of passengers involved in aircraft accidents involving foreign air carriers.
105–154	Feb. 6, 1998	S. 1575 (H.R. 2625)	To rename the Washington National Airport located in the District of Columbia and Virginia as the “Ronald Reagan Washington National Airport”.

BILLS ENACTED INTO LAW—Continued

PUBLIC LAW NO.	DATE ENACTED	BILL NO.	TITLE
105–155	Feb. 11, 1998 ..	H.R. 1271	To authorize the Federal Aviation Administration's research, engineering, and development program for fiscal years 1998 and 1999.
105–157	Feb. 11, 1998 ..	S. 1349 (H.R. 2674)	To authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRINCE NOVA.
105–163	Mar. 20, 1998	H.R. 595	To designate the Federal building and United States courthouse located at 475 Mulberry Street in Macon, Georgia, as the "William Augustus Bootle Federal Building and United States Courthouse".
105–165	Mar. 20, 1998	S. 347 (H.R. 613) ..	To designate the Federal building located at 61 Forsyth Street SW., in Atlanta, Georgia, as the "Sam Nunn Atlanta Federal Center".
105–170	Apr. 24, 1998 ..	H.R. 2843	To direct the Administrator of the Federal Aviation Administration to re-evaluate the equipment in medical kits carried on, and to make a decision regarding requiring automatic external defibrillators to be carried on, aircraft operated by air carriers, and for other purposes. Aviation Medical Assistance Act of 1998.
105–178	June 9, 1998 ...	H.R. 2400	To authorize funds for Federal-aid highways, highway safety programs, and transit programs. Transportation Equity Act for the 21st Century (TEA 21) (Transportation Infrastructure Finance and Innovation Act of 1998 (Title I, Subtitle E, Chapter I); Federal Transit Act of 1998 (Title III); Intelligent Transportation Systems Act of 1998 (Title V, Subtitle C); National Highway Traffic Safety Administration Reauthorization Act of 1998 (Title VII, Subtitle A); Sportfishing and Boating Safety Act of 1998 (Title VII, Subtitle D); Veterans Benefits Act of 1998 (Title VIII, Subtitle B); and Surface Transportation Revenue Act of 1998 (Title IX))

BILLS ENACTED INTO LAW—Continued

PUBLIC LAW NO.	DATE ENACTED	BILL NO.	TITLE
105-179	June 16, 1998	H.R. 824	To redesignate the Federal building located at 717 Madison Place, NW., in the District of Columbia, as the "Howard T. Markey National Courts Building".
105-199	July 16, 1998 ...	H.R. 3035	To establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies. National Drought Policy Act of 1998.
105-206	July 23, 1998 ...	H.R. 2676 (H.R. 3978).	To amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes. (TITLE IX—TEA 21 RESTORATION ACT.)
105-218	Aug. 7, 1998 ...	H.R. 643	To designate the United States courthouse to be constructed at the corner of Superior and Huron Roads, in Cleveland, Ohio, as the "Carl B. Stokes United States Courthouse".
105-226	Aug. 12, 1998	H.R. 3504	To amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts and to further define the criteria for capital repair and operation and maintenance. John F. Kennedy Center for the Performing Arts Authorization Act.
105-232	Aug. 13, 1998	S. 1800	To designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse".
105-250	Oct. 9, 1998	S. 1355 (H.R. 2787)	To designate the United States courthouse located at 141 Church Street in New Haven, Connecticut, as the "Richard C. Lee United States Courthouse".
105-258	Oct. 14, 1998 ..	S. 414	To amend the Shipping Act of 1984 to encourage competition in international shipping and growth of United States exports. Ocean Shipping Reform Act of 1998.

BILLS ENACTED INTO LAW—Continued

PUBLIC LAW NO.	DATE ENACTED	BILL NO.	TITLE
105-261	Oct. 17, 1998 ..	H.R. 3616	To authorize appropriations for fiscal year 1999 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, and for other purposes (including provisions relating to the chemical stockpile emergency preparedness program (section 141); submarine solid waste control (section 326); leave without pay for academy cadets and midshipmen (section 562); increase in basic pay for fiscal year 1999 (section 601); and domestic preparedness for response to threats of terrorist use of weapons of mass destruction (section 1404). Strom Thurmond National Defense Authorization Act for Fiscal Year 1999.

BILLS ENACTED INTO LAW—Continued

PUBLIC LAW NO.	DATE ENACTED	BILL NO.	TITLE
105-277	Oct. 21, 1998 ..	H.R. 4328	Making omnibus consolidated and emergency appropriations for fiscal year 1999 (including provisions relating to a six month extension of the Federal Aviation Administration's Airport Improvement Program authorization; a three month extension of the war risk insurance program; air carrier competition; the Denali Commission Act of 1998; the Land Between the Lakes Protection Act of 1998; designation of the Dick Cheney Federal Building in Casper, Wyoming; designation of the Jere Cooper Federal Building in Dyersburg, Tennessee; designation of the Sidney R. Yates Federal Building in Washington, District of Columbia; designation of the Dan Schaefer Federal Building in Golden, Colorado; designation of the David Skaggs Federal Building in Boulder, Colorado; the Western Hemisphere Drug Elimination Act; the Drug Demand Reduction Act; the planning and construction of a visitor center for the U.S. Capitol; and authorization of a flood damage reduction and recreation project at Grand Forks, North Dakota, and East Grand Forks, Minnesota).
105-313	Oct. 30, 1998 ..	H.R. 3055	To deem the activities of the Miccosukee Tribe on the Miccosukee Reserved Area to be consistent with the purposes of the Everglades National Park, and for other purposes.
105-339	Oct. 31, 1998 ..	S. 1021 (H.R. 240)	To amend title 5, United States Code, to provide that consideration may not be denied to preference eligibles applying for certain positions in the competitive service, and for other purposes (including provisions affecting the Federal Aviation Administration). Veterans Employment Opportunities Act of 1998.

BILLS ENACTED INTO LAW—Continued

PUBLIC LAW NO.	DATE ENACTED	BILL NO.	TITLE
105-372	Nov. 12, 1998	H.R. 3267	To direct the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility study and construct a project to reclaim the Salton Sea. Salton Sea Reclamation Act of 1998.
105-383	Nov. 13, 1998	H.R. 2204	To authorize appropriations for fiscal years 1998 and 1999 for the Coast Guard, and for other purposes. Coast Guard Authorization Act of 1998 (Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (Title VI)).
105-393	Nov. 13, 1998	S. 2364 (H.R. 4275)	To reauthorize and make reforms to programs authorized by the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965. Economic Development Administration and Appalachian Regional Development Reform Act of 1998.

BILLS AND RESOLUTIONS PASSED BY THE HOUSE BUT NOT ACTED UPON BY THE SENATE

BILL NO.	PASSED HOUSE	TITLE
H.Con.Res. 31	3/5/97	Expressing the sense of Congress regarding the display of the Ten Commandments in a circuit court in AL.
H.R. 2005	7/28/97	Regarding the application of the Death on the High Seas Act to aviation accidents.
H.R. 29	7/28/97	Designating the "Ronald H. Brown Federal Building" in New York, NY.
H.R. 1502	11/9/97	Designating the "James L. Foreman U.S. Courthouse" in Benton, IL.
H.R. 994	9/23/97	Designating the "Kika de la Garza U.S. Border Station" in Pharr, TX.
H.R. 892	9/14/98	Designating the "Aaron Henry Federal Building and U.S. Courthouse" in Clarksdale, MS.
H.R. 548	11/13/97	Designating the "Ted Weiss U.S. Courthouse" in New York, NY.
H.R. 81	9/23/98	Designating the "Robert K. Rodibaugh U.S. Bankruptcy Courthouse" in South Bend, IN.

**BILLS AND RESOLUTIONS PASSED BY THE HOUSE BUT NOT ACTED UPON BY THE
SENATE—Continued**

BILL NO.	PASSED HOUSE	TITLE
H.R. 2207	11/13/97	Coastal Pollution Reduction Act of 1997.
H.R. 2225	9/9/98	Designating the "Lloyd D. George Federal Building and U.S. Courthouse" in Las Vegas, NV.
H.R. 2379	7/14/98	Designating the "Hiram H. Ward Federal Building and U.S. Courthouse" in Winston-Salem, NC.
H.R. 2187	9/28/98	Designating the "Thurgood Marshall U.S. Courthouse" in New York, NY.
H.R. 3696	8/4/98	Designating the "James F. Battin U.S. Courthouse" in Billings, MT.
H.R. 3982	7/29/98	Designating the "Terry Sanford Federal Building" in Raleigh, NC.
H.R. 4058	7/20/98	Extending the Aviation Insurance Program.
H.R. 3598	9/28/98	Designating the "Richard C. White Federal Building" in Los Angeles, CA.

BILLS PASSED BY THE HOUSE AND SENATE BUT DID NOT BECOME PUBLIC LAWS

BILL NO.	PASSED HOUSE	PASSED SENATE	TITLE
H.R. 1270	10/30/97	4/15/97(S. 104)	Nuclear Waste Policy Act of 1997.
H.R. 3295	9/9/98 ...	6/2/98 (S. 1098)	Designating the "Ronald V. Dellums Federal Building" in Oakland, CA.
H.R. 3445	9/15/98	11/13/97(S. 1213)	Establishing the Commission on Ocean Policy.
H.R. 4057	8/4/98 ...	9/25/98	Airport Improvement Program Reauthorization Act of 1998.
S. 2032	6/2/98 ...	9/14/98	Designating the "Hurff A. Saunders Federal Building" in Juneau, AK.

BILLS REPORTED TO THE HOUSE BUT NOT ACTED UPON

BILL NO.	REPT.	DATED REPTD.	TITLE
H.R. 962	H.Rept. 105-229	7/31/97	Designating the "W. Edwards Deming Federal Building", Suitland, MD.
H.R. 3482	H.Rept. 105-654	7/29/98	Designating the "Abraham Lincoln Federal Building", Los Angeles, CA.
H.R. 3869	H.Rept 105-682	8/6/98	Disaster Mitigation Act of 1998.
H.R. 2748	H.Rept. 105-822, Part I.	10/15/98	Airline Service Improvement Act of 1998.

RESOLUTIONS APPROVED BY THE HOUSE AND THE SENATE (And Cleared)

RES. NO.	AGREED TO BY HOUSE	AGREED TO BY SENATE	TITLE
H.Con.Res. 49..	5/13/97	5/20/97	Authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby.
H.Con.Res. 66..	5/13/97	5/14/97	Authorizing the 16th annual National Peace Officers' Memorial Service on the Capitol Grounds.
H.Con.Res. 67..	5/13/97	5/21/97	Authorizing the use of the Capitol grounds for the 1997 Special Olympics Torch Relay.
H.Con.Res. 98..	7/28/97	7/30/97	Authorizing the use of the Capitol grounds for the SAFE KIDS Buckle Up Car Seat Safety Check.
H.Con.Res. 238..	3/17/98	3/18/98	Authorizing a breast cancer survivors' event sponsored by the National Race for the Cure on the Capitol Grounds.
H.Con.Res. 262..	5/12/98	5/13/98	Authorizing the use of the Capitol grounds for the 1998 District of Columbia Special Law Enforcement Torch Run.
H.Con.Res. 265..	5/7/98	5/8/98	Authorizing the use of the Capitol grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts.
H.Con.Res. 263..	5/12/98	5/13/98	Authorizing the 17th annual National Peace Officers' Memorial Service on the Capitol Grounds.
H.Con.Res. 255..	5/12/98	5/13/98	Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.
H.Con.Res. 298..	7/20/98	7/23/98	Expressing condolences to the State and people of Florida as a result of the wild land fires occurring in June and July 1998.
S.Con.Res. 120..	10/15/98	10/8/98	Redesignating the U.S. Capitol Police headquarters building in Washington, DC, as the "Eney, Chestnut, Gibson Memorial Building".

BILLS APPROVED BY THE SENATE BUT NOT APPROVED BY THE COMMITTEE

BILL NO.	PASSED SENATE	TITLE
S. 495	4/17/97	Chemical and Biological Weapons Threat Reduction Act of 1998 (includes air service agreement and landing rights sanctions).
S. 628	6/17/97	Designating the "Reynaldo G. Garza U.S. Courthouse" in Brownsville, TX.
S. 1222	10/14/98	Estuary Habitat Restoration Partnership Act of 1998.
S. 1324	11/4/97	Deauthorizing a portion of the navigation project for Biloxi Harbor, MS.

**BILLS APPROVED BY THE SENATE BUT NOT APPROVED BY THE COMMITTEE—
Continued**

BILL NO.	PASSED SENATE	TITLE
S. 1531	6/9/98	Deauthorizing portions of the navigation project for Bass Harbor, ME.
S. 1532	6/9/98	Deauthorizing the remainder of the project at East Boothbay Harbor, ME.
S. 1700	7/31/98	Designating the "Robert C. Weaver Federal Building" in Washington, DC.
S. 2131	10/9/98	Water Resources Development Act of 1998
S. 2531	9/21/98	Designating the "Mark McGwire Interstate Route 70" in MO.

BILLS ENACTED INTO LAW

(Summaries of Public Law)

BALANCED BUDGET ACT OF 1997

(Public Law 105–33)

Subsection (a) of section 9101 requires the Administrator of the General Services Administration (GSA), no earlier than fiscal year 2002, to dispose of all rights, title, and interests of the United States in and to the land of, and improvements to, Governors Island, New York, by sale at fair market value.

Subsection (b) of section 9101 gives the State of New York and the City of New York the right of first offer to purchase all or part of Governor's Island at fair market value, as determined by the Administrator of the General Services Administration (GSA). Not later than 90 days after notification by the Administrator of GSA, this right may be exercised by either the State of New York or the City of New York or by both parties acting jointly.

Subsection (c) of section 9101 requires that proceeds from the disposal of Governor's Island be deposited in the General Fund of the U.S. Treasury and credited as miscellaneous receipts.

TAXPAYER RELIEF ACT OF 1997

(Public Law 105–34)

Section 901 of the Taxpayer Relief Act of 1997 transfers revenues from the 4.3 cents-per-gallon motor fuel tax to the Highway Trust Fund as of October 1, 1997. Of the amounts transferred, 80 percent are credited to the Highway Account and 20 percent are credited to the Mass Transit Account.

DESIGNATING THE FEDERAL BUREAU OF INVESTIGATION, WASHINGTON FIELD OFFICE MEMORIAL BUILDING

(Public Law 105–52)

This law designates the Federal building located at 601 Fourth Street, NW, Washington, DC, as the “Federal Bureau of Investigation, Washington Field Office Memorial Building.” This designation is in honor of five FBI agents who were killed in the line of duty while assigned to the Washington Field office. The five agents are William H. Christian, Jr., Martha Dixon Martinez, Michael J. Miller, Anthony Palmisano, and Edwin R. Woodriffe. On May 29, 1995, Special Agent William H. Christian, Jr., was murdered in his car

while out on surveillance detail. On November 22, 1994, Martha Dixon Martinez and Michael J. Miller were conducting official business at the homicide office of the Metropolitan Police Department headquarters, when an individual entered the office and began firing randomly, wounding and, subsequently, killing Martinez and Miller. On January 8, 1969, Agents Anthony Palmisano and Edwin R. Woodruffe were killed while trying to arrest a Lorton escapee in an apartment building in Southeast Washington. This designation reminds all those assigned to the Washington Field Office building of the high price that has been paid for the FBI's work in protecting the lives and safety of the residents of the District of Columbia.

DESIGNATING THE ROBERT J. DOLE UNITED STATES
COURTHOUSE IN KANSAS CITY, KANSAS

(Public Law 105–63)

This law designates the United States courthouse at 500 State Street in Kansas City, Kansas, as the “Robert J. Dole United States Courthouse”. Senator Dole has served and continues to serve his country in many ways. He attended the University of Kansas and Washburn University, but left to join the United States Army during World War II. It was during this tour of duty that Senator Dole was severely wounded in Italy, permanently injuring his right arm. Upon leaving the military he returned to school and earned his college and law degrees, graduating magna cum laude. In 1950, Senator Dole was elected to the Kansas State Legislature. Following his term in state office, he became the prosecuting attorney for Russell County. In 1968, Senator Dole made his bid for the United States Senate, winning the seat by a large margin. Senator Dole became the majority leader of the Senate in 1985, and continued in leadership positions throughout his Senate career. He resigned in 1996 to pursue the Republican Presidential nomination.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL
YEAR 1998

(Public Law 105–85)

This legislation allows the Secretary of Defense and the Secretary of Transportation to authorize a member of the armed forces to serve without compensation as a director, officer, or trustee, in the management of certain non-Federal agencies. This provision includes the Coast Guard Mutual Assistance Organization as one of the non-Federal agencies. This legislation also authorizes the U.S. Maritime Administration for fiscal year 1998.

Section 3606 of this Act amends section 4115 of the Oil Pollution Act to prevent vessel owners from reducing the gross tonnage of single hulled tank vessels to delay the requirement under the Oil Pollution Act to phase out use of such vessels.

DESIGNATING THE DAVID W. DYER FEDERAL BUILDING
AND UNITED STATES COURTHOUSE IN MIAMI, FLORIDA

(Public Law 105–93)

This law designates the Federal building and United States courthouse located at 300 Northeast Frist Avenue in Miami, Florida, as the “David W. Dyer Federal Building and United States Courthouse”. Judge Dyer served on the Federal bench for more than 30 years, establishing himself as one of the finest and most revered jurists in the State of Florida. He served in the United States Army during World War II, rising to the rank of Major. In 1961, President Kennedy appointed Judge Dyer to the United States District Court for the Southern District of Florida. He served as Chief Judge from 1962 until 1966, when President Johnson elevated him to the United States Court of Appeals, Fifth Judicial Circuit. The Fifth Circuit, at that time, was composed of most of the Southern States, and quickly became the Nation’s proving ground in the constitutional war for racial equality. In 1976, Judge Dyer took senior status, and he retired in 1996.

DESIGNATING THE J. ROY ROWLAND UNITED STATES
COURTHOUSE IN DUBLIN, GEORGIA

(Public Law 105–94)

This law redesignates the United States courthouse located at 100 Franklin Street in Dublin, Georgia, as the “J. Roy Rowland United States Courthouse”. Congressman Rowland entered the United States Army during World War II as a Sergeant in command of a machine gun crew in Europe. He was a member of the United States forces that liberated German concentration camps. During his tour of duty he earned the Bronze Star for service in combat. In 1952, Congressman Rowland graduated from the Medical College of Georgia, and continued what was to become a lifetime of public service by providing health care to the people of Dublin, Georgia, as a family practice physician. In 1976, Congressman Rowland was elected to the State Legislature, and served in this capacity until 1982. In 1983, he was elected to the United States House of Representatives. During his Congressional service, Congressman Rowland concentrated on health issues. He was instrumental in stopping the rampant illegal access to and abuse of quaaludes. Congressman Rowland also provided service with his leadership in Congress during formulation and consideration of legislative initiatives on AIDS.

JOHN F. KENNEDY CENTER PARKING IMPROVEMENT ACT
OF 1997

(Public Law 105–95)

This Act authorizes the Kennedy Center to design and construct parking garage additions and site improvements. The construction is to be financed through the issuance of industrial revenue bonds which will be repaid from the operating revenues of the garage fa-

cility. The Act explicitly prohibits the use of appropriated funds for the construction and repayment of any borrowed funds for this project. The Act also authorizes the Kennedy Center to develop plans and pursue projects to modify the site, addressing the most critical security concerns. Capital repair funds and antiterrorism supplemental funds appropriated in fiscal year 1997 will be used for this project. Additionally, the Act places a limitation on the use of appropriated funds for equipment and production costs related to the production of interpretive films. The Act also updates the description of the Kennedy Center site.

TO PERMIT THE CITY OF CLEVELAND, OHIO, TO CONVEY
CERTAIN LANDS THAT THE UNITED STATES CONVEYED
TO THE CITY

(Public Law 105–109)

This public law authorizes the Secretary of Transportation to waive any of the terms contained in the deed issued by the United States and dated January 10, 1967. This deed pertains to the conveyance of lands to the city of Cleveland, Ohio, for use for airport purposes. It further provides that Cleveland conveys an interest in such lands only in exchange for an amount equal to the fair market value of the interest or an equivalent benefit. It also requires that any amount or equivalent benefit that is received by the city be used for: (1) the development, improvement, operation, or maintenance of a public airport; or (2) lands (including any improvements) that produce revenues which are used for airport development purposes.

AMENDMENT TO THE UNIFORM RELOCATION ASSISTANCE
AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

(Public Law 105–117)

Public Law 105–117 prohibits an alien, who is not lawfully present in the United States, from receiving assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Exceptions may be made if a displacing agency determines, by clear and convincing evidence, that a determination of ineligibility for a displaced person would result in exceptional and extreme hardship to another individual who is the displaced person's spouse, parent, or child and who is a citizen of the United States or an alien lawfully admitted for permanent residence.

DESIGNATING THE MARTIN V.B. BOSTETTER, JR. UNITED
STATES COURTHOUSE IN ALEXANDRIA, VIRGINIA

(Public Law 105–122)

This law designates the United States courthouse at 200 South Washington Street in Alexandria, Virginia, as the “Martin V. B. Bostetter, Jr. United States Courthouse”. During World War II, Judge Bostetter served in the United States Navy. Following his

tour of duty, he attended the University of Virginia where he obtained his B.A. degree in 1950 and his Latin Bachelor of Laws degree in 1952. In 1953, Judge Bostetter became the Special Assistant to the City Attorney, serving in the capacity of Prosecutor for the City of Alexandria. He resigned this post in 1957, to become Associate Judge of the Municipal Court of the City of Alexandria. In 1959, he accepted an appointment to the United States Bankruptcy Court for the Eastern District of Virginia. On February 1, 1985, he was appointed Chief Judge of the Court and ranks among the longest sitting full-time bankruptcy judges in the United States.

DESIGNATING THE HOWARD M. METZENBAUM UNITED
STATES COURTHOUSE IN CLEVELAND, OHIO

(Public Law 105–123)

This law designates the Federal building courthouse at Public Square and Superior Avenue in Cleveland, Ohio, as the “Howard M. Metzenbaum United States Courthouse”. Senator Metzenbaum attended Ohio State University, where he earned both his undergraduate and law degrees. In 1942, he became the youngest person elected to the Ohio House of Representatives at that time. He also served in the Ohio State Senate. In 1950, Senator Metzenbaum retired from public office. In 1973, he was appointed to the United States Senate to fill an unexpired term. He lost this seat in the 1974 election, but he was successful in his 1976 bid for the open Senate seat. He has served on the Energy and Natural Resources Committee, the Judiciary Committee, the Select Committee on Indian Affairs, the Labor and Human Resources Committee, and the Budget Committee. He retired at the end of the 103rd Congress.

SURFACE TRANSPORTATION EXTENSION ACT OF 1997

(Public Law 105–130)

Public Law 105–130, the Surface Transportation Extension Act of 1997 (STEA), extended the Intermodal Surface Transportation Efficiency Act of 1991. The STEA provided \$5.5 billion in new budget authority under the highway program as advances to States, which was equivalent to three months of funding. Funds were distributed to States based on fiscal year 1997 distribution of obligation authority. Advances of new budget authority were to be subtracted from each State’s ultimate distribution of funding for fiscal year 1998. In addition, this Act distributed \$9.8 billion in obligation authority to the States, with each state receiving the higher of 50 percent of its fiscal year 1997 allotment of obligation authority or the total of its unobligated balances (up to 75 percent of its 1997 obligation authority). A deadline of May 1, 1998, was enacted to limit the amount of Federal funds obligated by States until a long-term authorization bill was enacted. Allocated highway programs, motor carrier safety and safety programs were funded at 50 percent of 1997 levels. Transit programs were also funded at 50 percent of fiscal year 1997 levels.

AMTRAK REFORM AND ACCOUNTABILITY ACT OF 1997

(Public Law 105–134)

The Amtrak Reform and Accountability Act of 1997 removed many of the statutory restrictions previously imposed on Amtrak by the government. Under the new law Amtrak is free to readjust its route system to meet customer demand. In addition, the law requires Amtrak to redeem its non-voting common stock and allows Amtrak to have a fresh start in its capital structure and stock offerings, including a possible employee stock ownership plan.

The law also calls for a 180-day accelerated bargaining process on the issue of the previously mandated 6-year payment of post-employment salary and benefits. At the end of the bargaining process, Amtrak's statutory and contract terms relating to the 6-year mandate expire and labor and management are free to employ "self-help" measures under the Railway Labor Act. Amtrak's statutory ban on contracting out any work, other than food and beverage service, is repealed, and this ban is inserted into Amtrak's collective bargaining agreements. Negotiations on the issue of contracting out must commence by the date on which the next round of collective bargaining may begin, or November 1, 1999, whichever is earlier.

A new, reform board of directors is also required. The law calls for Amtrak's board of directors to be replaced by a seven-member reform board to be appointed by the President, in consultation with the Congressional leadership, by March 31, 1998. New board members are required to have expertise in transportation, or corporate or financial management.

In addition, Public Law 105–134 establishes a global cap of \$200 million for the death or injury of a passenger, or damage to the property of a passenger in passenger rail accidents and incidents, and requires Amtrak to maintain liability coverage for claims of at least \$200 million.

The law also establishes an independent commission, known as the Amtrak Reform Council, consisting of 11 members to be appointed by the President and the Congressional leadership. The Council is to evaluate Amtrak's performance and make recommendations to Amtrak for achieving further cost containment, productivity improvements and financial reforms. If, at any time more than 2 years after the date of enactment, the Council finds that Amtrak will not meet its financial goals, or that Amtrak will require continued Federal operating subsidies 5 years after the date of enactment, then it shall submit a plan to the Congress for restructuring intercity passenger rail, and Amtrak shall submit a liquidation plan. If the restructuring plan has not been passed by the Congress within 90 days of its submission, a resolution disapproving the liquidation plan shall be considered in the Senate under expedited procedures.

Finally, Public Law 105–134 authorizes appropriations totaling \$5.2 billion over 5 years for Amtrak operating, capital, and Northeast Corridor expenses.

AVIATION INSURANCE REAUTHORIZATION ACT OF 1997

(Public Law 105–137)

Aircraft insurance is, of course, essential to any airline operation. However, commercial insurance companies will often not insure flights to high risk areas such as countries at war or on the verge of war. In many cases, these flights are required to further the foreign policy or national security of the United States. To ensure that flights to high risk areas can operate when needed, Chapter 443 of Title 49 of the U.S. Code authorized the Secretary of Transportation to provide war-risk insurance and reinsurance to commercial airlines. Public Law 105–137 extended the aviation insurance program through December 31, 1998. In addition, the law made some minor changes to the program, in part, which allows the Department of Transportation to use a more accurate estimate of a value of an aircraft.

CLARIFICATIONS TO THE PILOT RECORDS IMPROVEMENT ACT OF 1996

(Public Law 105–142)

Between 1987 and 1994, there were at least seven fatal accidents involving scheduled airlines and pilot error, where the pilot had previously demonstrated problems but the airline was not required to check the pilot's records before making the hiring decision. The Pilot Records Improvement Act was passed in 1996. The Pilot Records Improvement Act of 1996 required airlines, before hiring a pilot, to request the records of that pilot from the FAA, the National Driver Register, and the pilot's previous employer. This was designed to ensure that airlines would be able to make informed hiring decisions. Unfortunately, certain problems developed. The main problem is that the FAA and some airlines have not been able to transfer the required records within the 30 days required by the law. Public Law 105–142 allows all airlines to hire and train pilots before receiving their records. However, they cannot use the pilot to fly passengers until the records are transferred and evaluated. In addition, the law provides further relief for the small air charter companies by allowing them to use the pilot to fly passengers for no more than 90 days before receiving that pilot's records. The law includes other clarifying provisions, such as specifying that a job candidate's past performance as a pilot is the only former employee records a new employer would have to request. In other words, an employer does not have to review a job candidate's past performance in non-pilot jobs.

TO AUTHORIZE THE ACQUISITION OF A FACILITY IN CULPEPER, VIRGINIA, FOR THE LIBRARY OF CONGRESS

(Public Law 105–144)

This legislation authorized the Architect of the Capitol to acquire, without reimbursement, approximately 41 acres of land, plus improvements, located near Culpeper, Virginia, for the use by the

Librarian of Congress for use as a national audiovisual conversation center. The legislation also allowed the Architect to accept funds for the renovation of this facility to store the Library of Congress' extensive collection of motion picture, radio, television and sound recordings. This facility has features that will provide proper temperature and humidity conditions that will preserve these collections, many of which are composed of acetate and nitrate bases, that deteriorate over time.

TO ADDRESS THE NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN AIRCRAFT ACCIDENTS INVOLVING FOREIGN AIR CARRIERS

(Public Law 105–148)

This law amends Federal transportation law to require foreign air carriers to transmit to the Secretary of Transportation and the Chairman of the National Transportation Safety Board a plan for addressing the needs of families of passengers involved in aircraft accidents, which involve foreign air carriers and a significant loss of life.

DESIGNATING THE RONALD REAGAN WASHINGTON NATIONAL AIRPORT

(Public Law 105–154)

Public Law 105–154 states that the Washington National Airport shall hereafter be known and designated as the “Ronald Reagan Washington National Airport.” This law honors former President Reagan for his service to the Nation. The naming of the airport does not require any change in the lease between the Federal government (which owns the airport) and the Metropolitan Washington Airport Authority (MWAA) (which rents the airport from the Federal Government).

FAA RESEARCH, ENGINEERING, AND DEVELOPMENT AUTHORIZATION ACT OF 1998

(Public Law 105–155)

This Act authorizes the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 through 2000.

TO AUTHORIZE A CERTIFICATE OF DOCUMENTATION FOR THE VESSEL PRINCE NOVA

(Public Law 105–157)

This law authorizes the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRINCE NOVA.

DESIGNATING THE WILLIAM AUGUSTUS BOOTLE FEDERAL
BUILDING AND UNITED STATES COURTHOUSE IN
MACON, GEORGIA

(Public Law 105–163)

This law designates the Federal building and United States courthouse located at 475 Mulberry Street in Macon, Georgia, as the “William Augustus Bootle Federal Building and United States Courthouse”. William Augustus Bootle attended Mercer University Law School, where he received his L.L.B. degree in 1925. In 1928, Judge Bootle was appointed Assistant United States Attorney and served as United States Attorney for the Middle District of Georgia until 1933. Upon leaving office, he became Acting Dean of the Mercer University Law School. In addition to holding the position of Acting Dean, Judge Bootle maintained his private law practice and argued and won a case before the U.S. Supreme Court in 1935. In May of 1954, President Eisenhower appointed Judge Bootle to the U.S. District Court. From the time of his appointment until 1962, Judge Bootle single-handedly managed all six divisions of the court, covering 71 counties of Georgia. One of Judge Bootle’s most noteworthy accomplishments as a jurist came in the early 1960’s, when he ruled on admissions policies at the University of Georgia. This ruling led to the integration of schools across the State.

DESIGNATING THE SAM NUNN ATLANTA FEDERAL CENTER
IN ATLANTA, GEORGIA

(Public Law 105–165)

This law designates the Federal building located at 61 Forsyth Street SW., in Atlanta, Georgia, as the “Sam Nunn Atlanta Federal Center”. Senator Sam Nunn served in the United States Coast Guard for 2 years, and served for 8 years in the United States Coast Guard Reserve. Before running for elected office, Senator Nunn served as counsel to the United States House of Representatives’ Committee on Armed Services. In 1968, he was elected to the Georgia State House of Representatives. In November of 1972, he was elected to the United States Senate to fill the vacancy created by the death of Senator Richard Russell. As a United States Senator, Sam Nunn earned a reputation for dedication and integrity. He became an internationally recognized expert on economic policy, defense, and national security. He served as either the Chairman or ranking Democrat on the Senate Armed Services Committee for 12 years. He was considered one of the ablest defense analysts and experts on NATO, nuclear weapons, and manpower. He also served on the Senate Permanent Subcommittee on Investigations and the Senate Small Business Committee. Senator Nunn retired at the end of the 103rd Congress.

AVIATION MEDICAL ASSISTANCE ACT OF 1998

(Public Law 105–170)

This Act directs the Federal Aviation Administrator to reevaluate the equipment in medical kits carried onboard aircraft and the training required of flight attendants. If the Administrator believes that a change is required, the notice of proposed rulemaking must be issued within 1 year after the passage of P.L. 105–170 (enacted April 24, 1998). The law also requires airlines to submit quarterly reports to the FAA for 1 year, which include information on the number of persons who died on aircraft and any information on why the deaths occurred. After the year of airline reports, the Administrator has 120 days to decide on whether or not to require automatic external defibrillators on commercial aircraft or in airports. If the FAA decides to require defibrillators, the Administrator will issue a notice of proposed rulemaking.

TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY

(Public Law 105–178)

The Transportation Equity Act for the 21st Century (TEA 21), authorizes surface transportation programs from fiscal year 1998 through 2003. TEA 21 provides funding and programmatic changes for highway, safety, transit, motor carrier safety, research, and other surface transportation programs.

TEA 21 contains changes to the Federal Budget Act to guarantee that gas taxes are used for their intended purposes. It creates two budget firewalls (one for highways and one for transit) within the Federal Budget to ensure that spending from the Highway Trust Fund is linked to the gas taxes paid by motorists. The firewalls, in effect, guarantee an annual floor for spending on highway, highway safety, and transit programs. This floor is tied to tax receipts received by the Trust Fund. Funding within the firewalls can only be used for programs authorized by TEA 21.

The total amount guaranteed over 6 years is \$162 billion for highways and \$36 billion for transit. This total will change since the firewalls are adjusted annually based on the actual revenues deposited in the Trust Fund. This guarantee is fully paid for and will not require any future reductions in the Federal Budget or compromise the balanced budget agreement. Congress may increase annual funding levels above the levels in the firewalls through the annual appropriations process.

The overall authorized funding level of \$218 billion is 43 percent more than the 6-year funding levels authorized under ISTEA. The \$218 billion in funding is allocated as follows: \$172.6 billion for highway programs; \$2.9 billion for highway safety; \$41.0 billion for transit; and \$1.3 billion for rail.

Title I of the Act reauthorizes the Federal highway program and provides substantial funding increases for the core highway programs: the Interstate Maintenance/National Highway System program, the Bridge Rehabilitation and Replacement program, the Surface Transportation program, the Congestion Mitigation and

Air Quality Improvement Program (CMAQ), and the Minimum Guarantee program.

On an average annual basis, all States will receive more highway funding than they did under ISTEA. The Act contains a single final formula equity adjustment—the Minimum Guarantee—to ensure that no State will receive less than a 90.5 percent return from the Trust Fund on all formula programs. This Minimum Guarantee is calculated after all formula programs, including high priority projects, are distributed to the States. The Minimum Guarantee replaces the multiple equity programs that existed under ISTEA and that didn't cover all formula programs. TEA 21 also eliminates the donor State “penalty” that counted allocations of discretionary grants against a States' return, thus penalizing a donor State that received a discretionary grant.

TEA 21 streamlines Federal oversight of transportation programs. Responsibility is delegated to the States for oversight of projects not on the Interstate, thereby saving time and money. The environmental review process is simplified so that all necessary environmental reviews occur concurrently, where practicable, with set time periods for review. The Act eliminates all decision making authority from the Federal Highway Administration regional offices but maintains division offices located in each State. The Secretary is required to publish criteria used for selecting discretionary grants and disclose how grants made meet the criteria.

TEA 21 builds upon ISTEA's flexibility and local decision making. States can meet programmatic needs by transferring up to 50 percent from all highway program categories to any other highway category (although some core protections for certain programs are maintained.) The planning process is reformed and simplified to give States and metropolitan planning organizations (MPO's) greater flexibility in selecting projects. The project review process is reformed by deleting the Major Investment Study as a stand-alone requirement and integrating it into the planning process.

TEA 21 includes improvements to environmental programs. It significantly increases funding for the CMAQ program while making some minor adjustments to the program's eligibility. Average funding is \$1.35 billion, an increase of 35 percent over fiscal year 1997 levels. It creates a new transit enhancements program to provide dedicated funding for projects to improve the transit experience, such as pedestrian facilities and art in and around transit stations. TEA 21 provides additional encouragement to foster the use of alternative modes of transportation such as bicycles. The Act allows States to permit certain low emission vehicles to use HOV lanes. Significant improvements are made and increased funding is provided for the Recreational Trails program. A total of \$270 million is authorized to States for various trail activities.

Title II reauthorizes highway safety programs. A total of \$1.612 billion is provided from the Highway Trust Fund for safety programs administered by the National Highway Traffic Safety Administration (NHTSA), including section 402 safety grants to States. This represents a nearly 25 percent increase over amounts authorized in ISTEA. An additional \$1 billion in seat belt and .08 BAC incentive safety grants is also provided.

Numerous programs to address drunk driving are established in TEA 21, including: a \$500 million incentive grant program for States that enact .08 BAC laws; increased funding of \$219 million for the section 410 impaired driving grant program along with programmatic reforms to include performance-based factors and to target those drunk drivers who pose the highest risk on the roads; and provisions to encourage States to enact open container laws and minimum penalties for repeat offenders.

TEA 21 creates several new initiatives to increase the use of seat belts around the country, including a \$500 million incentive grant program based on a State's seat belt usage rate; and a \$68 million incentive grant program to reward States for taking certain actions designed to increase occupant protection.

In addition, grants are provided to improve bicycle and pedestrian safety through education, outreach and other programs.

Title III authorizes Federal transit programs. It strengthens and improves the transit formula and capital programs by providing increased resources to transit agencies to meet the transit needs of urban, suburban and rural areas. Average annual transit funding increases by 50 percent. It also maximizes flexibility to transit operators by allowing small urban areas to use transit funds for capital and operating expenses, and by allowing all transit operators to use transit funds for a wider range of transit maintenance activities. Continued growth in transit investment is ensured by maintaining CMAQ and STP eligibility for transit, and giving transit agencies and local governments greater flexibility to determine how best to spend transit and highway funds.

The Act establishes a \$750 million Access to Jobs program that funds projects to transport current and former welfare recipients and other low income persons to jobs and job-related activities. It advances transit research by increasing funding for research programs and creating new program eligibilities. Funding is provided to over-the-road bus operators to comply with the Department of Transportation's final rule regarding accessibility of over-the-road buses to the disabled.

Motor carrier safety programs are reauthorized in Title IV and are revised to focus on performance-based goals. States are provided more flexibility to target those carriers and drivers that provide the greatest risk. A total of \$579 million is authorized for the motor carrier safety assistance program which provides grants to States for motor carrier safety purposes, a 20 percent increase over amounts authorized in ISTEA. An additional \$65 million is dedicated to improving information systems to ensure that the Department of Transportation and the States have accurate data on motor carrier and driver safety, which is critical in moving toward a performance-based system.

A new Federal program is created in Chapter I, Subtitle E of Title I to provide financial assistance to revenue generating surface transportation projects. Under this program, the Secretary may approve secured loans, lines-of-credit and loan guarantees for highway and bridge projects, transit projects, inter-city bus and passenger rail projects and Amtrak capital improvements costing \$100 million or more. The Secretary may make up to \$10.6 billion in

credit available over 6 years. TEA 21 provides \$530 million over 6 years to cover subsidy costs required by the Federal Credit Act of 1990. Chapter 2 of Subtitle E creates a State Infrastructure Bank pilot program that allows four States to use their Federal-aid highway and transit apportionments to fund State Infrastructure Banks (SIBs) to assist projects.

Title V of TEA 21 provides \$3.3 billion in funding for surface transportation research and development. It includes education, training, and outreach provisions to guarantee that States and local governments have knowledge about and access to state-of-the-art technologies and practices that will provide the most cost-effective and safest surface transportation systems. The Act supports strong Federal leadership in research, development, and deployment of intelligent transportation systems (ITS) in both metropolitan and rural areas.

TEA 21 authorizes \$900 million toward the construction of a new bridge over the Potomac River to replace the crumbling Woodrow Wilson Bridge and preserve this major north-south route for East Coast interstate traffic. The Appalachian Development Highway System is brought under the Highway Trust Fund and \$2.3 billion is provided toward completing the System. A total of \$700 million is dedicated for national corridors to address NAFTA-related traffic and other corridors, which have emerged in the post-Interstate era, and to meet infrastructure and safety needs along the border.

The Act continues the authorization for the Disadvantaged Business Enterprises Program to provide disadvantaged businesses the opportunity to participate in the increased Federal-aid transportation program. \$4.1 billion is provided for roads on Indian Reservations, public lands, national parks and wildlife refuges to preserve and enhance access to America's national parks and forests and other Federal lands. Magnetic Levitation (MagLev) development is encouraged through providing funding to select and develop a MagLev corridor. The Scenic Byways program to designate and promote America's most scenic and historic roads is continued at \$150 million. A new \$50 million general fund program is established to preserve, protect and conduct research on America's historic covered bridges.

An incentive grant program is created in Subtitle C of Title VII to encourage States to adopt and implement minimum Federal standards for one-call notification programs, or an alternative program achieving the same level of protection, in order to minimize damage to pipelines and other underground facilities during excavation. The program is voluntary and does not impose mandates on States. The Secretary of Transportation, in cooperation with other interested parties, is directed to review one-call system best practices. A total of \$6 million for fiscal years 2000 and 2001 is authorized for the grants.

Subtitle D of title VII of TEA 21, is the Sportfishing and Boating Safety Act of 1998. This legislation amends the Sport Fish Restoration Program administered by the Secretary of the Interior through the Fish and Wildlife Service, and the Recreational Boating Safety Program administered by the Secretary of Transportation through the Coast Guard. Changes to these two programs include establish-

ing a new boating and fishing outreach and communications initiative, called the National Outreach and Communications Program; ensuring that individual States receive between \$59 million and \$72 million annually for State boating safety programs; and establishing a program to improve boating infrastructure, by providing funds to the States for the development and maintenance of public facilities for transient nontrailerable recreational vessels.

Closely paralleling the House-approved rail title of TEA 21, Subtitle B of Title VII of TEA 21, as enacted, reauthorizes Federal programs established in the Swift Rail Development Act of 1994 to assist in research and development as well as in corridor planning activities for eventual high-speed passenger rail service. The Act also authorizes general fund assistance for pilot projects to assist in infrastructure improvements on light-density freight rail lines. Most significantly, TEA 21 enlarges and expands direct and guaranteed loan programs first established under the Railroad Revitalization and Regulatory Reform Act of 1976. Under TEA 21, all forms of rail infrastructure—passenger, freight, commuter, and high-speed—as well as intermodal facilities with a rail component, are eligible for such loans. The permanent authorization allows up to \$3.5 billion in the face amount of loans to be outstanding at any one time, of which \$1 billion is reserved solely for improvements on non-Class I railroads. The legislation also creates an alternative to the former universal requirement that the credit risk premium (security deposit) to support each loan be appropriated in Federal funds. The new law permits either appropriated funds or funds provided by outside private or public sources to be used for this purpose.

DESIGNATING THE HOWARD T. MARKEY NATIONAL COURTS BUILDING IN WASHINGTON, DISTRICT OF CO- LUMBIA

(Public Law 105–179)

This law redesignates the Federal building located at 717 Madison Place, NW., in the District of Columbia, as the “Howard T. Markey National Courts Building”. Howard T. Markey presided on the United States Court of Appeals for the Federal Circuit from the court’s creation in 1982, until he stepped down as Chief Judge. He also served as Judge and Chief Judge of the former Court of Customs and Patent Appeals. After stepping down from the bench, he served as Dean of the John Marshall School of Law in Chicago, Illinois. Apart from his monumental contributions to American jurisprudence, through his arguments at the bar and his opinions from the bench, Judge Markey has had a profound impact upon our legal system, by leading the movement that culminated in the creation of the Federal Circuit.

NATIONAL DROUGHT POLICY ACT OF 1998

(Public Law 105–199)

This Act establishes a Commission to report to the President and Congress on ways to coordinate and improve drought management

policies. The National Drought Policy Commission, to be composed of Federal, State, local and private sector representatives, will provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for, and respond to, serious drought emergencies.

TEA 21 RESTORATION ACT

(Public Law 105–206, Title IX)

Title IX of Public Law 105–206 restores provisions to the Transportation Equity Act for the 21st Century (TEA 21) that were agreed to by conferees but were inadvertently not included in the final conference report. It also makes other technical corrections to TEA 21 following review of the Act.

DESIGNATING THE CARL B. STOKES UNITED STATES COURTHOUSE IN CLEVELAND, OHIO

(Public Law 105–218)

This law designates the United States courthouse to be constructed at the corner of Superior and Huron Roads, in Cleveland, Ohio, as the “Carl B. Stokes United States Courthouse”. Carl Stokes began his distinguished public service career when he was elected to the Ohio General Assembly in 1962. In 1967, Mr. Stokes became the first African-American to become Mayor of a major American city, Cleveland. Mr. Stokes won a second term in 1969 and was unanimously voted President-elect of the National League of Cities. Deciding not to seek a third term as mayor, Mr. Stokes turned to the field of journalism. In 1971, he became a television journalist for WNBC-TV in New York City, where he eventually became anchorman. For his duties as the Urban Affairs Editor, he won an Emmy Award. In 1983, Carl Stokes was elected a Judge on the Cleveland Municipal Court. In 1994, President Clinton appointed him Ambassador of the African Island Republic of Seychelles. In this position, Ambassador Stokes assisted emerging African nations to make the transition to democracy. Ambassador Stokes died in 1996, after a battle with cancer.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS AUTHORIZATION ACT OF 1998

(Public Law 105–226)

This Act authorizes appropriations for the Kennedy Center and further defines the criteria for capital repair, operations and maintenance. The Act authorizes a total of \$146 million over the next five years: \$59 million for operations, maintenance and security, and \$87 million for capital repairs. The Act also clarifies the use of Federal funds for capital repair and maintenance of the facility and permits the Kennedy Center to make changes to the building in order to maintain its functionality. Finally, the Act eliminates

the requirement for an audit to be conducted by the General Accounting Office (GAO) at least every three years.

DESIGNATING THE JOSEPH P. KINNEARY UNITED STATES
COURTHOUSE IN COLUMBUS, OHIO

(Public Law 105–232)

This law designates the Federal Building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the “Joseph P. Kinneary United States Courthouse”. Joseph P. Kinneary began his public career in 1937, serving as Assistant Attorney General of Ohio. Judge Kinneary served in the United States Army from 1942 until 1945. He returned to public office in 1949, becoming the First Assistant Attorney General of Ohio. In 1961, President Kennedy appointed him United States Attorney for the Southern District of Ohio. He was re-appointed to this post by President Johnson in 1965. In 1966, President Johnson appointed Kinneary to the bench of the United States District Court for the Southern District of Ohio. He served as Chief Judge from January 1973 until September 1975. At the age of 92, Judge Kinneary continues to preside on the Federal bench and continues to draw an active docket.

DESIGNATING THE RICHARD C. LEE UNITED STATES
COURTHOUSE IN NEW HAVEN, CONNECTICUT

(Public Law 105–250)

This law designates the United States courthouse located at 141 Church Street in New Haven, Connecticut, as the “Richard C. Lee United States Courthouse”. In 1939, Richard Lee was elected to New Haven’s Board of Aldermen. After he was sworn in to the unpaid municipal post, he also became the associate secretary of the Chamber of Commerce. After serving in the U.S. Army, Lee resumed his alderman responsibilities and accepted a position with the Yale News Digest. In November of 1953, Richard Lee was elected Mayor of New Haven. Mayor Lee went on to serve for eight consecutive terms, winning re-election by margins as high as 20,000 votes. In 1962, Mayor Lee was elected President of the United States Conference of Mayors. His most notable contribution as mayor, was his foresight in initiating and implementing urban redevelopment and renewal programs in the city.

OCEAN SHIPPING REFORM ACT OF 1998

(Public Law 105–258)

Public Law 105–258 amends the Shipping Act of 1984 and other related U.S. shipping laws to encourage competition in international ocean shipping and growth in United States exports. The most important provisions of this legislation provide American businesses with the freedom to keep their ocean transportation contract prices confidential from their foreign competitors. These pro-

visions will increase the competitiveness of American businesses internationally.

The Act is a major step forward in the process of deregulating international ocean shipping. The Act maintains antitrust immunity for ocean carrier conferences, requires private tariff publication and continued enforcement of tariffs by the Federal Maritime Commission, authorizes confidential transportation prices for shippers, and authorizes \$15 million for operation of the Federal Maritime Commission for fiscal year 1998.

It also clarifies section 19 of the Merchant Marine Act of 1920 to prohibit unfair pricing of liner services by foreign carriers and further tightens the oversight of controlled carrier tariffs.

The Federal Maritime Commission must issue regulations to implement the amendments in this bill by March 1, 1999. The amendments contained in the bill become effective on May 1, 1999.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

(Public Law 105–261)

This legislation contains several provisions to bring Coast Guard personnel benefits and other matters into line with those of the Department of Defense. P.L. 105–261 allows the Secretary of Defense or the Secretary of Transportation to place an academy cadet or midshipman, including a Coast Guard Academy cadet, on involuntary leave for any period during which the Superintendent of the Academy, at which the cadet or midshipman is admitted, has suspended the cadet or midshipman from duty at the Academy.

Section 141 requires the Director of the Federal Emergency Management Agency to carry out a program to provide assistance to State and local governments in developing capabilities to respond to emergencies arising from the storage or destruction of chemical weapons in the United States.

Section 326 of this Act amends section 3 of the Act to Prevent Pollution from Ships to allow submarines to discharge non-plastic garbage that has been compacted and weighted to ensure negative buoyancy.

Title 14 of the Act includes the Defense Against Weapons of Mass Destruction Act of 1998, which directs the President to increase the effectiveness of the domestic emergency preparedness program for response to terrorist incidents involving weapons of mass destruction.

OMNIBUS CONSOLIDATED APPROPRIATIONS ACT FOR FISCAL YEAR 1999

(Public Law 105–277)

Public Law 105–277 includes a six month reauthorization of the Federal Aviation Administration's Airport Improvement Program. In addition, the law includes a provision requiring major airlines forming joint ventures, like code-sharing, to notify the Department

of Transportation (DOT) prior to the alliance enactment. The law also provides DOT with time for review before the joint venture is implemented. The law requires that the Department complete further studies if it decides to finalize proposed guidelines on competitive practices in the airline industry. P.L. 105-277 also requires that the National Research Council update a study it completed in 1991 on aviation competition. Finally, the law includes an extension of the War Risk Insurance program to March 31, 1999. The law includes a new provision permitting a lawsuit by an insurance company, when that company is subrogated to the rights of an airline and the company has paid the airline for damage to an aircraft that is covered by premium insurance under the war risk program.

The Omnibus Consolidated Appropriations Act for Fiscal Year 1999 includes a slightly modified version of the Land Between the Lakes Protection Act, which requires the Tennessee Valley Authority (TVA) to transfer the Land Between the Lakes to the Forest Service in any year in which TVA does not receive an appropriation of at least \$6 million to manage this property.

This Act includes the Denali Commission Act of 1998. This Act establishes a commission to develop a comprehensive work plan for rural and infrastructure development in Alaska. The purpose of the Act is to provide job training, promote rural development, provide power generation and communication facilities, provide water and sewer systems, and meet other infrastructure needs in Alaska. The Commission is funded from interest on proceeds transferred to the Oil Spill Liability Trust Fund from the Trans-Alaska Pipeline Liability Fund.

The Act includes the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Mitigation Act of 1997, which, among other things, requires the Corps of Engineers to transfer certain lands to the Department of the Interior to be held in trust for use by Indian tribes. This Act also includes a few provisions that authorize activities of the Corps of Engineers or projects that would have been authorized in the Water Resources Development Act of 1998.

The Omnibus Consolidated Appropriations Act for Fiscal Year 1999 establishes a new program within the Department of Housing and Urban Development for disaster relief, long-term recovery from disasters, and mitigation for communities affected by Presidentially-declared national disasters.

The Act also requires the Coast Guard to issue regulations that implement the Edible Oil Regulatory Reform Act by March 31, 1999, and to comply with such Act when it issues regulations regarding edible oils.

Title VIII contains the Western Hemisphere Drug Elimination Act. This legislation is a strong move by Congress to address the recent 32 percent increase in illicit drug use by American teenagers, by providing resources for Federal agencies to stop the flow of illegal drugs into our country. Aggressive interdiction of illegal drugs raises the street price of drugs, resulting in a direct reduction in drug use, especially among price sensitive teenagers.

The Western Hemisphere Drug Elimination Act provides billions of dollars in funding during fiscal years 1999, 2000, and 2001 for

the U.S. Customs Service, the U.S. Coast Guard, the Department of Defense, the Department of State, the U.S. Agency for International Development, the Department of Agriculture, and the Drug Enforcement Administration to enhance their current drug interdiction programs, as well as to establish new interdiction and source country programs.

Under this new law, the U.S. Coast Guard will receive \$151 million for each of the next three fiscal years to expand drug interdiction activities around Puerto Rico, the United States Virgin Islands, and its other maritime transit zone areas of operation. The Coast Guard is also authorized to spend \$630 million to purchase equipment which will allow the Coast Guard to enhance its drug interdiction operations. Finally, the Coast Guard is authorized to spend \$15 million to establish, operate, and maintain maritime training vessels to visit participating Latin American and Caribbean nations to provide law enforcement training and to perform maintenance on participating national assets.

DICK CHENEY FEDERAL BUILDING

Public Law 105-277 designates the Federal building and Post Office in Casper, Wyoming, as the "Dick Cheney Federal Building." After completing his Congressional Fellowship in 1969, Mr. Cheney joined the Nixon Administration. He served as Assistant Director for the Cost of Living Council, Special Assistant to the Director at the Office of Economic Opportunity, and as a White House Staff Assistant. At the commencement of President Ford's Administration, Mr. Cheney served as a member of the transition team. He went on to serve as Deputy Assistant to President Ford from 1974-1975. In 1975, at the age of 34, Mr. Cheney was appointed Assistant to the President and White House Chief of Staff. He continued to serve in this capacity until the end of the Ford Administration. In 1978, following his career in the executive branch, Cheney was elected to Wyoming's at-large seat in the U.S. House of Representatives. At the end of his first term, his Republican colleagues selected him to serve as Chairman of the Republican Policy Committee. Congressman Cheney was reelected to serve in the House for five more consecutive terms. He became Chairman of the Republican Conference and House Minority Whip during his tenure. In March of 1989, President George Bush appointed Cheney Secretary of Defense, a position he held until January of 1993. Secretary Cheney's efforts and leadership during the "Desert Storm" operation led President Bush to award him the Presidential Medal of Freedom on July 3, 1991.

SIDNEY R. YATES FEDERAL BUILDING

Public Law 105-277 designates the Federal building located in the District of Columbia as the "Sidney R. Yates Federal Building." Congressman Yates held Illinois State Assistant Attorney General positions from 1935 until 1940. He served in World War II as a Lieutenant in the United States Navy from 1944 until 1946. He was elected to Congress in 1948 and became a member of the Appropriations Committee in January 1949. Congressman Yates became the Chairman of the House Interior Appropriations Sub-

committee in 1975 and served in this role for twenty years. During his tenure in Congress, Congressman Yates has championed issues related to public lands, energy research, and the arts and humanities. Mr. Yates was also a leader in expanding the wildlife refuge system and oversaw the minerals management program in the 1980's. He was an active voice for Native Americans and has played an active role in the policy development of the Forest Service, to promote their recreational component as part of their multiple use mandate. Congressman Yates will retire at the end of the 105th Congress after 48 years of public service.

JERE COOPER FEDERAL BUILDING

Public Law 105-277 designates the Federal building located in Dyersburg, Tennessee, as the "Jere Cooper Federal Building." Congressman Jere Cooper, in 1917, enlisted in the Second Tennessee Infantry, National Guard, and was commissioned a First Lieutenant. He saw action in France and Belgium during World War I. During the war he was promoted to Captain and served as regimental adjutant until his discharge in 1919. Congressman Cooper began his career of public service as a member of the city council and city attorney from 1920 through 1928. In addition to holding these positions, he was elected to the post of State Commander of the American Legion of Tennessee. In 1929, Congressman Cooper was elected to the Seventy-first United States Congress, representing a major portion of what is now the Eighth Congressional District of Tennessee. During Congressman Cooper's three decades of service in the House of Representatives, he distinguished himself on the Committee on Ways and Means as a member and as its Chairman. In addition, he served as Chairman of the Joint Committee on Internal Revenue Taxation. Congressman Cooper died in 1957.

DESIGNATING TWO FEDERAL BUILDINGS IN COLORADO

This law also designates a Federal building in Golden, Colorado, as the "Dan Schaefer Federal Building"; and designates a Federal building in Boulder, Colorado, as the "David Skaggs Federal Building". Both of the Colorado Representatives are retiring at the end of the 105th Congress.

MICCOSUKEE RESERVED AREA ACT

(Public Law 105-313)

The Miccosukee Reserved Area Act establishes the rights and authorities of the Miccosukee Tribe of Indians of Florida in the Miccosukee Reserved Area, a designated area of land within the Everglades National Park. This legislation also provides for the protection of Everglades National Park, including the applicability of requirements under the Clean Water Act, and establishes dispute resolution procedures to resolve disputes between the Federal and Tribal governments over implementation of the Act.

VETERANS EMPLOYMENT OPPORTUNITIES ACT OF 1998

(Public Law 105–339)

This Act amends Federal employment provisions to prohibit veterans' preference eligibles or veterans, who have been separated from military service under honorable conditions after three years of active service, from being denied the opportunity to compete for vacant positions within Federal agencies. This covers agencies, which make announcements that they will accept applications from individuals outside of their own workforce under merit promotion procedures.

The legislation amends the Department of Transportation and Related Agencies Appropriations Act of 1996 to apply veterans' preference requirements to reductions in force in the Federal Aviation Administration.

SALTON SEA RECLAMATION ACT OF 1998

(Public Law 105–372)

The Salton Sea Reclamation Act of 1998 authorizes the Secretary of the Interior to conduct a feasibility study of a project to reclaim the Salton Sea. This Act also authorizes the Secretary of the Interior to take emergency action to improve water quality in the Alamo River and the New River and allows the use of a constructed wetlands project to achieve this goal.

COAST GUARD AUTHORIZATION ACT OF 1998

(Public Law 105–383)

The primary purpose of this legislation is to authorize the expenditures of the U.S. Coast Guard for fiscal years 1998 and 1999. The Coast Guard Authorization Act of 1998 authorizes the portion of the Coast Guard budget that requires an authorization at the level of \$4.122 billion for fiscal year 1999. This amounts to approximately \$91 million more than was requested by the President for the Coast Guard during fiscal year 1999. Most of the additional authorization is to increase Coast Guard illegal drug interdiction activities.

Title I authorizes Coast Guard appropriations, active-duty military strengths, and military training student loads for fiscal years 1998 and 1999. Title I also authorizes funds for operation of the LORAN–C navigation system and requires the Secretary of Transportation to develop a plan for cost-sharing among Federal agencies for operating and capital costs of LORAN–C.

Title II contains many provisions related to internal Coast Guard management matters. These include changing the severance pay for certain Coast Guard personnel, implementing and funding Coast Guard award programs, providing law enforcement authority for special agents of the Coast Guard investigative service, requiring a study on Coast Guard excess property, and prohibiting the

Secretary of Transportation from charging maritime user fees until December 31, 2001.

Title III includes various amendments concerning marine safety and waterways services management. This title extends the territorial seas of the United States for the purposes of certain shipping and environmental laws, establishes a penalty for negligent operating of a vessel and interfering with the safe operation of a vessel, provides new procedures and penalties related to alcohol testing of vessel crew members following marine casualties, and protects Coast Guard casualty investigations from mandatory release. Title III also eliminates the double regulation of coal tar, requires the Secretary of Transportation to promulgate regulations for towing vessels and barge safety in the Northeast, allows the Secretary to establish a ship reporting system for the Right Whale on the East Coast of the United States, and requires the Secretary to report to Congress on the areas that cannot be served by a Coast Guard search and rescue helicopter within two hours of a distress report.

Title IV contains amendments to implement the Coast Guard vessel identification computer system; conveys Coast Guard Reserve Training Center in Jacksonville, Florida, to the city of Jacksonville, Florida; provides coastwise trade waivers for approximately 65 vessels; conveys the Coast Guard Recreation Facility, Nahant, Massachusetts, to the Town of Nahant; deems the Schuylkill River Bridge in Philadelphia, Pennsylvania, to be an unreasonable obstruction to navigation; lowers the financial responsibility requirements for oil spill response vessels; conveys the Long Branch Rear Range Light, Jacksonville, Florida, to Jacksonville University; establishes penalties for vessels that are detained by the Coast Guard for violation of an international safety standard; allows the Coast Guard to recognize Grand Haven, Michigan, as Coast Guard City U.S.A.; conveys Coast Guard Communication Station Boston Marshfield Receiver Site, Marshfield, Massachusetts, to the town of Marshfield; clarifies the oil spill liability for oil spill response organizations; allows the recreational vessel TURMOIL to be documented as a U.S. flag vessel; conveys Coast Guard property in Sault Sainte Marie, Michigan, to the American Legion Post No. 3; requires the Coast Guard to continue to enforce the current policy for regulating incidental vessel discharges of residues of dry bulk cargo into the Great Lakes, until September 30, 2002; conveys 11 Coast Guard lighthouses to local nonprofit historical organizations; conveys Coast Guard LORAN Station, Nantucket, Massachusetts, to the Town of Nantucket; conveys two decommissioned Coast Guard vessels to Canvasback Mission, Inc.; extends the authority to convey the S/S Red Oak Victory; transfers Coast Guard Ocracoke Light Station to the Secretary of the Interior; clarifies the U.S. citizenship requirement for corporations owning U.S. flag vessels; exempts dredges from oil tank vessel requirements; requires the Coast Guard to conduct a study on double hull alternative vessel designs; amends the Shipping Act of 1984 to allow U.S. flag vessel operators to agree to exclude foreign operators from carrying cargo preference cargo; requires the Coast Guard to report to Congress on SWATH vessel technology and on marine guidance systems; requires the Panama Canal Commission to report to Congress on methods employed in the calculation of Panama Canal

tolls; allows the conveyance of certain American Victory ships to eligible groups; allows the conveyance of certain National Defense Reserve Fleet vessels for humanitarian purposes; corrects the property description of property previously transferred in Lake Charles, Louisiana; and provides a coastwise trade waiver for the Barge APL-60.

Title V establishes an administrative process for granting coastwise trade waivers for small passenger vessels.

Title VI, the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, includes provisions to allow for the study of toxic algal blooms, such as red tide, brown tide, and pfiesteria, which endanger natural resources and threaten the delicate ecological balance of coastal areas.

ECONOMIC DEVELOPMENT ADMINISTRATION AND APPALACHIAN REGIONAL DEVELOPMENT REFORM ACT OF 1998

(Public Law 105-393)

Public Law 105-393 reauthorizes and reforms the programs of the Economic Development Administration (EDA) for five years and the Appalachian Regional Commission (ARC) for three years. This legislation reauthorizes the EDA and tightens eligibility criteria to ensure that EDA targets distressed communities, simplifies application procedures, creates a 50 percent cost sharing requirement between the grantor and grantee, and better coordinates Federal-State partnerships. Monies authorized are for economic development programs, Federal-State partnerships, assistance for distress due to base closures or military cutbacks, natural disasters, and for administrative expenses. The legislation also updates ARC authorizations by repealing a number of outdated and unnecessary provisions in current law. These include mine area restoration, survey requirements, airport safety improvement, sewage treatment programs, and housing programs.

COMMITTEE VIEWS AND ESTIMATES REPORTS

Pursuant to section 310(d) of the Congressional Budget Act, the Committee submitted its Views and Estimates Reports to the Committee on the Budget for fiscal years 1998 and 1999 on March 13, 1997, and March 16, 1998, respectively.

These reports, intended to provide the Budget Committee with an early and comprehensive indication of Committee legislation plans for the next fiscal year, contained the views and estimates of new budget authority and outlays to be authorized in legislation under the Committee's jurisdiction which would become effective during the next fiscal year.

SUMMARY OF ACTIVITIES OF THE FULL COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

“Y2K: WILL WE GET THERE ON TIME?”

The Transportation and Infrastructure Committee held a series of hearings in September and October of 1998 to examine the Year 2000 (Y2K) computer problem as it relates to the transportation industry and the Nation's infrastructure. The goal of these hearings is to ensure that the Federal, State and local governments and industry groups are focusing on resolving their Y2K problems, as well as communicating with each other. Transportation and infrastructure play an integral role in all aspects of economic productivity. Therefore, the Committee felt an obligation to assess the risk and ensure that the Nation's safety was a top priority as these groups prepare for the new millennium. For this reason, the hearings examined all aspects of the industry including railroads, transit, highways, shipping, pipelines, aviation, public buildings and water resources.

We believe that these hearings helped to educate our Members, open the lines of communication between industry partners, and increase awareness. The Committee will continue to oversee Y2K efforts within the transportation and infrastructure sectors and hopes to conduct follow up hearings in the Spring.

AVIATION ISSUES

The first day of the Y2K hearings, September 29, began with the Honorable William F. Clinger Jr., former Chairman of the House Committee on Government Reform & Oversight; Mr. Bruce F. Webster, Co-Chair of the Washington D.C. Year 2000 Group; and Mr. David E. Sullivan, President & CEO of the Zonar Corporation. They opened the hearing with some overall observations on the year 2000 problem. The hearing then focused on Y2K issues in the Federal Aviation Administration (FAA) and in the aviation industry. Federal Aviation Administrator, Jane F. Garvey, testified that the FAA has taken decisive actions concerning some of its most vulnerable systems. As a result, FAA has improved its Y2K situation and is reporting that most of its systems will meet the Office of Management and Budget established deadlines for Y2K restoration. Nevertheless, there is still significant work to be accomplished. Ms. Carol B. Hallett, President & CEO of the Air Transport Association, Mr. Walter S. Coleman of the Regional Airline Association, and airport representatives also testified on how they were dealing with the Y2K issue.

RAIL ISSUES

On October 2, the Committee held a hearing on how the Year 2000 issue will affect the railroad industry and the Federal agencies that regulate railroads. Testimony was received from the Surface Transportation Board, Railroad Retirement Board, Federal Railroad Administration and the Association of American Railroads.

HIGHWAY, TRANSIT, AND PIPELINE ISSUES

On October 2, the Committee heard from a panel of transit experts representing Federal and local perspectives. Transit systems vary widely in their automation and computer dependence. As a result, every transit agency has different Y2K risks. The Federal Transit Administration has been actively working with transit agencies to determine their individual risk and help develop solutions and contingency plans.

On October 6, the Committee was addressed by a panel of Federal, State, and local highway officials. Federal Highway Deputy Administrator Gloria Jeff outlined Federal Y2K outreach efforts. The Committee also received testimony from the Minnesota Department of Transportation and the Montgomery County, Maryland, officials describing their management and execution of strategic plans.

On October 6, the Committee received testimony regarding potential Y2K problems in the oil and gas pipeline industries. This included receiving testimony from the Research and Special Programs Administration, which oversees pipeline safety, and the Federal Energy Regulatory Commission, which monitors the economic activities of gas and oil pipeline companies. The Committee also heard from a gas pipeline operator and an oil pipeline operator. The oil and gas industries have been working in cooperation with the Federal government to formulate and implement Y2K strategies.

PUBLIC BUILDINGS ISSUES

The hearing scheduled on the morning of Tuesday, October 6, 1998, focused on matters relating to public buildings under the jurisdiction of the Committee, namely, the inventory managed by the Public Buildings Service (PBS) of the General Services Administration, the U.S. Capitol Complex, and the Smithsonian Institution.

PBS is charged with the responsibility of managing the facilities-related systems of its inventory that may be affected by the January 1, 2000 computer problems. Systems such as elevators, heating/air-conditioning, fire alarms, and security that are date sensitive may not function. To address the problem, PBS is working to implement a Year 2000 building infrastructure program based on the guidance of the General Accounting Office (GAO). The Architect of the Capitol, faced with similar challenges, is also in the process of executing a schedule to address systems failures, based on GAO guidance. The Smithsonian Institution is in the process of converting the security systems in place to protect the museums' collections, as well as evaluating its building systems for Y2K problems.

COAST GUARD AND MARITIME ISSUES

On October 7, the first panel of the fourth hearing in the Y2K series focused on how this problem was being addressed by the U.S. Coast Guard and the maritime industry. On this panel, testimony was heard from representatives of the Coast Guard, the Maritime Administration, the Chamber of Shipping of America, and the International Association of Independent Tanker Owners (INTERTANKO).

Rear Admiral George Naccara, Director of the Coast Guard Office of Information and Technology, testified about the repair of the Coast Guard's own information systems, the Coast Guard's contingency planning initiatives, its outreach to the maritime industry, and the cost of all of these efforts to the Coast Guard. Admiral Naccara stated that the Coast Guard's own information technology will be ready and operating on January 1, 2000. The Coast Guard's boats, ships, and planes will operate smoothly in the year 2000. The Coast Guard will participate with the other U.S. Armed Forces in the Joint Chief of Staff's operation, "Positive Response Y2K", in 1999. This operation will focus on the Y2K readiness of the Armed Forces. Admiral Naccara also pointed out that even if the Coast Guard systems and equipment are prepared for the Year 2000, there is the potential for failure across the country, in public infrastructure, among Coast Guard suppliers and business partners, and in the industry it regulates. The Coast Guard is working to properly prepare for these external disruptions and will be ready to assist others who have Y2K failures, including other U.S. Government agencies, the maritime industry and boating public, and other governments in the hemisphere. The Coast Guard is also mounting several outreach initiatives to make the worldwide maritime industry aware of the potential problems associated with the Y2K computer problem. Finally, Admiral Naccara reported that the estimate for the overall Coast Guard Y2K cost is \$34 million.

John Graykowski, Deputy Maritime Administrator (MARAD) for Inland Waterways and Great Lakes, testified about MARAD's and the maritime industry's efforts to prepare for the problems associated with the Year 2000. He reported that the repair of MARAD's own internal information systems is progressing, and he is confident that these systems will be ready by the end of 1999. As of September 30, 1998, MARAD had completed the assessment and renovation of all of their mission critical application systems. MARAD estimates the cost for completing the entire Y2K effort in both headquarters and the field to be approximately \$2.7 million. Like the Coast Guard, MARAD reports conducting outreach to the maritime industry to help it prepare for Y2K. Mr. Graykowski further reported that the maritime industry must focus its attention on the numerous vessel based internal systems operated to a large degree by computers, including systems affecting navigation, timekeeping, propulsion, communications and cargo operations. Finally, Mr. Graykowski noted that industry signals appear to indicate that while most companies are currently busy trying to identify their own potential problems, they are confident that they will be able to become Y2K compliant with regard to their most critical internal systems.

Kathy Metcalf, Director of Maritime Affairs at the Chamber of Shipping of America, testified about the nature and scope of the Y2K challenge in the marine transportation industry, the status of their members' Y2K assessment and contingency planning, and proposals for future Y2K collaborative efforts among the various trade associations, government agencies and international colleagues. Ms. Metcalf also reported that her organization is developing a generic marine transportation contingency plan, which would identify systems onboard vessels, in home offices, and within government agencies that are critical in the safe and efficient operation of vessels, and provide options for back-up systems, should the primary systems fail.

Jonathan Benner with INTERTANKO, which represents 300 tanker owners and operators, testified that his organization has developed action plans intended to identify vulnerabilities and to put in place hardware, software and procedures that will avoid the adverse impacts of the Y2K problem. Mr. Benner reported that a review by one major tanker company reportedly found 20 percent Y2K non-compliance in its survey of chips aboard its fleet. He ended his testimony by stating that most of INTERTANKO members are giving the Y2K problem their highest level of attention.

WASTEWATER, DRINKING WATER, AND WATER RESOURCES ISSUES

On October 7, 1998, the Committee received testimony regarding potential Y2K problems and mitigation activities in the water resources area. This included receiving testimony from representatives of the Environmental Protection Agency and others addressing issues in drinking water and wastewater treatment infrastructure. Testimony was also received from representatives of the U.S. Army Corps of Engineers and the Tennessee Valley Authority, regarding potential interruption of navigation, hydropower generation, and flood control services. Finally, the Committee received testimony from representatives of the Federal Emergency Management Agency which is responsible for ensuring that emergency services are not adversely impacted, as well as for coordinating the Federal response if problems occur.

SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON AVIATION

During the 105th Congress, the Subcommittee on Aviation was chaired by Congressman John J. Duncan, Jr., and Congressman William O. Lipinski served as the Ranking Democrat on the Subcommittee. The Aviation Subcommittee held 31 days of hearings on 26 different topics, and developed significant legislation on aviation medical assistance, reauthorization of the Federal Aviation Administration for 6 months, and clarifying language to the Pilot Records Improvement Act of 1996.

ENACTED LEGISLATION

(For a more complete description of the enacted bills, see section on "Bills Enacted into Law.")

AVIATION INSURANCE REAUTHORIZATION ACT OF 1997

Aircraft insurance is, of course, essential to any airline operation. However, commercial insurance companies will often not insure flights to high risk areas such as countries at war or on the verge of war. Public Law 105-137 extends the aviation insurance program through December 31, 1998. In addition, the law makes some minor changes to the program, in part, which allows the Department of Transportation to use a more accurate estimate of a value of an aircraft.

CLARIFICATIONS TO PILOT RECORDS IMPROVEMENT ACT OF 1996

Between 1987 and 1994, there were at least 7 fatal accidents involving scheduled airlines and pilot error where the pilot had demonstrated problems but the airline was not required to check the pilot's records before making the hiring decision. The Pilot Records Improvement Act of 1996 required airlines, before hiring a pilot, to request the records of that pilot from the FAA, the National Driver Register, and the pilot's previous employer. decisions. The Clarification to Pilot Records Improvement Act of 1996 (Public Law 105-142) allows all airlines to hire and train pilots before receiving their records. However, they cannot use the pilot to fly passengers until the records were transferred and evaluated. In addition, the law provides further relief for the small air charter companies by allowing them to use the pilot to fly passengers for no more than 90 days before receiving that pilot's records.

AVIATION MEDICAL ASSISTANCE ACT OF 1998

Public Law 105-170 directs the Federal Aviation Administrator to reevaluate the equipment in medical kits carried onboard aircraft and the training required of flight attendants. If the Administrator believes that a change is required, the notice of proposed rulemaking must be issued within 1 year after the passage of P.L. 105-170 (enacted April 24, 1998). The law also requires airlines to submit quarterly reports to the FAA for 1 year which include information on the number of persons who died on aircraft and any information on why the death occurred. After the year of airline reports, the Administrator has 120 days to decide on whether or not to require automatic external defibrillators on commercial aircraft or in airports. If the FAA decides to require defibrillators, the Administrator will issue a notice of proposed rulemaking.

RONALD REAGAN NATIONAL AIRPORT

Public Law 105-154 states that the Washington National Airport shall here-after be known and designated as the "Ronald Reagan Washington National Airport." H.R. 2625 was introduced by Congressman Barr on October 7, 1997, to honor Ronald Reagan for his service to the Nation. The naming of the airport does not require any change in the lease between the Federal government (which owns the airport) and the Metropolitan Washington Airport Authority (MWAA) (which rents the airport from the Federal Government).

MAKING OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999

Public Law 105-277 included a 6-month reauthorization of the Federal Aviation Administration's Airport Improvement Program. In addition, the law includes a provision requiring major airlines forming joint ventures, like code-sharing, to notify the Department of Transportation (DOT) prior to the alliance enactment. The law also provides DOT with time for review before the joint venture is implemented. The law further requires that the Department complete further studies if it decides to finalize proposed guidelines on competitive practices in the airline industry. P.L. 105-277 also requires that the National Research Council update a study it completed in 1991 on aviation competition. Finally, the law includes an extension of the War Risk Insurance program to March 31, 1999.

OTHER LEGISLATION

THE AIRPORT IMPROVEMENT PROGRAM REAUTHORIZATION ACT OF 1998

This Committee reported (H. Rept. 105-639) and the House passed H.R. 4057, to reauthorize the Federal Aviation Administration (FAA). The bill would have authorized \$10 billion for FAA's 1999 budget, including \$2.3 billion in contract authority for the

Airport Improvement Program (AIP). The bill also made some changes in the way the AIP money is distributed, including increased funding for noise abatement, increased funding for general aviation airports, and removal of the cap on the discretionary fund so it can increase as overall funding increases. The bill would also allow airports who cannot currently qualify for the contract tower program to share the operating costs with the FAA, expanding air traffic control services to more airports in the country. There were several safety provisions in the bill, including requirements for cargo airlines to install collision avoidance systems by December 31, 2002. The bill provided whistleblower protection for FAA employees and for airline employees. It required life limited aircraft parts to be permanently marked at the end of their life. The bill also established a Centennial of Flight Commission to celebrate the 100th anniversary of the first flight. In the House-passed version of the bill, the National Parks Air Tour Management Act of 1998 (H.R. 4268), was included.

THE AIRLINE SERVICE IMPROVEMENT ACT OF 1998

H.R. 2748 was ordered to be reported by the Transportation and Infrastructure Committee on June 25, 1998. H.Rept. 105-822 was filed on October 15, 1998. The bill would have increased air service to under-served communities by: providing slots at the four slot controlled airports (O'Hare, Reagan National, JFK, and LaGuardia); providing loan guarantees for regional jets; and providing funding for promoting air service.

The legislation included a provision requiring major airlines forming joint ventures, like code-sharing, to notify the Department of Transportation (DOT) prior to the alliance enactment. In addition, the bill provided DOT with time for review before implementing a joint venture. H.R. 2748 also required that the Department complete further studies if it decided to finalize proposed guidelines on competitive practices in the airline industry. Finally, the bill requires that the National Research Council update a study it completed in 1991 on aviation competition. These provisions were added to the Omnibus bill which was one of the last bills signed into law during the 105th Congress (see previous explanation).

HEARINGS

During the 105th Congress, the Aviation Subcommittee held 31 days of hearings covering 26 different topics. Many of these hearings related to legislation developed by the Subcommittee. Other hearings described below enabled the Subcommittee to carry out its oversight responsibilities.

On February 5, and 13, 1997, the Aviation Subcommittee held a hearing on the airlines' proposals to establish user fees for Federal Aviation Administration services. Seven major airlines developed a proposal for a user fee concept and that was the focus of the hearing. Witnesses included Mr. Herbert D. Kelleher, Chairman, President, and CEO of Southwest Airlines Co., Mr. Robert L. Crandall, Chairman and CEO of American Airlines, Mr. Robert W. Poole of

the Reason Foundation, the General Accounting Office, and the Aircraft Owners and Pilots Association.

On February 26, 1997, the Aviation Subcommittee held a hearing on proposals to require traffic alert and collision avoidance systems (TCAS-II) on cargo aircraft. TCAS-II is now required on commercial aircraft with a passenger seating configuration of more than 30 seats. TCAS-I (at a minimum) is required on passenger or combination cargo/passenger aircraft with a passenger seating configuration of 10-30 seats, but TCAS is not required on all-cargo aircraft at this time. The Subcommittee also discussed the recent close encounters between TCAS-equipped civilian aircraft and military aircraft. Witnesses included representatives from the Federal Aviation Administration (FAA), the National Transportation Safety Board, and Nations Air Express, Inc.

On March 20, 1997, the Aviation Subcommittee held a hearing on the Review of Coopers & Lybrand Independent Financial Assessment of the FAA. The Federal Aviation Reauthorization Act, Public Law 104-264, required the FAA to commission an independent assessment of the Agency's financial requirements. On November 18, 1996, the FAA contracted with the accounting firm of Coopers & Lybrand to determine the financial requirements of the FAA from fiscal year 1997 through fiscal year 2002. The 90-day study cost \$900,000. The hearing witnesses included representatives from the FAA, Coopers & Lybrand, the Air Transport Association of America, and the Airport Council International-North America.

On May 1, 1997, the Subcommittee held a hearing on the reauthorization of the War Risk Insurance Program to consider whether any changes should be made. The program expired on September 30, 1997. Commercial insurance companies will often not insure flights to high risk areas such as countries at war or on the verge of war. In many cases, these flights are required to further the foreign policy or national security of the United States. For example, in Operation Desert Shield and Desert Storm, commercial airplanes were needed to ferry troops and equipment to the Middle East. To ensure that flights to high risk areas can operate when needed, Chapter 443 of Title 49 of the U.S. Code authorizes the Secretary of Transportation to provide war-risk insurance and reinsurance to commercial airlines. Witnesses included representatives of the FAA and the National Air Carrier Association.

On May 15, 1997, the Subcommittee on Aviation held an oversight hearing to examine how the FAA has responded to some of the issues raised by the ValuJet crash in the year following that tragedy. The issues which were addressed in this hearing were the carriage of hazardous materials on aircraft and the protection from fires in the aircraft's cargo hold. Witnesses included representatives from the FAA, the National Transportation Safety Board, and the Airline Pilots Association.

The Subcommittee on Aviation met on May 21, 1997, to examine the extent of medical emergencies occurring in flight as well as to review current FAA regulatory standards related to the contents of medical kits aboard commercial airlines, the training of personnel, and other related matters. In addition to a medical demonstration,

witnesses included representatives from the Association of American Flight Attendants, the American College of Cardiology, and Aerospace Medical Association.

On June 5, 1997, the Subcommittee on Aviation met to examine the recent grounding of Great Lakes Aviation by the FAA, to consider any possible improvements in the process of suspending airline operations, and to ensure that all necessary steps have been taken to ensure the safety of passengers. Witnesses included representatives from FAA, the Great Lakes Aviation, Ltd., and the Regional Airline Association.

The Subcommittee held a hearing on June 12, 1997, regarding international aviation bilaterals and code sharing relationships, focusing on Japan. Witnesses included, Patrick V. Murphy, Department of Transportation; Frederick W. Smith, Chairman and CEO, Federal Express Corporation; Gerald Greenwald, Chairman and CEO, United Airlines; John Dasburg, CEO and President, Northwest Airlines; and Robert L. Crandall, Chairman and CEO, American Airlines.

On June 25, 1997, the Subcommittee held a hearing on market-based solutions to air service problems for medium-sized communities. The purpose of this hearing was to examine market-based solutions to air service problems that may help increase competition, lower fares, and improve the quality of service at some medium-sized communities across the Nation. Airline deregulation, over the last 19 years, has led to lower airfares and better service for most air travelers, due largely to increased competition spurred by the entry of new airlines into the industry and established airlines into new markets. However, some airports and communities have not enjoyed the benefits that deregulation has brought to other markets. Airports and communities in the West and Southwest have seen the largest decreases in airfares. Those in the Southeast and in the Appalachian region have seen the largest increases in airfares. Witnesses included representatives from the Department of Transportation, General Accounting Office, and the Metropolitan Chattanooga Airport Authority, Chattanooga, Tennessee.

On July 10, 1997, the Subcommittee held a hearing on the status of the investigation of the crash of TWA 800 and the Death on the High Seas Act. The purpose of this hearing was to (1) review the efforts of the FBI and NTSB to discover the cause of the TWA 800 crash 1 year after that accident, (2) examine the dispute between the FAA and NTSB over the need for regulatory action regarding aircraft center fuel tanks, and (3) provide a forum for family members to advocate legislation involving the Death on the High Seas Act. Witnesses included representatives from the FAA, NTSB, and surviving family members of victims on TWA flight 800.

On July 31, 1997, the Subcommittee held a hearing to receive testimony on the current status of aviation negotiations between the U.S. and France. Witnesses included Mr. Charles Hunnicutt, Department of Transportation; D. Scott Yohe, Senior Vice President, Government Affairs, Delta Air Lines; and Hershel I. Kamen, Managing Director-International and Regulatory Affairs, Continental Airlines, Inc.

On September 9, 1997, the Subcommittee held a hearing to take testimony on H.R. 991, a bill to amend the Railway Labor Act to cover airlines and flight deck crews engaged in flight operations outside the United States. The Railway Labor Act (RLA) governs labor relations in the airline and railroad industries. The law relies on collective bargaining for the settlement of labor-management disputes. When bargaining breaks down, the law requires that there be a period of mediation which is overseen by the National Mediation Board (NMB). The RLA is designed to foster labor peace so that vital transportation services continue uninterrupted. Witnesses at the hearing included Captain J. Randolph Babbitt, President, Airline Pilots Association; Steven H. Taylor, Managing Attorney, Federal Express Corporation; Captain Michael P. Cronin, Allied Pilots Association; David A. Borer, Association of Flight Attendants, AFL-CIO; and Scott C. Petersen, FEDEX Pilots Association.

The Subcommittee held a hearing on September 30, 1997, to review the FAA's 16-year flight service station consolidation program and to consider legislation, H.R. 1454, introduced by Congressman Frank Riggs (R-CA), which would prohibit the FAA from closing the Eureka Flight Service Station located in McKinleyville, California. Witnesses included the Honorable Frank D. Riggs (R-CA); Nancy Flemming, Mayor, Eureka, California; and Michael DeVincenzi, Westair/United Express.

On October 1, 1997, the Subcommittee held a hearing on allegations of cost overruns and delays in the FAA's Wide Area Augmentation System (WAAS). Potentially, one of the most beneficial modernization programs the FAA is currently undertaking is WAAS. The WAAS program will replace the current ground-based aviation navigation equipment and allow aircraft to navigate with the use of satellite technology. This program promises to provide more fuel-efficient routing of flights while increasing airport and airspace capacity. The hearing provided a forum to discuss the program's cost increases, schedule delays, and benefits. Witnesses included representatives from the General Accounting Office, the Federal Aviation Administration, the Department of Defense, and the Hughes Aircraft Company.

On October 9, 1997, the Subcommittee held a hearing on H.R. 145, a bill to restrict the use of foreign repair stations by U.S. airlines. Witnesses included Guy S. Gardner, Federal Aviation Administration; Sonny Hall, Transport Workers Union of America, AFL-CIO; and Robert Robeson, Aerospace Industries Association of America.

On October 23, 1997, the Subcommittee held a hearing on the allegations of sexual harassment at the FAA. A class action internal complaint was filed by several women with their employer, the FAA. The women believe they have suffered from sexual discrimination and harassment at the FAA and that management failed to stop it. The hearing focused on sexual discrimination and harassment at the FAA. Witnesses included Jane F. Garvey, FAA Administrator; Joan M. Henson, FAA Air Traffic Control Specialist, Atlanta; and Carl W. Reed, FAA Operational Supervisor, Houston Air Route Traffic Control Center.

On November 13, 1997, the Subcommittee held a hearing on the increasing number of mishaps on our Nation's runways. The number of runway incursions increased over the last 3 years. The hearing focused on why they have increased and what can be done to eliminate runway incursions. Witnesses included representatives from the FAA; Jim Hall, Chairman, National Transportation Safety Board; and Ken Mead, Inspector General, DOT.

On November 17, 1997, the Subcommittee held a joint oversight hearing with the Subcommittee on National Parks and Public Lands of the Committee on Resources on National Park overflights. The hearing was held at Dixie College in St. George, Utah. The hearing location was near the Grand Canyon, which is populated with numerous air tour operators. Witnesses at the hearing included representatives from Skywest Airline, the U.S. Air Tour Association, the Helicopter Association International, Western River Expeditions, the Sierra Club, the National Park Service, the FAA, the Grand Canyon Trust, and the Grand Canyon Air Tour Council.

On February 26, 1998, the Subcommittee held a hearing to explore the theft of airline ticket stocks from travel agencies and to review the actions and initiatives of the agents, the airlines, the Airlines Reporting Corporation and law enforcement to prevent such occurrences in the future. Witnesses included several owners of travel agencies, Gary Yallelus, Detective, Metro-Dade County (Florida) Police Department, and Neil J. Gallagher, Federal Bureau of Investigation.

On March 5, 1998, the Subcommittee held a hearing to receive testimony from the FAA Administrator Jane Garvey, the General Accounting Office, the Department of Transportation's Inspector General, and other interested parties on FAA's air traffic control modernization program. The Subcommittee focused on two primary programs during the hearing: the Display System Replacement (DSR) and the Standard Terminal Automation Replacement (STARS).

On March 11, 18, 19, and 25, the Subcommittee held a series of hearings on the reauthorization of the FAA and the Airport Improvement Program. Over the four days there were 28 witnesses including representatives from the FAA, the General Accounting Office; the Airline Pilots Association, International; the Air Transport Association of America; the General Aviation Manufacturers Association; the Transportation Trades Department, AFL-CIO; the Airports Council International-North America; the American Association of Airport Executives; the National Association of State Aviation Officials; the Aircraft Owners & Pilots Association; the National Air Traffic Controllers Association; the Professional Airways Systems Specialists; and the National Air Disaster Alliance & Foundation.

On April 23, and 30, 1998, the Subcommittee held two days of hearings on a number of issues related to air service, air fares, and competition in the airline industry. The hearing on April 23, focused on high air fares and poor air service in several small and medium-sized communities across the Nation and focused on various bills that have been introduced to address these concerns. In addition, the hearing examined the Department of Transportation's

recently announced proposed guidelines on unfair competitive practices. On April 30, the Subcommittee focused on industry trends with respect to proposed and recent alliances, mergers, international agreements, and other practices in the airline industry and their impact on competition. Witnesses included representatives of the Department of Transportation, the Department of Justice, the General Accounting Office, an independent economist, and several airline and airport representatives.

On May 14, 1998, the Subcommittee held a hearing to take testimony from witnesses on the general state of aviation security at our Nation's airports and in particular to focus on three issues: (1) the practice of using profiles to determine passengers who should undergo further security precautions; (2) the public-private partnership of the National Safe Skies Alliance, which tests security systems in the field; and (3) the status of the Federal Aviation Administration's purchase of Explosive Detection Systems. This hearing was held in two parts—an open hearing in the morning, and a closed hearing in the afternoon. The closed hearing covered classified materials, and therefore was for Members only. Witnesses included Admiral Cathal L. Flynn, FAA; representatives from the GAO, the DOT Inspector General's Office, the U.S. Postal Service, the Air Transport Association, and the National Safe Skies Alliances.

On June 11, 1998, the Subcommittee held a hearing on the problem of passenger interference with flight crews and to review H.R. 3064, the "Carry-on Baggage Reduction Act of 1997." This hearing took testimony on issues related to incidences of unruly and disruptive passengers and to review methods to manage and reduce passenger interference with crew members. In addition, the hearing examined legislation, H.R. 3064, and current airline policies related to carry-on baggage. Witnesses included representatives from the FAA, United Airlines, Delta Airlines, the Airline Pilots Association, the Association of Flight Attendants, and flight attendants who were aboard aircraft when passengers behaved inappropriately.

On July 30, 1998, the Subcommittee held a hearing on Secretary Slater's African Aviation Initiative, H.R. 3741, and the European Commission's (EC) preliminary position on two transatlantic alliances. During the hearing, the Secretary discussed his recent trip through Africa to promote a "Safe Skies Initiative" which would improve aviation safety and security in Africa. Regarding the EC announcement on international alliance agreements, Secretary Slater supported his earlier statement, which was "We've been clear in our communications that we think the agreements we've reached are in the best interests of the countries involved and we think they should be respected." In addition, the witnesses discussed H.R. 3741, the Aviation Bilateral Accountability Act. This bill would require implementing legislation for each U.S. bilateral aviation agreement. In addition to the Secretary, witnesses included representatives from United Airlines, American Airlines, the Greater Orlando Aviation Authority, and the International Air Transport Association.

On August 6, 1998, the Subcommittee held a hearing on FAA's policy on emergency revocation of certificates and to consider legis-

lation, H.R. 1846, that would change the procedures for handling emergency revocations. The FAA has been criticized for its recent use of its emergency revocation authority, particularly in cases where the offense had taken place months or even years before the “emergency” revocation. Witnesses included representatives of the General Accounting Office, FAA, the National Transportation Safety Board, and pilot representatives.

On September 10, 1998, the Subcommittee held its last hearing of the 105th Congress on issues of concern to the travel agency community. These issues included the decline in and caps on ticket commissions, the use of the Federal Aviation Act preemption provision, the controversial commission overrides, and H.R. 3704, the Consumer Access to Travel Information Act of 1998. Witnesses included representatives from the American Society of Travel Agents, the Association of Retail Travel Agents, the Coalition for Travel Industry Parity, the Interactive Travel Services Association, and the Airlines Reporting Corporation.

SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

During the 105th Congress, the Subcommittee on Coast Guard and Maritime Transportation, chaired by Congressman Wayne T. Gilchrest, with Congressman Bob Clement serving as Ranking Minority Member, developed major legislation dealing with the U.S. Coast Guard and U.S. Federal Maritime Commission. One of the new Federal laws involves the Coast Guard's responsibilities to ensure safety of life and property at sea, to enforce all Federal laws on the high seas and U.S. waters, to maintain aids to navigation, to protect the marine environment, and to ensure the safety and security of vessels, ports, waterways, and related facilities. Another of these proposals was subtitle D of title VII of the Transportation Equity Act for the 21st Century, entitled the Sportfishing and Boating Safety Act of 1998. It contains amendments to the Sport Fish Restoration Program administered by the Secretary of the Interior through the Fish and Wildlife Service, and the Recreational Boating Safety Program administered by the Secretary of Transportation through the U.S. Coast Guard. Major legislation to deregulate international ocean shipping was also enacted during the 105th Congress.

The Federal laws amended under these initiatives include the Ports and Waterways Safety Act, the Oil Pollution Act of 1990, the Federal Water Pollution Control Act, the Shipping Act of 1916, the Shipping Act of 1984, the Merchant Marine Act of 1920, the Foreign Shipping Practices Act of 1988, and other miscellaneous Federal laws.

The Subcommittee held oversight hearings on the Coast Guard's commercial vessel safety mission, oil spill prevention measures for oil tank vessels, the ship scrapping activities of the United States Government, and the effect of the Passenger Services Act of 1886 on the domestic cruise industry. During the 105th Congress, the Subcommittee also held oversight hearings on criminal liability for oil pollution, the Coast Guard's deepwater capability replacement analysis, the President's National Drug Control Strategy and drug interdiction, the activities of the International Maritime Organization, the Coast Guard's marine environmental protection and compliance programs, the needs of the U.S. waterways transportation system, and the programs of the U.S. Maritime Administration.

ENACTED LEGISLATION

(For a more complete description of enacted legislation, see section on "Bills Enacted into Law.")

COAST GUARD AUTHORIZATION ACT OF 1998

(Public Law 105–383)

The primary purpose of this legislation is to authorize the expenditures of the U.S. Coast Guard for Fiscal Years 1998 and 1999. The Coast Guard Authorization Act of 1998 authorizes the portion of the Coast Guard budget that requires an authorization at the level of \$4.122 billion for Fiscal Year 1999. This amounts to approximately \$91 million more than was requested by the President for Coast Guard during Fiscal Year 1999. Most of the additional authorization was to increase Coast Guard activities related to illegal drug interdiction.

Title I authorizes Coast Guard appropriations, active-duty military strengths, and military training student loads for Fiscal Years 1998 and 1999. Title I also authorizes funds for operation of the LORAN–C navigation system.

Title II contains many provisions related to internal Coast Guard management matters.

Title III includes various amendments concerning marine safety and waterways services management.

Title IV contains a number of amendments, including the implementation of the Coast Guard vessel identification computer system.

Title V establishes an administrative process for granting coast-wise trade waivers for small passenger vessels; and Title VI, the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, includes provisions to allow for the study of toxic algal blooms.

OCEAN SHIPPING REFORM ACT OF 1998

(Public Law 105–258)

Public Law 105–258, the Ocean Shipping Reform Act of 1998, amends the Shipping Act of 1984 and other related U.S. shipping laws to encourage competition in international ocean shipping and growth in United States exports. The most important provisions of P.L. 105–258 provide American businesses with the freedom to keep their ocean transportation contract prices confidential from their foreign competitors. These provisions will increase the competitiveness of American businesses internationally.

P.L. 105–258 is a major step forward in the process of deregulating international ocean shipping. The House of Representatives initiated this process in 1996 when H.R. 2149, the Ocean Shipping Act of 1996, was passed. P.L. 105–258 passed the Senate on April 21, 1998, by unanimous consent. The bill maintains antitrust immunity for ocean carrier conferences, requires private tariff publication and continued enforcement of tariffs by the Federal Maritime Commission, authorizes confidential transportation prices for shippers, and authorizes \$15 million for operation of the Federal Maritime Commission for Fiscal Year 1998. It also clarifies section 19 of the Merchant Marine Act of 1920 to prohibit unfair pricing

of liner services by foreign carriers and further tightens the oversight of controlled carrier tariffs.

The Federal Maritime Commission must issue regulations to implement the amendments in this bill by March 1, 1999. The amendments contained in the bill become effective on May 1, 1999.

SPORTFISHING AND BOATING SAFETY ACT OF 1998
(TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY)
(Public Law 105–178)

Subtitle D of title VII of the Transportation Equity Act for the 21st Century, P.L. 105–178, is the Sportfishing and Boating Safety Act of 1998. This legislation amends the Sport Fish Restoration Program administered by the Secretary of Interior through the Fish and Wildlife Service, and the Recreational Boating Safety Program administered by the Secretary of Transportation through the Coast Guard. Changes to these two programs include establishing a new boating and fishing outreach and communications initiative called the National Outreach and Communications Program, ensuring that individual States receive between \$59 million and \$72 million annually for State boating safety programs, and establishing a program to improve boating infrastructure by providing funds to the States for the development and maintenance of public facilities for transient nontrailerable recreational vessels.

WESTERN HEMISPHERE DRUG ELIMINATION ACT
(TITLE VIII OF THE OMNIBUS CONSOLIDATED
APPROPRIATIONS ACT)
(Public Law 105–277)

Title VIII of the Omnibus Consolidated Appropriations Act, P.L. 105–277, contains the Western Hemisphere Drug Elimination Act. This legislation is a strong move by Congress to address the recent 32 percent increase in illicit drug use by American teenagers by providing resources for Federal agencies to stop the flow of illegal drugs into our country. Aggressive interdiction of illegal drugs raises the street price of drugs resulting in a direct reduction in drug use, especially among price sensitive teenagers.

Under this new law, the U.S. Coast Guard will receive \$151 million for each of the next three fiscal years to expand drug interdiction activities around Puerto Rico, the United States Virgin Islands, and its other maritime transit zone areas of operation. The Coast Guard is also authorized to spend \$630 million to purchase equipment which will allow the Coast Guard to enhance its drug interdiction operations. Finally, the Coast Guard is authorized to spend \$15 million to establish, operate, and maintain maritime training vessels to visit participating Latin American and Caribbean nations to provide law enforcement training and to perform maintenance on participating national assets.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL
YEAR 1998

(Public Law 105–85)

This legislation allows the Secretary of Defense and the Secretary of Transportation to authorize a member of the Armed Forces to serve without compensation as a director, officer, or trustee, in the management of certain non-Federal agencies. This provision includes the Coast Guard Mutual Assistance Organization as one of the non-Federal agencies. This legislation also authorizes the U.S. Maritime Administration for Fiscal Year 1998. Finally, P.L. 105–85 provides certain restrictions for tanker vessel operators who wish to remeasure the gross tonnage of their single-hull vessels.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL
YEAR 1999

(Public Law 105–261)

This legislation contains several provisions to bring Coast Guard personnel benefits and other matters into line with those of the Department of Defense. It also allows the Secretary of Defense or the Secretary of Transportation to place an academy cadet or midshipman, including a Coast Guard Academy cadet, on involuntary leave for any period during which the Superintendent of the Academy at which the cadet or midshipman is admitted has suspended the cadet or midshipman from duty at the Academy.

AN ACT TO AUTHORIZE THE SECRETARY OF TRANSPORTATION TO ISSUE A CERTIFICATE OF DOCUMENTATION WITH APPROPRIATE ENDORSEMENT FOR EMPLOYMENT IN THE COASTWISE TRADE FOR THE VESSEL PRINCE NOVA

(Public Law 105–157)

Public Law 105–157 authorizes the Secretary of Transportation to issue a certificate of documentation for employment in the coastwise trade for the vessel PRINCE NOVA.

BALANCED BUDGET ACT OF 1997

(Public Law 105–32)

Subsection (a) of section 9101 requires the Administrator of the General Services Administration (GSA), no earlier than Fiscal Year 2002, to dispose of by sale at fair market value all rights, title, and interests of the United States in and to the land of, and improvements to, Governors Island, New York.

Subsection (b) of section 9101 gives the State of New York and the City of New York the right of first offer to purchase all or part of Governor's Island at fair market value, as determined by the Ad-

ministrator of GSA. Not later than 90 days after notification by the Administrator of GSA, this right may be exercised by either the State of New York or the City of New York or by both parties acting jointly.

Section (c) of section 9101 requires that proceeds from the disposal of Governor's Island be deposited in the General Fund of the U.S. Treasury and credited as miscellaneous receipts.

HEARINGS

During the 105th Congress, the Coast Guard and Maritime Transportation Subcommittee held 16 hearings and other meetings. Many of the Subcommittee hearings related to legislation developed by the Subcommittee. Other hearings, described below, covered a wide variety of issues involving the U.S. Coast Guard, the U.S. Maritime Administration, the International Maritime Organization, the ship scrapping activities of the U.S. Government, the Oil Pollution Act of 1990, the Passenger Services Act of 1886, the President's National Drug Control Strategy, and water transportation in general.

THE COAST GUARD'S COMMERCIAL VESSEL SAFETY MISSION

On May 14, 1997, the Subcommittee held another oversight hearing in its series of hearings to consider whether certain Coast Guard missions should be performed differently, privatized, or eliminated, to produce greater savings and efficiencies in Coast Guard operations. These hearings were intended to complement the implementation of the Coast Guard's streamlining initiatives to reduce Coast Guard expenditures without compromising service to the public. During the 104th Congress, the Subcommittee held hearings to examine the Coast Guard's drug interdiction mission, its Vessel Traffic Service 2000 program, its acquisitions and research and development programs, as well as the Coast Guard's role in domestic and international icebreaking.

At this hearing the Subcommittee reviewed the Coast Guard's policies, procedures, and long range plans to ensure the safety of commercial vessels operating in U.S. waters. Testimony was received from the U.S. Coast Guard, inland vessel operators, U.S. based companies which own and operate oceangoing tankers and container ships in the international and domestic trades, passenger vessel operators in the domestic trades, marine pilots, and seagoing maritime labor.

Rear Admiral Robert North, Coast Guard Assistant Commandant for Marine Safety and Environmental Protection, reported that in the past most efforts to promote commercial vessel safety occurred after disastrous accidents which claimed lives, destroyed property, and polluted the environment. Admiral North also testified that the Coast Guard is now emphasizing accident prevention by improving service to the maritime community and addressing the human element in safety through its Prevention Through People program. He further reported on the Coast Guard's continued efforts to reach its goal of maritime regulatory reform by streamlining Coast Guard regulations to eliminate unnecessary regulatory burdens on the

public. Finally, Admiral North discussed its efforts to create partnerships with several of the trade groups representing the various aspects of the commercial maritime industry. These partnerships are helping to increase safety in the industry by using the limited resources of the Federal government and industry in the most effective and economical manner.

The second panel of witnesses represented vessel operators including the American Waterway Operators (AWO), representing the inland cargo vessel industry; the United States Chamber of Shipping, representing owners and operators of large tankers and container ships; and the Passenger Vessel Association, representing the domestic passenger vessel industry. The operators all reported on their commitment to operating their vessels in a safe and environmentally responsible manner. Thomas Allegretti, President of AWO, suggested that the Coast Guard target its enforcement resources on substandard operators and that Congress reaffirm that the Coast Guard, and not individual States, regulates vessel design and operations. Joseph Cox, President of the U.S. Chamber of Shipping, discussed his support for bringing U.S. vessels standards in line with international standards, the problems with waterways management in general, his support of the International Safety Management Code, and his concern about the increase in regulation by various States on ships calling at ports in their waters. Cornel Martin, representing the Passenger Vessel Association, recommended separating the Coast Guard's international negotiation function and the resulting regulations from its domestic regulatory function and redefining the Coast Guard's marine casualty reporting criteria.

Captain Jack Sparks, President of the American Pilots Association, reported on his organizations' support for a vessel automated information system in most U.S. ports and waterways and an improved English language requirement on foreign-flagged vessels operating in U.S. waters. Finally, Nicholas Marrone, representing the Seafarers International Union (SIU) and thousands of merchant seamen employed on U.S. flag vessels, reported on the Seafarers Harry Lundeberg School of Seamanship which serves the training requirements of the SIU membership.

OIL SPILL PREVENTION MEASURES OIL TANK VESSELS

On October 30, 1997, the Subcommittee held an oversight hearing on oil spill prevention measures. In the aftermath of the 1989 EXXON VALDEZ oil spill in Prince William Sound, Alaska, the Oil Pollution Act of 1990 (OPA'90) established a comprehensive national system for oil spill prevention, compensation, and cleanup. Section 7001 of OPA'90 contained an Oil Pollution Research and Development Program to promote innovative oil pollution technology, including development of improved designs for vessels and facilities, and improved operational practices. Extensive rule making requirements were enacted in OPA'90, including requirements for the Coast Guard to implement appropriate operational and structural measures for vessels carrying oil to protect the environment. A major provision established the requirement for all oil tank vessels operating in U.S. waters to be equipped with double

hulls, with a phase-out schedule for single hulled tank vessels. At this hearing, the Subcommittee considered whether it is appropriate to test certain emerging vessel design technologies which may prevent oil spills.

Testimony was received from the U.S. Coast Guard, Marine Safety Systems, Inc., which owns the designs to Central Ballast Tanker design, and MH Systems, Inc., which owns the design of the American Under Pressure System (AUPS). The AUPS reduces or prevents oil outflow from a damaged oil tanker by applying a partial vacuum to the empty space above the oil cargo. This negative pressure controls the balance at the point of rupture to reduce or eliminate oil outflow. The concept of the Central Ballast Tanker is that the crew of the tanker would transfer oil cargo from a ruptured tank into a safe central tank, reducing the volume of oil spilled. The benefits of the Central Ballast Design include improved stability, improved emergency cargo handling, and superior performance in higher-energy collision situations.

Rear Admiral North, Coast Guard Assistant Commandant for Marine Safety and Environmental Protection, reported that the Coast Guard had evaluated various alternative concepts to the double hull design, but found that the double hull was unmatched in preventing the majority of oil spills due to grounding when compared to those alternatives. The Coast Guard found that none of the alternatives could match the superior performance of the double hull regarding the key performance measure of probability of zero oil outflow. Admiral North further reported that the Coast Guard did not require any additional structural measures to reduce accidental oil outflow from existing single hull tank vessels because it determined that while these changes were technologically feasible, structural measures were not considered economically feasible during this interim period of operation for single hull tank vessels.

George Pence, representing the owners of the AUPS, reported that the developers of this system believe that this oil spill prevention technology could be successfully used as interim measures on single hull tankers which are not yet required to be placed out of service in the waters of the United States. The AUPS can be retrofitted to most existing tankers at a fraction of the cost of new construction. While the developers of the AUPS have attempted to test the system and have secured certain amounts of Federal government funds for the test, the Coast Guard has so far decided not to cooperate with certain phases of these tests for a number of technical reasons. Finally, the developers of the AUPS asked the Subcommittee to place a provision in the Coast Guard Authorization Act of 1997 which would require the Coast Guard to complete the testing of the AUPS.

Carr Chambliss, representing the owner of Marine Safety Systems, reported that the company does not agree with the U.S. Coast Guard's position that only double hulled tankers should be allowed to enter U.S. waters and that the Coast Guard should reconsider its refusal to accept the International Maritime Organization's criterion that was established for assessing various alternative designs for oil tankers. Mr. Chambliss further testified that

the Central Ballast Tanker design is an alternative to the double hull vessel design which reduces by a substantial percentage the loss of oil from hard groundings by reducing the time required to establish hydrostatic balance. Finally, Mr. Chambliss asked that the Congress and Coast Guard allow for the consideration of alternative designs to the OPA'90 requirement of double hull tankers in U.S. waters.

Due to these and other concerns about the Coast Guard not adequately considering alternatives to double hull vessel designs, the House and Senate decided to include section 423 in the Coast Guard Authorization Act of 1998, Public Law 105-383. This section, the Double Hull Alternative Designs Study, requires the Secretary of Transportation to coordinate with the Marine Board of the National Research Council to conduct the necessary research and development of a rationally based equivalency assessment approach, which accounts for the overall environmental performance of alternative tank vessel designs. The intent of the study is to establish an equivalency evaluation procedure that maintains a high standard of environmental protection, while encouraging innovative ship design. This study is required to be reported to Congress not later than 12 months after the date of enactment of the Coast Guard Authorization of 1998.

SHIP SCRAPPING ACTIVITIES OF THE UNITED STATES GOVERNMENT

On March 18, 1998, and on June 4, 1998, the Subcommittee held hearings to examine the current Federal government policies on scrapping obsolete vessels of the U.S. Navy, the Coast Guard, and the U.S. Maritime Administration's National Defense Reserve Fleet. During the March 18th hearing, the Subcommittee examined the human health and environmental risks involved in the scrapping of these Federal government vessels in the U.S. and foreign countries. In 1997, the Navy and Maritime Administration (MARAD) agreed with the Environmental Protection Agency (EPA) on a process for scrapping vessels with environmental contaminants onboard. This agreement required the Navy and MARAD to remove the most serious contaminants from their ships before they were scrapped. After concerns related to the agreement were expressed by Members of Congress and environmental groups, the Administration decided to review its agreement on Navy and Maritime Administration ship scrapping. At the time, the Navy and MARAD had 185 ships awaiting scrapping. Vessels waiting to be scrapped are very expensive to maintain and some may sink if they are not scrapped or dry docked in the near future.

At the March 18th hearing, testimony was received from Representative George Miller, the North Carolina Department of Justice, the former U.S. Navy General Counsel, a domestic ship scrapper, and the U.S. Department of Defense. Representative Miller of California reported that he was opposed to the U.S. government exporting its vessels for scrap because of the environmental contamination of these vessels. He preferred that these vessels to be scrapped by viable domestic scrappers. David Heeter, Assistant Attorney General for the North Carolina Department of Justice, discussed the State of North Carolina's experience with its closing of

a private Navy vessel scrapping operation in Wilmington, North Carolina. The State discovered that this scrapping operation had violated numerous State and Federal environmental and worker safety laws. He also gave the Subcommittee a list of his suggestions for improving the scrapping process and thereby avoiding a situation which arose in North Carolina. Attorney E. Grey Lewis, the former General Counsel for the Navy, reported to the Subcommittee his concern about how ship scrapping operations were damaging the environment, and his view that the Federal government should subsidize a domestic ship scrapping effort. Mike Dunavant of Simsmetal America, a domestic ship scrapper, testified that his company, which has scrapped Navy vessels without incident in the past, would like to scrap additional government vessels in the future. Mr. Dunavant does not believe that domestic ship breakers can salvage these vessels at a profit and that the government must work with and pay domestic scrappers to safely and responsibly recycle these vessels. Finally, Patricia Rivers, Assistant Deputy Under Secretary of Defense, reported that in late 1997 the Department of Defense had established the Interagency Ship Scrapping Review Panel. This Panel's purpose was to review the Navy and MARAD programs to scrap vessels and to make recommendations for the improvement of these programs. The final report of the panel was issued April 20, 1998.

At the second hearing on the ship scrapping activities of the U.S. government, the Subcommittee met to follow-up on its first ship scrapping hearing and to review the Interagency Ship Scrapping Panel's final report. The report noted that the Federal agencies involved with ship scrapping would build on their current process for scrapping ships to ensure that vessels are scrapped in an economically feasible and environmentally sound manner. The Panel found that the Navy and MARAD had recognized the problems with past practices and have already taken steps to address many of the problems identified with past ship scrapping practices. These improved practices include the Navy and MARAD establishing consistent ship scrapping procedures and developing standardized performance bonds. The Panel further reported that these agencies will continue to evaluate current ship scrapping contracting practices in order to establish improved procedures and practices. The Subcommittee received testimony from the Department of Defense. Patricia Rivers, from the U.S. Department of Defense, testified that the report from the Interagency Ship Scrapping Panel was the beginning of the evaluation process, not the end. She further reported that the involved Federal agencies were reviewing the report and would determine appropriate actions and develop implementation plans. The Department of Defense also plans to reconvene the Panel in approximately 1 year from the date the report was issued, to evaluate the results of implementing the recommendations, and consider whether additional modifications should be made with regard to ship scrapping.

On September 23, 1998, Vice President Gore issued a memorandum to Secretary of Defense Cohen and Secretary of Transportation Slater placing a further interim moratorium on efforts to award contracts or transfer vessels to be scrapped overseas through October 1, 1999.

THE EFFECT OF THE PASSENGER SERVICES ACT OF 1886 ON THE
DOMESTIC CRUISE INDUSTRY

On April 29, 1998, the Subcommittee held an oversight hearing about the Passenger Services Act of 1886 (PSA) and considered the effect of the PSA on the domestic cruise industry. The Passenger Services Act, enacted in 1886, prohibits foreign vessels from carrying passengers between ports or places in the United States. The Customs Service has determined that vessels carrying passengers between U.S. ports must be U.S.-owned, U.S.-built, and crewed by U.S. citizens. Currently, the only large cruise vessel operating between U.S. ports is in Hawaii and is owned by American Classic Voyages. A coalition of U.S. ports and travel agents supports amending the PSA to increase the number of cruise ships calling on U.S. ports by foreign-flag vessels. U.S. shipbuilding organizations and maritime labor organizations oppose these changes.

Two pieces of legislation discussed at the hearing were S. 803, the United States Cruise Tourism Act of 1997, introduced by Senator Strom Thurmond on May 23, 1997, and H.R. 2420 introduced by Representative Mark Sanford on September 5, 1997. These companion bills allow the Secretary of Transportation to waive the PSA for foreign-flag cruise vessels over 4,000 gross registered tons not otherwise qualified to engage in the coastwise trade between ports in the United States. Vessels which provide ferry services, intra-coastal cruises, or regularly carry both passengers for hire and vehicles or other cargo would not qualify for waivers. The bills would prevent the Secretary from granting a waiver to a foreign-flag vessel with respect to any coastwise trade which is being served by a U.S. flag cruise vessel. The Secretary would also be required to terminate a foreign-flag vessel waiver in 3 years should a U.S. flag cruise vessel owner or operator enter a substantially similar itinerary to that of the foreign-flag vessel.

The Subcommittee received testimony from two Members of Congress and witnesses representing domestic ports, large and small United States shipyards, the travel industry, the domestic passenger vessel industry, and maritime labor. Representative Nick Smith, of Michigan, testified that he believed the PSA to be a failure leaving only one U.S. flag oceangoing cruise ship operating in the U.S. Representative Smith further reported that his bill H.R. 1991, the Coastal Shipping Competition Act would bring common sense reform to the PSA. This legislation would eliminate the U.S.-built requirement for oceangoing vessels allowing U.S. companies wishing to participate in the domestic cruise or cargo industry to purchase ships at competitive prices in the global marketplace. Representative Gene Taylor, of Mississippi, testified about his opposition to any changes to the PSA.

The second panel of witnesses represented current and potential U.S. flag passenger vessel operators. The Passenger Vessel Association, which represents U.S. flag passenger vessel operators, and American Classic Voyages Co., which owns American Hawaii Cruises and the Delta Queen Steamboat Co., felt that there is no reason to amend the PSA since there is already a vibrant U.S. flag passenger vessel industry in this country. These witnesses further reported that American Classic Voyages has announced that it

plans to build two oceangoing cruise ships in the U.S. for the Hawaiian market and five coastal passenger vessels to operate along the U.S. Atlantic, Pacific, and Gulf coasts starting in 1999.

The third panel of witnesses represented the California Trade and Commerce Agency, the National Association of Cruise Only Travel Agents, the American Society of Travel Agents, and the Cruising American Coalition. All of these witnesses strongly support amending the PSA in order to increase the number of cruise ships in a larger number of U.S. ports. Veronica Sanchez, from the Port of San Francisco and Executive Director of the Cruising America Coalition, reported that this coalition of U.S. ports, cities, consumers, convention bureaus, tourism businesses and maritime businesses want to waive the PSA in certain instances to allow the fleet of 300 existing, large, ocean going foreign flag cruise ships to offer U.S. domestic cruises without having to include a foreign port.

The fourth panel of witnesses represented several maritime labor organizations including the Seafarers International Union; the American Maritime Officers; the International Longshore & Warehouse Union; the International Organization of Masters, Mates, and Pilots; and the Marine Engineers' Beneficial Association. James Patti, who represented a number of American maritime workers employed in both the longshore and seafaring industries, testified that he supported changes in the implementation of the PSA which would encourage American businesses to operate foreign built, U.S. flag cruise vessels in the domestic trade provided that they have in place a contract to replace these vessels with cruise vessels built in the United States. Charles Crangle, Executive Director, Congressional and Legislative Affairs for the American Maritime Officers, reported that he is opposed to any changes to the PSA. He states that while the American Maritime Officers are willing to work with port and tourism groups to develop new markets for the domestic waterborne transportation of passengers, he has not seen a body of evidence which suggests that there is a demand for the domestic transportation of passengers that is not being met today.

The fifth panel of witnesses represented several American ports including the Port of Baltimore, the Massachusetts Port Authority, and the San Diego United Port District. All of these witnesses supported changes to the PSA which would stimulate competition and growth of the cruise industry in American ports. The last panel of witnesses included two American shipbuilding organizations. The American Shipbuilding Association (ASA), representing the six largest U.S. shipbuilders, and the National Shipyard Association, representing smaller American ship building and repair yards, opposed efforts to reform the PSA. Cynthia Brown, President of the ASA, reported that her members have designed state-of-the-art passenger ships under the Maritime Technology Program of the Defense Department, and three ASA shipbuilders are aggressively competing to build two 2,000 passenger, ocean going cruise ships, with the option for one more, for American Classic Voyages.

Later in the 105th Congress, Senator John McCain introduced S. 2507, a revised bill to amend the PSA, with Senators Hutchinson, Thurmond, and Burns as cosponsors. Representative Nick Smith

introduced H.R. 4673, the companion bill to S. 2507, on October 1, 1998. No action on these, or any of the other bills to amend the PSA, was taken before the end of the 105th Congress.

CRIMINAL LIABILITY FOR OIL POLLUTION

On May 14, 1998, the Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on criminal liability under the Oil Pollution Act of 1990 (OPA'90). The hearing was held in response to increasing concerns in the oil transportation industry about current criminal enforcement actions under the OPA'90, and the effect that these enforcement actions have on environmental and navigation safety in general.

Pollution of the marine environment has been subject to criminal penalties for almost 100 years. The Rivers and Harbors Act of 1899 (Refuse Act) made it unlawful to throw, discharge or deposit any refuse matter of any kind or description from any ship. The penalty for violating the Refuse Act is a misdemeanor, including a fine of up to \$25,000 per day and/or 30 days imprisonment, against the operator of a vessel. The Refuse Act is a strict liability statute, and is charged in conjunction with other statutes in criminal cases involving oil spills.

The Migratory Bird Treaty Act (MBTA) makes it unlawful to pursue, hunt, take, capture, or kill (or attempt any of these actions against) a migratory bird. The MBTA contains a misdemeanor penalty of not more than \$500 and/or imprisonment of not more than 6 months. The MBTA imposes strict liability, and is also often charged in conjunction with other statutes in cases involving criminal liability for oil pollution.

Before enactment of OPA '90 the only criminal penalty for an oil spill was a misdemeanor penalty for failure to notify the appropriate government agency of a discharge of oil. OPA '90 established new civil and criminal penalties for oil spills, and increased the penalty for failure to notify a Federal official of a discharge of oil.

At this hearing, the Subcommittee received testimony from the Coast Guard and representatives of the oil tank vessel industry. The Coast Guard was represented by Captain Malcolm Williams, Chief, Office of Maritime and International Law. Captain Williams testified that OPA '90 has had a very positive impact on the protection of the marine environment. Since 1990, gallons spilled per million gallons of oil and chemicals shipped has been reduced from 24 gallons spilled to 1.5 gallons spilled in 1997. There have been no spills over one million gallons during that time.

Captain Williams discussed the new Coast Guard OPA '90 criminal enforcement guidelines contained in the Commandant Instruction M16201.1 and the intent of those guidelines. He stated that these guidelines do not signal a new oil spill criminal enforcement attitude on the part of the Coast Guard. Rather, the guidelines were intended to focus scarce agency resources, to foster enforcement consistency, to educate Coast Guard personnel, and to encourage compliance in the regulated industry. Captain Williams further testified that the guidelines establish the general measures on which all Coast Guard decisions to refer cases for criminal prosecution should be based-significant environmental harm resulting

from the violation and culpable conduct on the part of persons or companies involved in the violation. Finally, Captain Williams testified that advocating an increase in the number of criminal investigations and prosecutions by the Coast Guard was not one of the purposes of the instruction.

The next witness at the hearing was H. Merritt Lane, III, President, Canal Barge Company, Inc., testifying on behalf of the American Waterways Operators (AWO). Mr. Lane stated that his testimony was also supported by several other organizations, including the Transportation Institute and the Water Quality Syndicate.

Mr. Lane explained that implementation of some aspects of OPA'90 have undermined the spill prevention and response objectives of OPA'90. He stated that with increasing frequency, responsible operators who transport oil are unavoidably exposed to potentially immeasurable criminal fines and, in the worst case scenario, jail time. Mr. Lane said that this situation unfairly targets an industry that plays an extremely important role in our national economy. Mr. Lane also described his industry's efforts as part of the Coast Guard's Responsible Carrier Program and the Coast Guard-AWO Partnership. He expressed concerns that recent criminal enforcement actions following oil spills may undermine the success of these Coast Guard cooperative programs in preventing oil spills. He also testified that the AWO does not seek any amendments to the existing criminal penalties in OPA'90. He reported that the Justice Department's increasing willingness to use strict liability criminal statutes have created an atmosphere of extreme uncertainty about how to respond to and cooperate with the Coast Guard and other Federal agencies in cleaning up an oil spill. Finally, Mr. Lane testified that the AWO supports legislation to establish OPA'90 as the exclusive criminal statute that may be charged against the party responsible for an oil spill.

The final two witnesses who testified at this hearing were Captain Richard A. Hurt, Master, Marine Transport Lines, on behalf of the International Association of Independent Tanker Owners, and Captain Gary Robson, Maritrans, Inc. Captain Hurt testified that he is concerned that the reaction of the U.S. government to oil spills seems to be setting the stage for imposing criminal liability on ship masters and others after a marine oil or chemical spill no matter what the underlying circumstances. Captain Hurt stated that criminal sanctions do not necessarily deter marine accidents, and that the other results of an accident, including the loss of a master's license, are sufficient to deter oil spills.

Captain Robson testified that the recent changes in the legal and criminal aspects of his industry cause him great concern. He stated that strict criminal liability for an oil spill does not make him do his job better, it only produces counterproductive stress. Captain Robson testified that because of the current situation, he will not encourage his children or anyone else to enter the marine petroleum transportation business. He stated that strict criminal liability is a tremendous deterrent to anyone considering entering the industry at this time.

THE COAST GUARD'S DEEPWATER CAPABILITY REPLACEMENT ANALYSIS

On May 19, 1998, the Subcommittee held an oversight hearing about the Coast Guard's Deepwater Capability Replacement Analysis. The purpose of this hearing was to review the Coast Guard's plan to replace its aging fleet of vessels and aircraft typically employed more than 50 miles from U.S. shores. The Coast Guard defines its "Deepwater Mission" as the execution of its responsibilities in an area beyond the normal operating range of single-crewed shore-based small boats, where either extended on-scene presence, long transit distance, or forward deployment is required to perform the mission. Examples include fisheries enforcement patrols in the Gulf of Alaska, New England's Grand Banks, or in the U.S. Exclusive Economic Zone around the Hawaiian Islands; defense operations in the Gulf of Arabia; drug interdiction missions off the Caribbean and Pacific Coast of South America; and the interdiction of illegal migrants around Cuba and Haiti.

The objective of the Coast Guard's deepwater acquisition strategy is to meet Coast Guard mission requirements safely with coast effective resources that can be employed in a timely manner. The Coast Guard's strategy for this \$7.5 to \$15 billion recapitalization is to examine the mission need in terms of a complementary group of assets that, compared to today's assets, can be effectively operated with fewer personnel and significantly lower life cycle costs. The major challenge facing the deepwater recapitalization is cost. With a projected budgetary baseline of \$200 million a year and cost estimates of \$7.5 to \$15 billion for the recapitalization, a significant funding gap exists which could imperil Coast Guard mission performance.

The Subcommittee received testimony from witnesses representing the Coast Guard, the shipbuilding industry, and the consortia which expect to develop recapitalization and replacement plans under contract with the Coast Guard. Admiral Robert Kramek, Commandant of the U.S. Coast Guard, testified that the Coast Guard's mission requirements in the deepwater environment are unrelenting, arduous, and dangerous, but that these missions are vital to the national interests, the safety of our citizens, our environment, and the economic prosperity of the country. He further reported that the Coast Guard's existing deepwater assets are nearing the end of their service lives, do not incorporate modern technology, and are personnel-intensive. He further stated that in March 1998, the Coast Guard asked industry to submit Phase One proposals, including related past corporate performance summaries and study plans. The Coast Guard expected to hear oral presentations in June and planned to select three industry teams by July. These three teams would then develop integrated deepwater concepts, which will be baseline systems that can be scaled to meet any overall deepwater requirement. The Coast Guard expected these industry teams to complete their detailed concept development by late 1999.

Cynthia Brown, President of the American Shipbuilding Association, which represents the six largest American shipyards, reported that her organization supports the Coast Guard's deepwater asset replacement project and that this new acquisition approach has be-

come the acquisition approach of choice for the U.S. Navy. She also opposed the Administration's plan to study the Coast Guard's mission needs because she felt that these missions have already been sufficiently identified. Daniel Gulling, President of Marinette Marine Corporation, testified that Marinette Marine is one of the companies competing with partner companies as a team in the Coast Guard deepwater procurement. Mr. Gulling supported the Coast Guard's deepwater procurement and the Coast Guard's approach to that procurement. Allen Walker, Executive Director of the National Shipyard Association, which represents 90 shipyards in 17 States, testified that his member companies fully supported the Coast Guard's deepwater acquisition strategy. Two of the shipyards that Mr. Walker represents, Bollinger Shipyards, Inc., and Halter Marine Group, have submitted a joint proposal to enable them to conduct one of the three studies under consideration.

On October 26, 1998, the General Accounting Office (GAO) released a report to Congress on the Coast Guard's Deepwater Capability Replacement Project. The GAO found that the Coast Guard's justification for the deepwater project, particularly its conclusion about the expected life of its aircraft assets, could not be validated by the GAO from the information available. In fact, the Coast Guard withdrew its justification for the Deepwater project after concerns about its accuracy were expressed by the Office of Management and Budget. Currently, the Coast Guard is developing more accurate and updated information to justify this project even as contracting teams have already begun work on developing their initial deepwater proposals. The GAO also questioned the future funding for this project. At a projected \$500 million a year, expenditures for the project would take virtually all of the Coast Guard projected spending for all capital projects. While the Coast Guard expects more than \$165 million of the annual funding for the deepwater project to come from new user fees for domestic ice-breaking and navigational services that the Coast Guard currently provides, the GAO reports that Congress has prohibited any new user fees for the near future. The GAO recommended that the Coast Guard expedite the issuance of information that it has developed or is developing on the condition and capabilities of its ships and aircraft, improve its acquisition guidelines for evaluating the condition of its assets, and evaluate whether the contracting teams should be instructed to base their proposals on the assumption of a lower, more realistic funding level than \$500 million a year.

THE PRESIDENT'S NATIONAL DRUG CONTROL STRATEGY AND DRUG INTERDICTION

On June 10, 1998, and September 25, 1998, the Subcommittee held oversight hearings about the President's National Drug Control Strategy and the Coast Guard's drug interdiction mission. The Subcommittee held two hearings on this issue during the 105th Congress after holding two similar hearings about drug interdiction during the 104th Congress, because of its deep concerns about the precipitous increase in illicit drug use among America's youth since 1992. Experts agree that this trend foretells erosion in the gains our Nation made in combating illicit drug use and its associated criminal activity between 1980 and 1992. The latest studies show

some very negative signs among the youth ages 12 to 17 including a 34 percent increase in marijuana use, a doubling of first-time marijuana use since 1991, and a 975 percent increase in first-time heroin use.

The goal of the Coast Guard Drug Interdiction Program is to eliminate maritime routes as a significant trafficking mode for the supply of drugs to the United States through seizures, disruption, and displacement. Coast Guard cutters, boats, and aircraft conduct routine law enforcement patrols and special operations throughout the maritime arena, including waters adjacent to principal source and transit countries and U.S. coastal waters. Disrupting traffickers forces them to develop new, more costly methods and routes and opens them up to additional risk of detection. The pressure of these operations reduces the flow of illicit drugs into the United States via maritime routes.

At the June 10, 1998, hearing the Subcommittee received testimony from representatives of the U.S. Coast Guard, U.S. Drug Enforcement Administration (DEA), Office of National Drug Control Policy (ONDCP), U.S. Customs Service, John Hopkins University, and Barringer Instruments, Inc. Rear Admiral Riutta, Assistant Coast Guard Commandant for Operations, testified that drug interdiction is a vital component of our balanced National Drug Control Strategy, that the Coast Guard has a proven strategy for results, that interdiction reduces drug flow and drug use, that interdiction enhances foreign engagement and cooperation, and that interdiction assets must be strengthened and enhanced. Admiral Riutta also discussed several of the Coast Guard's successful anti-drug operations including operations FRONTIER SHIELD, FRONTIER LANCE, and STEEL WEB. Operation STEEL WEB is the Coast Guard's multiyear campaign plan to position the requisite interdiction forces where they best counter the ever evolving drug trafficking threats. Gregory Williams, Chief of Operations at the DEA, reported that the DEA was committed to its primary goal of targeting and arresting the most significant drug traffickers operating in the world. He also pointed out that in order for the DEA to be successful it is essential that it have trustworthy and competent agencies in the Caribbean, Mexico, Central and South America to work with. The DEA plans to continue building cases against, and ultimately incarcerate, the leaders of the sophisticated narcotic criminal syndicates that continue to distribute drugs throughout the world. James McDonough, Director of Strategy at ONDCP, testified that the Administration found demand reduction programs more important than supply reduction programs which include drug interdiction programs. He further reported that the Administration's goal is to reduce the supply of illicit narcotics by 50 percent by the year 2007 which would include a 30 percent reduction in the production of cocaine and a 20 percent reduction in the amount of illegal drugs in the transit zone.

Barry Raff, who is the program manager for counter-drug programs of the Applied Physics Laboratory at John Hopkins University, discussed a new application of technology that he believes will enable the U.S. drug interdiction forces to catch drug traffickers. This technology, which is a new application of existing anti-sub-

marine warfare technology, is based upon the use of unmanned sonar buoys and listening posts to detect drug trafficking vessels and warn our forces with enough lead time to interdict these vessels. Kenneth Wood, President of Barringer Instruments, discussed his company's product the IONSCAN. This instrument, which is currently being used by the Coast Guard and other law enforcement agencies, is the latest and most advanced narcotics detection device.

At the September 29, 1998, hearing, the Subcommittee took testimony from representatives of the Coast Guard. Admiral James Loy, Commandant of the Coast Guard, testified about the Coast Guard's operation STEEL WEB which is its plan to position interdiction forces where they best counter the evolving drug trafficking threats and achieve the National Drug Control Strategy. He also reported that the Coast Guard's fiscal year 1998 \$34.3 million increase in budget authority allowed the Coast Guard to sustain its operations FRONTIER SHIELD, GULF SHIELD, AND BRODER SHIELD. He further stressed how important it was for the Coast Guard to receive its entire fiscal year 1999 budget request. Three other Coast Guard officers and one Coast Guard enlisted man gave the Subcommittee several of their personal experiences while interdicting drugs for the Coast Guard.

THE ACTIVITIES OF THE INTERNATIONAL MARITIME ORGANIZATION

On June 25, 1998, the Subcommittee held an oversight hearing on the activities of the International Maritime Organization (IMO). The IMO is a specialized organization within the United Nations established for the purpose of developing international maritime standards, promoting safety in shipping, and preventing marine pollution from ships. The main objective of the IMO is to facilitate cooperation among governments on technical and other matters affecting international shipping, particularly the promotion of safety of life at sea and the prevention of marine pollution from ships.

The United States participates on all levels at the IMO. Although the Department of State has the primary responsibility for establishing U.S. positions in the IMO, the Coast Guard has been the official head of a number of delegations representing U.S. interests at IMO. Coast Guard personnel participate at all levels of the organization and head U.S. delegations to IMO's Assembly, Marine Safety Committee, Marine Environmental Protection Committee, the Legal Committee, and all the subcommittees of the Marine Safety Committee.

The Subcommittee received testimony from representatives of the Coast Guard, Chamber of Shipping of America, American Bureau of Shipping, and several maritime unions. Rear Admiral North, Coast Guard Assistant Commandant for Marine Safety, testified about the IMO in general and the United States' role at the IMO. He reported that since the 1970's, the U.S. has taken the initiative to improve the international standards for maritime safety and protection of the marine environment so as to provide a significant degree of protection for our waters, waterways, environmental resources, population, and property. Admiral North further discussed several future U.S. priorities at the IMO, including the develop-

ment of criteria to address the human element in maritime casualties and pollution incidents as well as the placement of greater emphasis on the ship owners', classification societies', and flag states' responsibilities to ensure they are properly carrying out their duties under the specific IMO convention's requirements.

On the second panel of witnesses, Joseph J. Cox, President of the Chamber of Shipping of America, which represents 14 U.S. based companies which own, operate or charter oceangoing ships, reported on the United States' involvement in the IMO and his organization's involvement with U.S. delegations to the IMO. Sidney Wallace, a former Chairman of the IMO's Marine Environmental Protection Committee, testified about the IMO's organization and his views about several U.S. IMO positions. He believes that the U.S. should have ratified the international approach to liability and compensation for oil pollution from international shipping under the 1971 International Fund Convention and the 1984 and 1992 Protocols to this Convention. Robert Somerville, President of the American Bureau of Shipping (ABS), which is the official United States ship classification society, discussed his support of the IMO and its work to improve the regulations which already exist. Captain Lee Kincaid of the MEBA Engineering School discussed the IMO's work on ballast water exchange and the IMO Convention on the Standards of Training, Certification and Watchkeeping for Seafarers. Finally, Terry Turner, President of the Seafarers International Union (SIU), testified about his labor organization's support for the IMO and the SIU's work with the IMO. Mr. Turner also joined several of the other witnesses in supporting IMO's work to improve the "human element" of international shipping.

THE COAST GUARD'S MARINE ENVIRONMENTAL PROTECTION AND COMPLIANCE PROGRAMS

On July 15, 1998, the Subcommittee held an oversight hearing on the U.S. Coast Guard's Marine Environmental Protection and Compliance Programs. At this hearing, the Subcommittee considered the Coast Guard's goals, strategies, operational activities, and measures of effectiveness for its environmental protection programs, developed under the Government Performance and Results Act. The Coast Guard enforces laws related to oil pollution prevention and response, ocean dumping, plastics pollution, and control of other pollutants. The Coast Guard plans dramatic improvements in its Marine Environmental Protection Program over the next 10 years. In discharging its marine environmental protection mission, the Coast Guard spends 11.1 percent of its operating expenses funding, about \$307 million a year.

At this hearing, testimony was received from witnesses representing the U.S. Coast Guard, the Chamber of Shipping of America, the International Council of Cruise Lines (ICCL), the Lake Carriers' Association, the International Association of Independent Tanker Owners (INTERTANKO), the Center for Marine Conservation, the Chesapeake Bay Foundation, and ocean Advocates.

Captain Thomas Gilmour, Director of Field Activities, Coast Guard Office of Marine Safety and Environmental Protection, testified about the history of the Coast Guard's Marine Environmental

Protection mission and its current marine environmental protection goals. These are to reduce the amount of oil discharged into the U.S. marine environment from maritime sources by 20 percent; the amount of chemicals entering the environment from maritime transportation sources by ensuring a release rate below the annual average of the period between 1993 and 1997; the consequence of pollution incidents; the discharge of plastics and garbage in the water from maritime sources by 20 percent over 5 years; and the volume of untreated foreign coastal water discharged from vessels into the U.S. Exclusive Economic Zone. He then described how the Coast Guard planned to meet these five goals. He later reported how the Coast Guard is working to reduce the so-called "human element" in its environmental protection efforts. About 80 percent of all vessel casualties and the resulting pollution are related to the human element. Captain also discussed how the Coast Guard is partnering with several industry associations and the International Maritime Association to reduce pollution incidents.

The second panel of witnesses represented various types of vessel operators. Joseph Cox, President of the Chamber of Shipping of America, testified about his members' past efforts to prevent pollution including their work to prevent the discharge of ballast water containing oil and plastic pollution into our waterways. Currently, the industry is working with the Coast Guard to reduce air pollution and aquatic nuisance species in ballast water. Cynthia Colenda, President of the International Council of Cruise Lines, which represents 17 foreign flag cruise lines, testified that her industry is highly regulated and governed by a strict and comprehensive set of international requirements enforced by their flag states and the Coast Guard. She also reported that the cruise industry has a strong environmental record, is always striving to improve its environmental programs, and is committed to continuous improvement in its environmental performance. George Ryan, President of the Lake Carriers' Association, which represents vessel operators on the Great Lakes, testified that his members have worked closely with the Coast Guard to protect the environment including efforts to reduce the spread of nuisance, non-indigenous species in the Great Lakes. Mr. Ryan also reported on an industry and Coast Guard initiative to develop a Cargo Residue Washdown Policy, operational procedures during periods of ice cover in sensitive stretches of the Connecting Channels, and the preparation of plans for environmental response in the event of an oil spill. Finally, Richard DuMoulin, Chairman of INTERTANKO, which represents 300 independent operators and owners of tank vessels around the world, reported that his members believe prevention is the key to environmental protection and that any safety regime must not focus solely on shipowners but also on the other links in the safety chain including pilots, terminals, cargo interests, class societies, insurers, responders, and governments. He also brought the Subcommittee's attention to several areas of concern for INTERTANKO including using documents relating to the International Safety Management Code in litigation and the harmful effects of local governments establishing marine safety regulations.

The third panel of witnesses represented three environmental organizations. Lori Williams, from the Center for Marine Conserva-

tion (CMC), testified that her organization is committed to protecting ocean environments and the diversity of marine life and believes that the Coast Guard's programs have made a significant contribution to protecting the marine environment. Ms. Williams also reported that the CMC has worked with the Coast Guard on a number of educational and outreach programs including the Sea Partners Campaign and an environmental training program for Coast Guard Auxiliary personnel. Thomas Grasso, Maryland Executive Director of the Chesapeake Bay Foundation, testified that the Chesapeake Bay is particularly vulnerable to oil spills and that while the Coast Guard has done a good job at responding to oil spills in the Bay, it needs more resources to implement the requirements of the Oil Pollution Act of 1990 (OPA'90). Mr. Grasso also reported that his organization strongly believes that vessel and barges of less than 5000 gross tons should be required to have double hulls. Sally Lentz of Ocean Advocates testified that she believes the Coast Guard has failed to implement the regulatory initiatives of the OPA'90 which provide for improved pollution prevention. Ms. Lentz was specifically concerned about the Coast Guard's failure to require any interim measures for those single-hull vessels still operating in U.S. waters, tug escorts for tank vessels in certain areas, and onboard oil spill response equipment. Finally, she suggested that the Subcommittee have the General Accounting Office conduct an investigation into the Coast Guard's Marine Environmental Protection and Compliance Program for the purpose of identifying the obstacles to timely and effective implementation of the OPA'90.

THE NEEDS OF THE U.S. WATERWAYS TRANSPORTATION SYSTEM

On July 29, 1998, the Subcommittee held a hearing on the needs of the U.S. waterways transportation system. Witnesses included representatives of the Coast Guard, the Maritime Administration, the U.S. Army Corps of Engineers, U.S. port interests, U.S. and foreign vessel owners, pilots, and U.S. shippers.

Admiral James M. Loy, Commandant of the U.S. Coast Guard, and John Graykowski, Acting Administrator, U.S. Maritime Administration, testified jointly at this hearing. They explained the Secretary of Transportation's initiative to develop a unified approach to the U.S. marine transportation system. As an initial step, the Administration conducted a series of regional listening sessions at seven coastal and inland ports throughout the United States. Representatives from 12 Federal agencies, including the Coast Guard, the Maritime Administration, the Army Corps of Engineers, the Environmental Protection Agency, and the U.S. Customs Service, attended these sessions and heard the public present their views about the current state of our marine transportation system.

Admiral Loy and Mr. Grakowski stated that the results from the listening sessions were a list of issues and imperatives to improve the marine transportation system in the areas of safety, security, global competitiveness, infrastructure, and environmental protection. The Secretary of Transportation will hold a national conference scheduled for November, 1998, where these issues will be discussed. Admiral Loy and Mr. Grakowski explained that America's marine transportation system annually moves cargo worth ap-

proximately one trillion dollars. It contributes over \$78 billion to the gross domestic product and generates 16 million jobs. Ten billion barrels of crude oil and petroleum products are imported daily. Except for Canadian pipeline deliveries, nearly all of these petroleum supplies are shipped by water through our coastal and inland waterways.

Finally, Admiral Loy and Mr. Grakowski testified that ports must be prepared to respond to the mounting pressures of growing trade, more noncommercial waterway users, the development of new means to harvest and preserve marine resources, and increasingly aggressive efforts by criminals and adversaries intent on doing harm. They concluded by stating that the Federal government must bring together the private and public elements of the maritime community to discuss the marine transportation system for the 21st century that is essential to American's future prosperity and well-being.

Charles M. Hess, Chief, Operations Division, Directorate of Civil Works, testified for the U.S. Army Corps of Engineers. He gave a brief description of the Corps' responsibilities in the development, operations, and maintenance of Federal navigation projects, its interagency programs concerned with the improved management of the waterways and ports, and its plans for the 21st century. Mr. Hess testified that the Corps of Engineers has been committed to providing safe, reliable, and efficient waterborne transportation systems for nearly two centuries. The Corps builds and maintains U.S. channels, harbors, and waterways, for the movement of commerce, national security needs, and recreation. The Corps' navigation mission now encompasses a capital stock value of approximately \$31.5 billion, with an annual budget for planning, engineering, construction and operation and maintenance exceeding \$1.4 billion.

The Corps has enjoyed a close working relationship with the Coast Guard and the Maritime Administration, and continues to participate in several joint activities with them. The Corps participated with other agencies as part of the regional listening sessions sponsored by the Department of Transportation. Mr. Hess concluded by explaining that the Corps will participate with the Department of Transportation and other Federal agencies in the November conference to develop a vision for the national transportation system for the next century.

The next witness to testify before the Subcommittee was Lillian Barrone, Director, Port Commerce Department, Port Authority of New York and New Jersey, and Chairman, American Association of Port Authorities. Ms. Barrone testified that although the marine transportation system must be integrated into the national transportation vision, specific improvements to account for increased trade growth must be developed locally. She added that a proper solution to accommodating the Nation's growth in waterborne commerce must include a long-term commitment by Congress and the Administration to adequately plan for and fund crucial infrastructure programs in partnership with stakeholders. Finally, she stated that she believes the Federal government should reaffirm its longstanding responsibility for maintaining navigation channels. The

American Association of Port Authorities would like to see this commitment funded from the General Treasury, as the maritime industry is already paying its fair share of fees to support the flow of commerce.

Joseph J. Cox, President, Chamber of Shipping of America, testified that determining how to fund our port infrastructure may be one of the most important maritime questions facing us for the future. He explained that since the Supreme Court struck down the harbor maintenance tax as applied to exports, the tax still collected on imports and domestic cargoes is sufficient to cover maintenance dredging needs. Mr. Cox also stated that while the shipboard component of our marine transportation system is meeting the technology challenge head on, the shoreside infrastructure must keep pace. In order to do so, Federal agencies and local port authorities must receive the necessary funding to maximize the return on these technological investments in areas such as aids to navigation, development and creation of additional electronic charts and vessel traffic management systems, to name a few. Finally, Mr. Cox stated that the most critical element of the marine transportation system is the people within it.

The next witness to testify at the hearing was Richard T. DuMoulin, Chairman, the International Association of Independent Tanker Owners (INTERTANKO). Mr. DuMoulin testified that the effects of the liability regime for oil spills in U.S. waters is both good and bad. He stated that his organization believes these liability standards tend to be simplistic and punitive and ignore the fact that oftentimes the causes of marine casualties and oil spills are beyond the control of owners. On the other hand, Mr. DuMoulin said, he recognized that the fear of liability has forced tanker owners to ensure that the safety variables, over which they have direct control, are addressed.

Mr. DuMoulin stated that the U.S. is not doing everything possible to keep pace with the changing demands of our maritime commerce. He said that charts are outdated, aids to navigation are frequently primitive, unreliable, and behind world standards. Hydrographic data are inaccurate and surveys are behind schedule. His suggestions for improvement were: increased funding for hydrographic surveys and other data collection; funding for dredging and harbor improvements from the General Treasury; establishing vessel traffic systems using transponder-based automated information systems; and centralizing Federal responsibility for maintenance of safe waterways in the United States.

Donald Cameron, Manager of Corporate Logistics for Bose Corporation and National Industrial Transportation League (NIT League) Chairman, Ocean Transportation Committee, testified that that the NIT League was pleased by the work of the Coast Guard and Maritime Transportation Subcommittee which laid the groundwork for S. 414, the Ocean Shipping Reform Act, passed by the Senate earlier in the year.

Mr. Cameron explained that the NIT League has developed a three-tiered approach to guide its participation in the debate over a financing alternative to the harbor maintenance tax. First, the League believes that the moneys remaining in the existing trust

fund should be used solely for dredging or other port maintenance projects. Second, the import portion of the harbor maintenance tax should be repealed. Third, with respect to financing a new system for financing dredging, the League thinks that any alternative should carefully consider the needs of actual commercial users of the Nation's port system. Mr. Cameron stated that based on the Supreme Court's decision it is clear that any fee on users would have to fairly reflect the cost of the services provided. He added that as indirect users of the deep draft channels and harbors, the League intends to play a major role in the public policy debates that will lead to an acceptable financing alternative. Mr. Cameron ended his testimony with a discussion of the importance of intermodal connections to ports and the need to fund dredging of the inland waterways system.

The next witness to testify before the Subcommittee at this hearing was Professor Jon S. Helmick, Director, Logistics and Intermodal Transportation Program, U.S. Merchant Marine Academy. Dr. Helmick testified concerning the importance of education and training of the personnel who operate the marine transportation system. Dr. Helmick explained that developing the maritime and intermodal transportation system demands managers and operating personnel with strong analytical skills and information system literacy. The U.S. Merchant Marine Academy is introducing a new major for midshipmen in the Class of 2002 in "Logistics and Intermodal Transportation" to respond to this need in the marine transportation industry.

The last witness to testify at this hearing was Captain Jack Sparks, President, American Pilots' Association. Captain Sparks discussed particular issues of interest to U.S. pilots, including recognizing the important role of the compulsory pilot, stressing the need for better enforcement of the English language requirement, and the further development and implementation of vessel identification and navigation systems. He stated that these issues continue to be important to pilots in improving navigation safety in the future.

THE PROGRAMS OF THE U.S. MARITIME ADMINISTRATION

On September 24, 1998, the Subcommittee held a hearing to introduce Clyde J. Hart, Jr., as the new Maritime Administrator in the U.S. Department of Transportation's Maritime Administration (MARAD) to Members of the Subcommittee.

Mr. Hart discussed the Maritime Administration's current programs and his vision for the future of this Federal maritime agency. Mr. Hart also stated that his agency is working closely with the FBI on its investigation into the Military Sealift Command. He reported that MARAD's strategic goals are to assure an intermodal sealift capability to support national security interests, to enhance the competitiveness of the U.S. shipyard industry, to improve the intermodal transportation system performance through advanced technology and innovation, and to increase the U.S. maritime industry's participation in foreign trade and cargo and passenger movement in the domestic trades. He further stated that the Administration strongly supports the Jones Act which reserves domes-

tic waterborne trade to U.S.-owned, U.S.-built and U.S.-manned vessels. Mr. Hart ended his testimony by discussing the Merchant Marine Academy and ship scrapping.

REVIEW OF THE WATER, COAST GUARD AND MARITIME ISSUES RELATED TO THE YEAR 2000 COMPUTER PROBLEM: "WILL WE GET THERE ON TIME?"

The Full Transportation and Infrastructure Committee held a series of hearings, from September 29, 1998, until October 7, 1998, about the Year 2000 (Y2K) computer problem throughout the transportation industry. On October 7, 1998, the fourth hearing in the Y2K series of hearings focused on how this problem was being addressed by the U.S. Coast Guard and the maritime industry.

SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON PUBLIC BUILDINGS AND ECONOMIC DEVELOPMENT

During the 105th Congress, the Subcommittee on Public Buildings and Economic Development was chaired by Republican Congressman Jay Kim with Congressman James A. Traficant, Jr. serving as the ranking Democrat Member. The Subcommittee held numerous hearings on a variety of issues, including the annual General Services Administration capital investment programs and lease programs, legislation pertaining to the John F. Kennedy Center for the Performing Arts, legislation pertaining to the construction of a Capitol visitor center, security issues concerning the Federal building office inventory, numerous bills for building designations, and a number of requests for use of the Capitol Grounds. The Subcommittee concentrated much oversight effort on the revenue shortfall in the Federal Buildings Fund and actions taken by the General Service Administration to restore the fund to health, as well as continuing oversight on Federal building security.

ENACTED BILLS

(For a description of the enacted bills, see section on "Bills Enacted into Law.")

OTHER LEGISLATION

In addition to the numerous bills enacted, the Subcommittee held hearings and reported several bills that passed the House but did not pass the Senate. Additionally, the Subcommittee reported a number of concurrent resolutions authorizing the use of the Capitol Grounds and naming a building on the Capitol Grounds. Also, the Subcommittee supported similar measures that were considered on the House Floor absent Committee consideration. The Subcommittee also supported bills that were discharged from Committee consideration and approved by the House.

CONCURRENT RESOLUTIONS

GREATER WASHINGTON SOAP BOX DERBY

H.Con.Res. 49 authorized the use of the Capitol Grounds for the Greater Washington Soap Box Derby. The measure authorized the Architect of the Capitol, the Capitol Police Board, and the Greater Washington Soap Box Derby Association to negotiate the necessary arrangements for carrying out the event in compliance with rules and regulations governing the use of Capitol Grounds. The race was held on Constitution Avenue between Delaware Avenue and Third Street, NW, and was open to the public and free of charge. Race participants were between the ages of 9 and 16 and came from Washington, D.C. and communities in Maryland and Virginia.

This resolution passed the House May 13, 1997, and passed the Senate on May 20, 1997.

SIXTEENTH ANNUAL NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

H.Con.Res. 66 authorized the use of the Capitol Grounds for the 16th Annual Peace Officers' Memorial Service. The resolution authorized the Architect of the Capitol, the Capitol Police Board, and the National Fraternal Order of Police and its auxiliary to negotiate the necessary arrangements for carrying out the event in compliance with rules and regulations governing the use of the Capitol Grounds. This service honored the 117 Federal, State and local law enforcement officers killed in the line of duty in 1996. The United States Capitol Police was the hosting law enforcement agency for this event. This resolution passed the House May 13, 1997, and passed the Senate on May 14, 1997.

1997 DISTRICT OF COLUMBIA SPECIAL OLYMPICS TORCH RELAY

H.Con.Res. 67 authorized the use of the Capitol Grounds for the 1997 Special Olympics Torch Relay. The resolution authorized the Architect of the Capitol and the Capitol Police Board to take such actions and prescribe such conditions as necessary for carrying out the event in compliance with rules and regulations governing the use of the Capitol Grounds. The run through the Capitol Grounds is part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games at Gallaudet University. Each year, over 60 local and Federal law enforcement agencies in Washington, D.C. participate in this annual event to show their support of the Special Olympics. The United States Capitol Police hosted the Opening Ceremonies on Capitol Hill. This resolution passed the House May 13, 1997, and passed the Senate on May 21, 1997.

SAFE KIDS BUCKLE UP CAR SEAT SAFETY CHECK

H.Con.Res. 98 authorized the use of the Capitol grounds for the SAFE KIDS Buckle Up Car Seat Safety Check. The resolution authorized the Architect of the Capitol, the Capitol Police Board, and the National SAFE KIDS Campaign to negotiate the necessary arrangements for carrying out the event in complete compliance with rules and regulations governing the use of Capitol Grounds. The purpose of this event was to educate families about the importance of the proper installation and use of car seats for children. The event was free and open to the public and was arranged not to interfere with the needs of Congress, under the conditions prescribed by the Architect of the Capitol and the Capitol Police Board. This resolution passed the House July 28, 1997, and passed the Senate on July 30, 1997.

BREAST CANCER SURVIVORS EVENT

H.Con.Res. 238, as amended, authorized the use of the Capitol Grounds for a breast cancer survivors event sponsored by the National Race for the Cure organization. The resolution authorized the Architect of the Capitol and Capitol Police Board to negotiate the necessary arrangements for carrying out the event in compli-

ance with rules and regulations governing the use of Capitol Grounds. It also permitted the sponsor to erect a stage and a 50 to 75 foot pink ribbon, the breast cancer commemorative symbol. The event was free of charge and open to the public. The Race for the Cure and this Survivors' Day event emphasized the importance of education and early detection on a national level, and brought us one step closer to the complete eradication of the disease. This amended resolution passed the House March 17, 1998, and passed the Senate on March 18, 1998.

SOAP BOX DERBY RACES

H.Con.Res. 255, as amended, authorized the use of the Capitol Grounds for the Greater Washington Soap Box Derby qualifying race. The resolution authorized the Architect of the Capitol, the Capitol Police Board, and the Greater Washington Soap Box Derby Association to negotiate the necessary arrangements to carry out the event in compliance with the rules and regulations governing the use of the Capitol Grounds. The race took place on Constitution Avenue between Delaware Avenue and Third Street, NW. Participants that competed in the event were from the ages of 9 to 16 and the event was open to the public, free of charge. The sponsor assumed responsibility for all expenses and liabilities related to the event. This amended resolution passed the House May 12, 1998, and passed the Senate on May 13, 1998.

DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

H.Con.Res. 262, as amended, authorized the use of the Capitol Grounds for the 1998 District of Columbia Special Olympics Law Enforcement Torch Run. The resolution authorized the Architect of the Capitol and the Capitol Police Board to take such actions and prescribe such conditions as necessary for carrying out the event in compliance with the rules and regulations governing the use of the Capitol Grounds. The run through the Capitol Grounds is part of the journey of the Special Olympics torch through the District of Columbia to the Special Olympics summer games at Gallaudet University in the District of Columbia. The United States Capitol Police hosted Opening Ceremonies for the run on the Capitol Grounds, followed by over 2,000 law enforcement representatives carrying the torch in honor of 2,500 Special Olympians. This amended resolution passed the House May 12, 1998, and passed the Senate on May 13, 1998.

NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

H.Con.Res. 263, as amended, authorized the use of the Capitol Grounds for the 17th Annual National Peace Officers' Memorial Service. The resolution authorized the Architect of the Capitol, the Capitol Police Board, and the Grand Lodge Fraternal Order of Police to negotiate the necessary arrangements for carrying out the event in compliance with the rules and regulations governing the use of the Capitol Grounds. The United States Capitol Police hosted this event, which was open to the public, free of charge. The service honored over 160 Federal, State and local law enforcement

officers killed in the line of duty in 1997. This amended resolution passed the House on May 12, 1998, and passed the Senate on May 13, 1998.

USE OF CAPITOL GROUNDS FOR SPECIAL PERFORMANCES BY THE MILLENNIUM STAGE OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

H.Con.Res. 265 authorized the use of the Capitol Grounds for performances by the Millennium Stage of the John F. Kennedy Center for the Performing Arts. The performances ran on Tuesdays and Thursdays beginning May 12 and continued through September 30, 1998. The resolution also authorized the Architect of the Capitol and the Capitol Police Board to take such actions and prescribe such conditions as necessary for carrying out the performances in compliance with the rules and regulations governing the use of the Capitol Grounds. The Architect of the Capitol assumed some of the expenses associated with the performances including the rental cost of certain musical instruments and sound amplification equipment. The performances were open to the public and free of charge, and the sponsor assumed full responsibility for all liabilities incident to all activities associated with the performances. In addition, sales, advertisements, and solicitations were explicitly prohibited on the Capitol Grounds for this event. This resolution passed the House on May 7, 1998, and passed the Senate on May 8, 1998.

DISABLED AMERICAN VETERANS

S.Con.Res. 102 authorized the Disabled American Veterans to sponsor a public event on the West Front Lawn of the Capitol to announce the donation of 147 vans to the Department of Veterans Affairs by Disabled American Veterans. The event was free of charge to the public and arranged to not interfere with the needs of Congress, under conditions prescribed by the Architect of the Capitol and the Capitol Police Board. The resolution also authorized the Disabled American Veterans to erect a stage, sound amplification devices, and other related structures and equipment required for the event. The Disabled American Veterans assumed full responsibility for all expenses and liabilities incident to all activities associated with the event. This resolution passed the Senate on June 4, 1998, and passed the House on June 11, 1998.

AMERICAN LUGE ASSOCIATION RACES

H.Con.Res. 305 authorized the United States Luge Association to sponsor a clinic on the Capitol grounds. The resolution authorized the Architect of the Capitol and the Capitol Police Board to take such actions and prescribe such conditions as necessary for carrying out the event in complete compliance with rules and regulations governing the use of the Capitol Grounds. The resolution also authorized the sponsor, the United States Luge Association, to erect a stage and necessary amplification equipment. The resolution was discharged from the Committee on Transportation and Infrastructure and passed the House on July 30, 1998. No Senate action was taken.

ENEY, CHESTNUT, GIBSON MEMORIAL BUILDING

S.Con.Res. 120 re-designated the United States Capitol Police headquarters building located at 119 D Street, NE, Washington, D.C. as the "Eney, Chestnut, Gibson Memorial Building". Sergeant Christopher Eney was killed on August 24, 1984, during training exercises. Officer Jacob "J.J." Chestnut was killed on July 24, 1998, while guarding his post at the Capitol, and Detective John Gibson was killed on July 24, 1998, while protecting the lives of visitors, staff, and the Office of the Majority Whip of the House of Representatives. All three victims were members of the United States Capitol Police. This resolution was discharged from the Senate Rules and Administration Committee and passed the Senate on October 8, 1998. This resolution passed the House on October 15, 1998.

BILLS PASSED BY HOUSE ONLY

RONALD H. BROWN FEDERAL BUILDING

H.R. 29 would designate the Federal building located at 290 Broadway in New York, New York, as the "Ronald H. Brown Federal Building." Ronald H. Brown was the first African-American Secretary of Commerce. He was an advocate for civil rights; a mentor developing young talent and extending the ladder of opportunity to a new generation. In addition to his Cabinet position, Secretary Brown had held the rank of Captain in the United States Army; and held the offices of Vice President of the National Urban League and Chief Counsel to the Senate Judiciary Committee. Secretary Brown's life was marked by record of accomplishment and service to his country. It was in this service that he gave his life. While on a mission of foreign trade development, the airplane carrying Secretary Brown crashed in Bosnia on April 3, 1996. This bill passed the House on September 23, 1997.

TED WEISS UNITED STATES COURTHOUSE

H.R. 548 would designate the United States courthouse located at 500 Pearl Street in New York, New York, as the "Ted Weiss United States Courthouse." Ted Weiss immigrated from Gava, Hungary, to the United States in 1938. He served in the Army in 1946 as a news broadcaster. He later attended law school at Syracuse University and practiced law in New York City as the Assistant District Attorney. He then was elected to the New York City Council and held his seat for fifteen years. In 1976, Congressman Weiss successfully won a seat in the U.S. House of Representatives, representing what was then the 17th District. As a congressman, Ted Weiss held leadership positions on the House Committee on Banking Finance and Urban Affairs, as well as the Committees on Foreign Affairs and Government Operations. This bill passed the House on November 13, 1997.

KIKA DE LA GARZA UNITED STATES BORDER STATION

H.R. 994 would designate the United States border station located in Pharr, Texas, as the "Kika de la Garza United States Border Station." Kika de la Garza served in the United States Navy

from 1945 until 1946, and in the United States Army from 1950 until 1952. In 1953, Congressman de la Garza was elected to the Texas House of Representatives. He served in this position until his election to the United States House of Representatives in 1964. He served the 15th Congressional District for 16 terms. Congressman de la Garza became a member of the Committee on Agriculture when he was first elected to Congress, and served as chairman of the committee from 1981 until 1994. As chairman, he compiled an impressive record of achievement and dedicated service to America's farming community. This bill passed the House on September 23, 1997.

JAMES L. FORMAN UNITED STATES COURTHOUSE

H.R. 1502 would designate the United States courthouse located at 301 West Main Street in Benton, Illinois, as the "James L. Forman United States Courthouse." Judge James L. Foreman was appointed to the Federal bench in 1972, after serving as an assistant attorney general for Illinois, and Massac County State's attorney from 1960 until 1964. He became Chief Judge in 1978, and continued in this position until 1992, when he became Senior District Judge. Judge Foreman was instrumental in establishing a formal case management system before the concept was mandated for all Federal courts. Judge Foreman was also instrumental in establishing court facilities at the maximum security United States Penitentiary at Marion, Illinois in order to accommodate the special security concerns involved with these prisoners. Additionally, Judge Foreman served on the Judicial Resource Committee of the Judicial Conference of the United States, and sat by designation in cases before the United States Court of Appeals for the Seventh Circuit and in the United States District Court for the Western District of Kentucky. Judge Foreman has served with honor and distinction during his tenure on the Federal bench. This bill passed the House on September 9, 1997.

HIRAM H. WARD FEDERAL BUILDING AND UNITED STATES COURTHOUSE

H.R. 2379 would designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse." Hiram H. Ward served as a Lieutenant Colonel Pilot in the United States Army Air Force Civil Air Patrol from 1940 until 1945. For his efforts during World War II, Judge Ward received an Air Medal and Purple Heart. Upon his return from the war, Judge Ward attended Wake Forest University and graduated with honors from the Wake Forest School of Law in 1950. In 1972, President Nixon appointed Judge Ward to the Federal bench for the Middle District of North Carolina. He served the Middle District from 1972 until 1988, where he achieved the status of Chief Judge in 1982. In 1988, Judge Ward elected to take senior status, retaining all of his pending cases, and continued to sit for an additional six years with the Fourth Circuit Court of Appeals. This bill passed the House on July 14, 1998.

J.J. "JAKE" PICKLE FEDERAL BUILDING

H.R. 3223 would designate the Federal building located at 300 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building." James Jarrell "Jake" Pickle spent three and a half years with the United States Navy in the Pacific during World War II. In 1963, Congressman Pickle was elected to the United States House of Representatives in a special election to fill a vacant seat created by Congressman Thornberry's resignation. He was then re-elected to the next fifteen succeeding Congresses until his retirement on January 3, 1995. During his tenure in Congress, Congressman Pickle provided a strong voice on civil rights issues. Additionally, as Chair of the Ways and Means Oversight Subcommittee and the Social Security Subcommittee, he worked to shape the system of Medicare and see that it fulfilled its intended purpose of providing basic health care for those that required assistance, and assured the continuance of Social Security. This bill passed the House on July 14, 1998.

TERRY SANFORD FEDERAL BUILDING

H.R. 3982, as amended, would designate the Federal Building located at 310 New Bern Avenue in Raleigh, North Carolina, as the "Terry Sanford Federal Building." Terry Sanford served in World War II, initially as a special agent for the Federal Bureau of Investigation, and then later as a volunteer recruit in the United States Army. He began his service in the Army as a private, however he later served as a paratrooper in five European campaigns, including Normandy, and was discharged as a first lieutenant. In 1953, Senator Sanford was elected to the North Carolina State Senate and served until 1955. In 1961, after founding one of three law firms, Senator Sanford was elected Governor of North Carolina. Following his term as governor he returned to private practice until 1986, when he made a successful bid to represent North Carolina in the United States Senate, serving until 1993. This bill passed the House on July 29, 1998.

JAMES F. BATTIN UNITED STATES COURTHOUSE

H.R. 3696, as amended, would designate the United States courthouse located at 316 North 26th Street in Billings, Montana, as the "James F. Battin United States Courthouse." Judge Battin served in the United States Navy and for three years, a majority of this time being spent during World War II in the Pacific theater. After earning his J.D. degree in 1953, Judge Battin returned to Billings, Montana, and held various public positions in local government until 1957. In 1958, Judge Battin was elected to the Montana State House of Representatives. He then was elected to represent Montana in the United States House of Representatives in the 87th Congress, and returned to office for four succeeding terms, from January 3, 1961, until February 27, 1969. During his tenure in Congress, Judge Battin served on the Committee on Committees, the Executive Committee, the Judiciary Committee, the Foreign Affairs Committee, and the Ways and Means Committee. On February 27, 1969, President Nixon appointed Judge Battin to the United States District Court for the District of Montana. Judge

Battin became Chief Judge in 1978 and held the position until 1990, when he elected to take senior status. This bill passed the House on August 4, 1998.

LLOYD D. GEORGE FEDERAL BUILDING AND UNITED STATES
COURTHOUSE

H.R. 2225 would designate the Federal building and United States courthouse as the "Lloyd D. George Federal Building and United States Courthouse." Judge Lloyd D. George entered the United States Air Force in 1955, where he participated as a fighter pilot in the Strategic Air Command. In 1974, Judge George was appointed by the Ninth Circuit to preside over the United States Bankruptcy Court for the District of Nevada for a term of fourteen years. In 1980, he became a member of the Ninth Circuit Bankruptcy Appellate Panels. President Ronald Reagan appointed Judge George to the United States District Court for the District of Nevada in 1984. Eight years later Judge George was elevated to Chief Judge of the Nevada District. During his tenure on the bench Chief Judge George held a variety of distinguished memberships. He was a board member on the Federal Judicial Center, a member of the National Bankruptcy Conference, the Chair of the Judicial Advisory for Bankruptcy Rules, the Chair of the Judicial Committee on Administration of Bankruptcy System, a Fellow at the American College of Bankruptcy, and a member of the Judicial Committee on International Judicial Relations. This bill passed the House on September 9, 1998.

RONALD V. DELLUMS FEDERAL BUILDING

H.R. 3295 would designate the Federal building located at 1301 Clay Street in Oakland, California, as the "Ronald V. Dellums Federal Building." Congressman Ronald V. Dellums served for two years in the U.S. Marine Corps before receiving an honorable discharge. Congressman Dellums served on the Berkeley City Council from 1967 until 1970. On November 3, 1970, he was elected to the United States House of Representatives. Congressman Dellums championed issues involving civil rights, equal rights for women, human rights, and the environment. At the time of his retirement, Congressman Dellums was the Ranking Member on the House National Security Committee. During his tenure, Congressman Dellums also held the chairmanship of the Committee on Armed Services and the Committee on the District of Columbia. In addition, throughout his 27-year career, Congressman Dellums served on the Committee on Foreign Affairs, the Committee on the Post Office and Civil Service, the Permanent Select Committee on Intelligence, and the Congressional Black Caucus. This bill passed the House on September 9, 1998.

AARON HENRY FEDERAL BUILDING AND UNITED STATES COURTHOUSE

H.R. 892, as amended, would designate the Federal building located at 223 Sharkey Street in Clarksdale, Mississippi, as the "Aaron Henry Federal Building and United States Courthouse." Dr. Aaron E. Henry was a civil rights pioneer from the State of Mississippi. In 1943, he joined the United States Army achieving the

rank of Staff Sergeant. Following his tour of duty, in 1953, Dr. Henry organized the Coahoma County Branch of the National Association for the Advancement of Colored People (NAACP), and served as the state NAACP President from 1960 until 1993. He was instrumental, as chairman of the Mississippi Freedom Democratic Party, in the creation of the integrated Democratic Party in Mississippi. He also participated in the Freedom Rider Movement and in the Mississippi Freedom Summer's non-violent campaigns of public protest that led to the passage of the Public Accommodations sections of the Civil Rights Act of 1964. On the national level, Dr. Henry assisted in securing congressional support for the passage of the Office of Economic Opportunity, out of which came programs such as Head Start and Job Corps. In 1979, Dr. Henry was elected to represent District 26 of Coahoma County, in the Mississippi House of Representatives, and returned to office in 1983 and 1987. This bill passed the House on September 14, 1998.

ROBERT K. RODIBAUGH UNITED STATES BANKRUPTCY COURTHOUSE

H.R. 81 would designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the "Robert K. Rodibaugh United States Bankruptcy Courthouse." Judge Rodibaugh was appointed as the United States Bankruptcy Judge for the Northern District of Indiana in 1960. On August 30, 1995, he was appointed Chief Bankruptcy Judge for that region. During Judge Rodibaugh's tenure he oversaw growth in both the numbers of courtrooms and employees within his district. This bill passed the House on September 23, 1998.

RICHARD C. WHITE FEDERAL BUILDING

H.R. 3598 would designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the "Richard C. White Federal Building." Richard C. White served in World War II, with the U.S. Marine Corps in the Pacific theater from 1942 to 1945, earning a Purple Heart. In 1955, Congressman White was elected to the Texas State House of Representatives, where he served until 1958. Congressman White was elected to his first of nine successive terms in 1965, to represent the 16th District of Texas in the U.S. House of Representatives. As a Member, he served on the Committee on Armed Services, Interior and Insular Affairs, Post Office and Civil Service, and Science and Technology. In 1983, Congressman White returned to El Paso, choosing not to run for reelection. This bill passed the House on September 28, 1998.

THURGOOD MARSHALL UNITED STATES COURTHOUSE

H.R. 2187 would designate the United States Courthouse located at 40 Foley Square in New York, New York, as the "Thurgood Marshall United States Courthouse." Justice Marshall was one of the most noted jurists in United States history. Upon his graduation from law school, Justice Marshall embarked on a legal career with the National Association for the Advancement of Colored People (NAACP). In 1940, he became the head of the newly created NAACP Legal Defense and Educational Fund, a post that he held

for 20 years. In 1961, President John F. Kennedy appointed Marshall to the Second Circuit Court of Appeals. Four years later President Lyndon B. Johnson appointed him solicitor general, the first African-American to hold this post. On June 13, 1967, President Johnson selected Marshall to become a Supreme Court Justice where he served with distinction until his retirement in 1991. Justice Marshall passed away in 1993. This bill passed the House on September 28, 1998.

W. EDWARDS DEMING FEDERAL BUILDING

H.R. 962 would designate the Federal building in Suitland, Maryland, as the "W. Edwards Deming Federal Building." Dr. William Edwards Deming was a renowned expert on business management. In 1927, Dr. Deming began his career in public service with the Department of Agriculture as a physicist, and then moved on to the Bureau of Census to become the Mathematical Advisor to the Chief of the Population Division. In 1945, Dr. Deming began a second distinguished career as a statistics and management consultant to several foreign governments. No floor action was taken on this bill.

ABRAHAM LINCOLN FEDERAL BUILDING

H.R. 3482 would designate the Federal building located at 11000 Wilshire Boulevard in Los Angeles, California as the "Abraham Lincoln Federal Building." Abraham Lincoln was the 16th president of the United States, and recognized as one of the greatest leaders of the country for his guidance through the most devastating period in the history of the United States, the Civil War. Primarily self-educated, Lincoln tried various occupations and served briefly in the Black Hawk War in 1832. In 1834, Lincoln was elected, as a member of the Whig Party, to the Illinois legislature for the first of four successive terms. In 1836, Lincoln became a lawyer and moved to Springfield, Illinois, where he built a successful practice. In 1847, Lincoln was elected to the U.S. House of Representatives for one term, after which he returned to Springfield to practice law. In 1858, after joining the newly formed Republican Party two years earlier, he successfully ran for the Senate, defeating Senator Stephen A. Douglas and memorializing the famous Lincoln-Douglas debates. In 1860, Lincoln was elected to the presidency. As commander in chief, Lincoln was noted for vigorous measures, and his dedication to the principle of maintaining the Union at all costs. The Civil War was brought to an end on April 9, 1865, with the surrender by Robert E. Lee. Five days later, John Wilkes Booth assassinated Lincoln. Lincoln's many achievements include the preservation of the Union and the abolition of slavery. No floor action was taken on this bill.

TO AMEND THE PUBLIC BUILDINGS ACT OF 1959

H.R. 623 would amend the Public Buildings Act of 1959 to modify the method of calculation of public buildings transactions. This legislation is in response to the Budget Enforcement Act of 1990, which limits GSA's ability to acquire Federal buildings by either direct Federal construction or purchase. The effect of these rules has

forced GSA to acquire office space through expensive alternative means, such as entering into signing short term expensive leases. This legislation would allow GSA to enter into lease purchase agreements which would spread budgetary costs over the life of the project, and could ultimately result in ownership at the end of a lease. This measure was reported out of Subcommittee. No floor action was taken.

BAN ON SMOKING IN FEDERAL BUILDINGS ACT

H.R. 2118 would prohibit smoking in Federal buildings. This legislation would apply to the Executive, Legislative, and Judicial branches of government. It calls for the Administrator of GSA to promulgate regulations to institute and enforce this ban. This legislation directs the Administrative Office of the Courts to do the same for the Judiciary. The House Office Building Commission (for the House), the Senate Rules Committee (for the Senate), and the Architect of the Capitol (for other portions of the Legislative branch) are directed to issue regulations and take other action to enforce this ban for their respective areas of control. The bill does not apply to the armed services. This measure was reported out of Subcommittee. No floor action was taken.

GENERAL SERVICES ADMINISTRATION IMPROVEMENT ACT OF 1997

H.R. 2751 would clarify the Administrator of GSA's authority to exchange Federal property under the control of GSA for future rights or benefits relating to the development of real property; authorize GSA to retain proceeds from the sale of GSA buildings and from the leasing of Federal controlled space; and require additional information to be included in courthouse construction project requests. These provisions would encourage GSA to pursue partnerships with private developers to build Federal facilities, allow GSA to retain proceeds from the sale of property as well as out-leased space, and improve courthouse construction prospectuses. This measure was reported out of Subcommittee. No floor action was taken.

HEARINGS

On March 5, April 24, May 15, and June 19, 1997, the Subcommittee held hearings on the General Services Administration's (GSA) fiscal year 1998 capital improvement program, the status of the Federal Building Fund, and the impact of the budget scoring rules on GSA's policies concerning real estate transactions. The Subcommittee, in fulfilling its oversight responsibilities, was particularly interested in the health of the Federal Building Fund (FBF) in view of the revenue shortfall experienced by the fund in fiscal years 1996, 1997, and projected for 1998. GSA, over the course of the hearings, provided several reasons for the shortfall, including: the decline in leased space requests, a GSA issued rental rate reduction, delays in construction projects, and inaccurate rent estimating by GSA staff. In its testimony, GSA also outlined the actions it was taking to correct the shortfall, which included a reduction in the size of its fiscal year 1998 capital investment program by canceling requests for new construction projects and major

renovation projects. The Subcommittee expressed its concerns over the shortfall and the GSA proposed remedial actions, and emphasized its interest in alternative financing ideas to support the capital investment program. The Subcommittee also received testimony from the Office of Management and Budget (OMB) on the budget scoring rules, and pursued a dialogue with OMB on alternative methods to account for real estate transaction within the Federal budget. Additionally, the Subcommittee received testimony from other government offices and various private sector real estate interests on innovative financing ideas.

On May 22, 1997, the Subcommittee held a hearing on H.R. 20, the Capitol Visitor Center Authorization Act, a bill to authorize the Architect of the Capitol to construct a visitor center under the East Plaza of the United States Capitol. The visitor center was intended to provide amenities to visitors that the Capitol was not designed to accommodate, such as cafeteria services, restrooms, telephones, and organized educational assistance regarding the United States Capitol. A provision in the Legislative Branch Appropriations Act of 1991 permitted the Architect of the Capitol to use previously appropriated funds for the conceptual design and planning of the visitor center. In 1993, additional funds were provided by the United States Capitol Preservation Commission to the Architect for the actual design. This hearing, the second one of its kind held by the Subcommittee, focused on the differences between H.R. 20 and legislation introduced in the 104th Congress, as well as the design, construction, and financing aspects of the project. The Subcommittee received testimony from the sponsor of the bill, Congressman John Mica, the Architect of the Capitol, the Sergeant at Arms of the House of Representatives, and the Associate Librarian for Library Services of the Library of Congress, as well as outside tourist organizations. —

On June 4, 1997, the Subcommittee held a hearing on and approved for Full Committee action H.R. 1747, the John F. Kennedy Center Parking Improvement Act. H.R. 1747 would authorize the design and construction of additions to the parking garage and certain site improvements at the Kennedy Center. The most significant challenge facing the over four million annual visitors to the Kennedy Center is parking. This measure would enable the Kennedy Center to raise funds through the issuance of industrial bonds for the construction of parking garage additions which would add approximately 800 parking spaces; and provide authority for modifications to the roadway to address the most critical security problems identified at the site. The Subcommittee received testimony on H.R. 1747 from the President of the Kennedy Center.

On July 10 and 17, 1997, the Subcommittee held hearings on the reauthorization of the Economic Development Administration and the Appalachian Regional Commission. In conducting oversight over both the Economic Development Administration (EDA) and the Appalachian Regional Commission (ARC), the Subcommittee received strong endorsements in favor of the commission approach utilized by the ARC as a model program for State-Federal cooperation. The Subcommittee also received testimony from State and Federal Government officials and business people on the continued

need of EDA programs to provide distressed communities with the opportunity to attract new industry, encourage business expansion, diversify economies and generate long-term private sector jobs.

On October 8, 1997, the Subcommittee held a hearing on GSA's fiscal year 1998 lease program and general leasing policies. The Subcommittee has expressed great concern over the amount of office space leased by the Federal Government and the leasing policies pursued by GSA. The fiscal year 1998 lease consisted of a portfolio of ten leases, at a total estimated annual rental rate of \$48,242,832. The amount spent on leased space is approximately 48% of GSA's Public Buildings Service (PBS) budget. Additionally, in response to charges that its policies were cumbersome and time consuming, GSA announced initiatives to streamline its leasing process. The Subcommittee received testimony on these policy initiatives and expressed its concern as to their viability. The Subcommittee also received status reports on the FBF shortfall and a leasing dispute between GSA and the Department of Defense involving United States Navy Exchange Command. The Subcommittee received testimony from GSA.

On October 23, 1997, the Subcommittee held a hearing on H.R. 2118, the Ban on Smoking in Federal Buildings Act. In the climate of increasing information on the health concerns related to the smoking of tobacco products, the Federal Government has initiated policies to ban smoking in most Federal facilities. H.R. 2118 is an effort to codify smoking prohibitions in Federal facilities of all three branches of the Federal Government. Along with testimony from Congressman Blumenauer, the Subcommittee received testimony from the Architect of the Capitol and GSA, along with a written statement from the Administrative Offices of the Courts (AOC).

On March 5, and April 1, 1998, the Subcommittee held hearings on the GSA fiscal year 1999 budget and related issues, focusing on the fiscal year 1999 capital investment program. GSA's fiscal year 1999 budget request for new obligational authority for PBS from the FBF included: \$44,005,000 for construction and acquisition projects; \$668,031,000 for repairs and alterations; \$215,764,000 for installment acquisition payments; \$2,583,261,000 for rental of space; and \$1,554,772,000 for building operations, for a total request of \$5,065,833,000. GSA suspended its construction program in fiscal year 1998, with the pledge that it would be a one year moratorium to address the FBF revenue shortfall. This action had its greatest impact on the courthouse construction program. Yet, GSA's fiscal year 1999 proposed new construction program contained no funding for the courthouse construction program. Taking into consideration the history of PBS's operations and the capital investment needs of the Federal Government, the Subcommittee focused the March 5 hearing on alternative means of financing a capital investment program. The Subcommittee received testimony from OMB, GSA, the Department of Transportation and the General Accounting Office (GAO), as well as representatives from the private sector. The April 1 hearing focused on GSA's fiscal year 1999 capital investment program. Testimony was received from GSA. Additionally, Members of Congress provided testimony on specific projects.

On March 25, 1998, the Subcommittee held a hearing on H.R. 3504, the John F. Kennedy Center for the Performing Arts Authorization Act. As a result of legislation enacted in 1994, the Kennedy Center submitted in 1995 an initial comprehensive plan to identify all building renovations. This plan was to serve as the basis for the annual funding of capital improvements at a rate of \$9 million annually, through fiscal year 1999. The 1994 legislation also provided funding for Kennedy Center operations and maintenance at a rate of \$12 million annually, through fiscal year 1999. H.R. 3504, an Administration request, would authorize continued funding of the capital improvements program in the amount of \$170 million over the next eleven years, and continued funding of operations and maintenance in the amount of \$170 million for the next eleven years. Though the Kennedy Center demonstrated its needs for the continued funding, the Subcommittee expressed reservations about providing an eleven year authorization. The Subcommittee received testimony from the President of the Kennedy Center and a representative of the GAO.

On June 4, 1998, the Subcommittee held a hearing on security in Federal buildings. As part of its ongoing oversight responsibilities of the security of Federal buildings, particularly in the wake of the Oklahoma City tragedy, the Subcommittee was interested in receiving a status report on Federal building security measures. In the Spring of 1998, Subcommittee staff were notified by GSA's Office of Inspector General of possible mismanagement of security funds and equipment. This hearing provided the Subcommittee with an opportunity to review GSA's security enhancing programs and determine if deficiencies existed in the programs. The Subcommittee received testimony from GSA, the GSA's Office of Inspector General of GSA, and GAO.

On July 16, 1998, the Subcommittee held a hearing on the GSA construction program, as well as H.R. 2751, the General Services Administration Improvement Act of 1997. GSA's fiscal year 1999 capital investment program and budget proposal did not include any requests for courthouse projects. As the courthouse construction program was suspended for fiscal year 1998 due to the revenue shortfall in the FBF, suspension of the courthouse construction program for a second year was unacceptable to the Subcommittee. Based on the five year plan created by the AOC and guidance by Congress, the Subcommittee identified 15 court related projects ready for consideration and funding. The Subcommittee, relying on previously submitted prospectuses for nine of these projects and with knowledge that GSA was prepared to address the other six projects, convened this hearing to review the 15 projects. In addition, the Subcommittee also received testimony on a construction project for the United States Mission to the United Nations and issues for further reform of GSA, in conjunction with H.R. 2751, the General Services Administration Improvement Act of 1997. Testimony was received from GSA, the Judicial Conference, and the Department of State.

On October 2, 1998, the Subcommittee held a hearing on H.R. 4034, the Federal Protective Service Reform Act. As an extension of the Subcommittee's oversight efforts on Federal building secu-

rity, this hearing focused on H.R. 4034 and the mission of the Federal Protective Service (FPS). H.R. 4034 would authorize a number of changes to the FPS, in an effort to improve the quality and effectiveness of the service. Most notably, the legislation would establish the FPS as a independent service under GSA, broaden the jurisdictional scope and powers of the officers, while raising the salary and benefits package of officers, and direct a feasibility study for the consolidation of all building security forces of the executive branch. The Subcommittee received testimony from GSA, along with representatives of various police unions.

SITE VISITS

During the 105th Congress, the Subcommittee continued its extensive review of the Courthouse construction program, and to that end conducted several site visits to ongoing and proposed courthouse projects. In August 1997, Subcommittee Staff visited Portland, Oregon, and Seattle, Washington, to review projects. The new courthouse in Portland, Oregon, features a 600,000 square foot facility at a total cost of over \$130 million. This facility will provide long-term housing solution for Federal judges in Portland, and eliminate the need for leased space to meet housing requirements for bankruptcy and court related services.

The Subcommittee also reviewed the housing requirements for the U.S. courts in Seattle, and toured the potential sites for a proposed 534,000 square foot facility. The Committee had approved a resolution authorizing GSA to acquire a site for this project, and subsequently, GSA did select a site that met its needs. Final closing is expected early next year.

While in the Pacific Northwest, Subcommittee staff visited four border stations, that are part of the northern border station program. New facilities are planned or underway at several crossings to accommodate the increased flow of goods and persons.

On January 13, 1998, in a continuing review of the GSA courthouse construction program, Subcommittee staff conducted site visits to a number of court related projects in the New England area. The first project visited was the Boston, Massachusetts, courthouse due to be completed and dedicated by the summer of 1998. The second project visited was the recently completed and occupied courthouse in Concord, New Hampshire. On all of the visits, staff met with resident judges and received briefings and tours of the projects.

In February 1998, Subcommittee staff visited five sites in Florida that have court projects planned, underway, or nearing completion. Florida is the single largest state for numbers of new Federal courthouses. Staff visited Miami, Ft. Myers, Tampa, Orlando and Jacksonville. The proposed facility in Miami will require a larger site, but will result in a facility that will be less costly if it is built on a larger footprint as allowed by a larger site. The new site cost is no more expensive than the original site cost of \$19 million. The Ft. Myers United States courthouse is now open, at a total cost of \$31 million for this 160,000 square foot building. This new facility replaces a 60 year old facility that did not meet modern requirements for security and did not have adequate courtroom facilities.

The Tampa courthouse is nearing completion at a total cost of \$81 million and will meet the long-term needs of the courts with this 417,000 square foot building. The proposed courthouse in Orlando still requires site acquisition, which is anticipated to be adjacent to the existing courthouse. This annex will eventually contain 235,000 square feet that will cost a total of \$53 million. Finally, the proposed courthouse in Jacksonville will cost \$92 million and will contain 426,000 square feet of space to house court facilities. Site has been cleared and design is complete.

In November 1998, Subcommittee staff toured the existing Federal building that houses the United States Mission to the United Nations, New York City. GSA proposes to replace this aging facility with a larger, modern facility on the same site, at a total cost of \$53 million. State Department employees assigned to the U.S. Mission will be housed in this modern, secure facility, directly across from the United Nations.

REVIEWS BY THE GENERAL ACCOUNTING OFFICE

The Subcommittee requested the General Accounting to conduct several reviews of GSA operations and activities. In 1997, GAO was requested to conduct a review of GSA's expenditures for Federal security, and determine if these expenditures were appropriate. GAO conducted its review, and testified to its findings in an oversight hearing held June 4, 1998, by the Subcommittee. GAO reported that because of data reliability problems, neither GSA nor GAO could specify the exact status of cost of the building security upgrade program.

Also in 1997, the Subcommittee requested GAO to review GSA's rent shortfall. This shortfall was the cause of GSA's decision to delay for one year any requests for authority for new construction and repair and alteration. This shortfall was estimated at \$847 million, and exposed weaknesses in GSA's ability to accurately predict its revenues for budgeting purposes. This request resulted in testimony by GAO and a formal report issued in August 1998.

During the 104th Congress, the Subcommittee requested GAO to review the United States courts utilization of existing facilities in cities where new facilities were requested. GAO concluded that about 35% of the time there was no use of courtrooms in the six cities studied. This request also resulted in testimony by GAO and a formal report on the matter which was released in May 1997.

GAO reviewed the purchase of a building in Silver Spring, Maryland by GSA, which turned out to have serious structural problems. These problems generated environmental problems when GSA attempted to fix the floor deflection issue with a chemical compound that created unhealthy fumes in the building. The building has been vacant for over five years.

Finally, GAO reviewed the management of the John F. Kennedy Center for the Performing Arts, and its management system for tracking work status, as well as separating appropriated activities with trust fund activities. Testimony was received on this matter, and a formal report was submitted in March 1998.

SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON RAILROADS

During the 105th Congress the Subcommittee on Railroads was chaired by Congresswoman Susan Molinari until her departure from Congress. In March 1998, Congressman Bob Franks assumed the chairmanship. Congressman Robert E. Wise, Jr., served as Ranking Democratic Member. The Subcommittee developed legislation dealing with the reauthorization of Amtrak and with amending the rail infrastructure programs in Title V of the Railroad Regulatory Reform and Revitalization Act of 1976. The Subcommittee also held oversight hearings on a wide variety of railroad issues.

ENACTED LEGISLATION

The Amtrak Reform and Accountability Act of 1997 [Public Law 105–134] removed many of the statutory restrictions previously imposed on Amtrak, including mandated route system structure, common stock ownership, labor protection requirements, and restrictions on contracting out of non-food-service activities. The principal purpose of the legislation was to free Amtrak from arbitrary restrictions that prevented it from operating on a business-like basis and thus to achieve an end to federal operating subsidies by the end of FY 2002. The bill also reauthorizes Amtrak through 2002. The process of enacting such reforms began in the 104th Congress, but the Committee's reform measure then approved by the House 406–4 was not considered by the Senate. In the 105th Congress, following approval by the Subcommittee on Railroads, a virtually identical reauthorization and reform bill, H.R. 2247, was approved and reported by the Committee, but floor consideration was never completed. A somewhat similar bill, S. 738, was passed by the Senate, and taken up by the House. The Senate measure, however, made no significant changes to the statutory structure of the Amtrak board of directors. As amended by the House, the final legislation included a fundamental restructuring of the board of directors, with all board members to be presidentially appointed, Senate-confirmed, and possessing prior established expertise in transportation or financial or business management.

The rail title of the Transportation Equity Act for the 21st Century ("TEA 21") (Public Law 105–178) included several changes to prior law. Closely paralleling the House-approved rail title of H.R. 2400, Subtitle B of Title VII of TEA 21 as enacted reauthorized federal programs established in the Swift Rail Development Act of 1994 to assist in research and development as well as corridor planning activities for eventual high-speed passenger rail service. The bill also authorized general fund assistance for pilot projects to assist in infrastructure improvements on light-density freight rail lines. Most significantly, TEA 21 enlarged and expanded direct

and guaranteed loan programs first established under the Railroad Revitalization and Regulatory Reform Act of 1976. Under TEA 21, all forms of rail infrastructure-passenger, freight, commuter, and high-speed-as well as intermodal facilities with a rail component, are eligible for such loans. The permanent authorization allows up to \$3.5 billion in face amount of loans to be outstanding at any one time, of which \$1 billion is reserved solely for improvements on non-Class I railroads. The legislation also creates an alternative to the former universal requirement that the credit risk premium (security deposit) to support each loan be appropriated in federal funds. The new law permits either appropriated funds or funds provided by outside private or public sources to be used for this purpose.

HEARINGS

On March 12, 1997, the Subcommittee held a hearing on the financial condition of Amtrak. The hearing focused on Amtrak's substantial capital needs, and the cash crisis it was facing at the time. H.R. 2247 was introduced on July 24, 1997, and was ordered reported by the Committee on Transportation and Infrastructure, as amended, on September 17, 1997. Floor consideration of H.R. 2247 was never completed, but a similar bill, S. 738 was passed by the House on November 13, 1997 and became Public Law 105-134 after signature by the President on December 2, 1997.

The Subcommittee held a hearing on March 18, 1997 on ISTEA Rail Infrastructure Programs. Testimony was received on the rail infrastructure programs that were first enacted in Title V of the Railroad Revitalization and Reform Act of 1976. In addition, the Subcommittee held a hearing on May 7, 1997 on the high speed rail program that was authorized in the Swift Rail Development Act of 1994 (Public Law 103-440). The Title V program was amended and the high-speed rail programs were reauthorized in the rail title of the Transportation Equity Act for the 21st Century (Public Law 105-178), which was ordered reported by the Committee on Transportation and Infrastructure on March 25, 1998 and was enacted into law on June 9, 1998.

Four hearings were held during the second session relating to the reauthorization of the Federal Railroad Administration. On March 26, 1998, the Subcommittee held a hearing on the FRA's resource requirements. On April 1, 1998, a hearing was held on railroad safety hardware issues. Testimony was heard concerning a variety of equipment issues such as positive train control and passenger car safety standards. The third hearing, on April 29, 1998, covered human factors issues, such as fatigue, while the fourth hearing, on May 20, 1998, focused on the FRA's regulatory process, including its new Safety Assurance and Compliance Program. The Subcommittee did not report legislation during the 105th Congress to reauthorize the Federal Railroad Administration.

In addition, four hearings were held concerning the reauthorization of the Surface Transportation Board. On March 12, 1998 the Subcommittee held a hearing on the STB's resource requirements. On April 22 1998, a hearing was held on the financial state of the railroad industry. Witnesses from various financial institutions and

consulting firms addressed the ability of the railroad industry to attract sufficient capital to invest in infrastructure. The Subcommittee held an additional hearing on May 6, 1998 covering intercarrier transactions, construction and abandonments, and on May 13, 1998 on rates, access, and remedies. The Subcommittee did not report legislation during the 105th Congress to reauthorize the Surface Transportation Board.

On September 17, 1998, the Subcommittee held a hearing on H. Con Res. 52, which urged that the railroad industry open discussions on modifying the railroad retirement Tier II benefits for widows and widowers. The Subcommittee heard testimony from representatives of the various interest groups that would be affected by such changes, as well as from the Railroad Retirement Board. In light of expressions at the hearing by the affected parties of their willingness to discuss the issues, no legislation was reported by the Subcommittee.

SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON SURFACE TRANSPORTATION

In the 105th Congress, the Subcommittee on Surface Transportation was chaired by Thomas Petri of Wisconsin. Nick Joe Rahall, II, of West Virginia served as the Subcommittee's ranking Democratic Member. The Subcommittee developed and reported a 6-year reauthorization of National highway, transit and highway safety legislation. In addition, several hearings were conducted in other areas of the Subcommittee's jurisdiction, including the transportation of hazardous materials and the causes and impact of "road rage."

ENACTED LEGISLATION

(For a more complete description of the enacted bills, see section on "Bills Enacted into Law.")

AMENDMENT TO THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

Public Law 105-117 prohibits an alien who is not lawfully present in the United States from receiving assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Exceptions may be made if a displacing agency determines by clear and convincing evidence that a determination of ineligibility of a displaced person would result in exceptional and extremely unusual hardship to an individual who is the displaced person's spouse, parent, or child and who is a citizen of the United States or an alien lawfully admitted for permanent residence.

H.R. 849 was ordered reported, as amended, by the Full Committee on June 11, 1997, (after the Subcommittee on Surface Transportation was discharged from further consideration). H.R. 847, as amended, passed the House on July 8, 1997. On November 8, 1997, the Senate passed a similar bill, S. 1258, which then was agreed to by the House on November 9, 1997. S. 1258 was signed by the President on November 21, 1997.

SURFACE TRANSPORTATION EXTENSION ACT OF 1997

Public Law 105-130, the Surface Transportation Extension Act of 1997 (STEA), extends the Intermodal Surface Transportation Efficiency Act of 1991. This legislation was necessary because funding for surface transportation programs under ISTEA expired on September 31, 1997, and Federal funds had ceased flowing to the States, thereby jeopardizing critical transportation projects. While the Subcommittee and Full Committee approved legislation (H.R.

2400) to reauthorize surface transportation programs for 6 years (1998–2003) in September 1997, further action was suspended pending resolution of budget and funding issues as part of the budget negotiations for fiscal year 1999.

The STEA provides \$5.5 billion in new budget authority under the highway program as advances to States, which was equivalent to 3 months of funding. Funds were distributed to States based on fiscal year 1997 distribution of obligation authority. Advances of new budget authority were to be subtracted from each State's ultimate distribution of funding for fiscal year 1998. In addition, P.L. 105–130 distributed \$9.8 billion in obligation authority to the States, with each state receiving the higher of 50 percent of its fiscal year 1997 allotment of obligation authority or the total of its unobligated balances (up to 75 percent of its 1997 obligation authority). A deadline of May 1, 1998, was included after which States could not obligate Federal funds until a long-term authorization was enacted. Allocated highway programs, motor carrier safety and highway safety programs were funded at 50 percent of 1997 levels. Transit programs were also funded at 50 percent of fiscal year 1997 levels.

On September 24, 1997, the Full Committee ordered reported H.R. 2516, a similar bill to extend ISTEA through March 31, 1998. The bill passed the House on October 1, 1997. On November 10, 1997, the Senate passed S. 1519 (STEA) with the House approving the legislation on November 12. The President signed the bill on December 1, 1997.

TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY

The Subcommittee's top priority for the 105th Congress was the reauthorization of the nation's Federal surface transportation programs—including highway, transit, motor carrier, and highway safety programs. Public Law 105–178, the Transportation Equity Act for the 21st Century (TEA 21), was the culmination of efforts which began several years ago and continued until the President signed TEA 21 into law on June 9, 1998. TEA 21, which authorized programs from fiscal year 1998 through 2003, is the successor to the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). One of the most important features of TEA 21 is that, for the first time, spending on transportation programs is directly linked to revenues coming into the Highway Trust Fund. TEA 21 restores the integrity of the Trust Fund and restores faith with American taxpayers who contribute into the Trust Fund through the payment of Federal motor fuel and other taxes.

TEA 21 contains changes to the Federal Budget Act to guarantee that gas taxes are used for their intended purposes. The total amount guaranteed over 6 years is \$162 billion for highways and \$36 billion for transit. This total will change since the firewalls are adjusted annually based on the actual revenues deposited in the Trust Fund.

TEA 21 puts the financial resources of the Highway Trust Fund to work rebuilding and improving the Nation's infrastructure. The overall authorized funding level of \$218 billion is 43 percent more

than the 6-year funding levels authorized under ISTEA. The \$218 billion in funding is allocated as follows: \$172.6 billion for highway programs; \$2.9 billion for highway safety; \$41.0 billion for transit; and \$1.3 billion for rail. The Act provides substantial funding increases for the core highway programs: the Interstate Maintenance/National Highway System program, the Bridge Rehabilitation and Replacement program, the Surface Transportation program, the Congestion Mitigation and Air Quality Improvement program, and the Minimum Guarantee program.

TEA 21 directly addresses the equity concerns of the donor States by ensuring fair returns on Highway Trust Fund contributions. On an average annual basis, all States will receive more highway funding than they did under ISTEA. The Act contains a single final formula equity adjustment—the Minimum Guarantee—to ensure that no State will receive less than a 90.5% return from the Trust Fund on all formula programs. This Minimum Guarantee is calculated after all formula programs, including high priority projects, are distributed to the States. The Minimum Guarantee replaces the multiple equity programs that existed under ISTEA and that didn't cover all formula programs. The ISTEA approach resulted in many States receiving less than the 90 percent minimum allocation they expected. TEA 21 also eliminates the donor State "penalty" that counted allocations of discretionary grants against a States' return, thus penalizing a donor State that received a discretionary grant.

TEA 21 streamlines Federal oversight of transportation programs—eliminating layers of requirements and bureaucracy accumulated over the last 40 years. Responsibility is delegated to the States for oversight of projects not on the Interstate, thereby saving time and money. TEA 21 builds upon ISTEA's themes of flexibility and local decisionmaking by introducing true flexibility into all ISTEA formula categories. States can meet programmatic needs by transferring up to 50 percent from all highway program categories to any other highway category (although some core protections for certain programs are maintained.) The planning process is reformed and simplified to give States and metropolitan planning organizations (MPO) greater flexibility in selecting projects. It eliminates an unnecessary step in the project review process by deleting the Major Investment Study as a stand-alone requirement and integrating it into the planning process.

ISTEA's emphasis on the environment is continued and strengthened in TEA 21. It significantly increases funding for the CMAQ program while making some minor adjustments to the program's eligibility. Average funding is \$1.35 billion, an increase of 35 percent over FY 1997 levels. It creates a new transit enhancements program to provide dedicated funding for projects to improve the transit experience such as pedestrian facilities and art in and around transit stations. TEA 21 provides additional encouragement to foster the use of alternative modes of transportation such as bicycles. The Act allows States to permit certain low emission vehicles to use HOV lanes. Significant improvements are made and increased funding is provided for the Recreational Trails program. A

total of \$270 million is provided to States for various trail activities.

TEA 21 represents an unprecedented commitment to improve safety and reduce the more than 40,000 annual deaths on America's highways. A total of \$1.612 billion is provided from the Highway Trust Fund for safety programs administered by the National Highway Traffic Safety Administration (NHTSA), including section 402 safety grants to States. This represents a nearly 25% increase over amounts authorized in ISTEA. An additional \$1 billion in seat belt and .08 BAC incentive safety grants is also provided as described below.

Numerous programs to strengthen and improve our nation's efforts to combat drunk driving are established in TEA 21, including: a \$500 million incentive grant program for States that enact .08 BAC laws; increased funding of \$219 million for the section 410 impaired driving grant program along with programmatic reforms to include performance-based factors and to target those drunk drivers who pose the highest risk on the roads; and provisions to encourage States to enact open container laws and minimum penalties for repeat offenders.

TEA 21 creates several new initiatives to increase the use of seat belts around the country. Motor carrier safety will also be significantly improved through increased funding and refinements to the program to focus on performance-based goals. States are provided more flexibility to target those carriers and drivers that provide the greatest risk. A total of \$579 million is authorized for the motor carrier safety assistance program which provides grants to States for motor carrier safety purposes, a 20% increase over amounts authorized in ISTEA. An additional \$65 million is dedicated to improving information systems to ensure that the Department of Transportation and the States have accurate data on motor carrier and driver safety which is critical in moving toward a performance-based system.

TEA 21 strengthens and improves the transit formula and capital programs by providing increased resources to transit agencies to meet the transit needs of urban, suburban and rural areas. Average annual transit funding increases by 50 percent. It also maximizes flexibility to transit operators by allowing small urban areas to use transit funds for capital and operating expenses, and by allowing all transit operators to use transit funds for a wider range of transit maintenance activities. Continued growth in transit investment is ensured by maintaining CMAQ and STP eligibility for transit, and giving transit agencies and local governments greater flexibility to determine how best to spend transit and highway funds.

The Act also makes an integral contribution to the welfare reform effort by establishing a \$750 million Access to Jobs program that funds projects to transport current and former welfare recipients and other low income persons to jobs and job-related activities. It advances transit research by increasing funding for research programs and creating new program eligibilities. Funding is provided to over-the-road bus operators to comply with the Department of

Transportation's final rule regarding accessibility of over-the-road buses to the disabled.

TEA 21 creates additional innovative financing tools to address pressing transportation infrastructure needs. A new Federal program is created to provide financial assistance to revenue generating surface transportation projects. Under this program, the Secretary may approve secured loans, lines-of-credit and loan guarantees for highway and bridge projects, transit projects, inter-city bus and passenger rail projects and Amtrak capital improvements costing \$100 million or more. The Secretary may make up to \$10.6 billion in credit available over 6 years. TEA 21 provides \$530 million over 6 years to cover subsidy costs required by the Federal Credit Act of 1990. A State Infrastructure Bank pilot program that allows four States to use their Federal-aid highway and transit apportionments to fund State Infrastructure Banks (SIBs) to assist projects is also authorized.

TEA 21 provides funding to ensure that the United States will be a world leader in surface transportation research and development in such areas as the use of advanced materials and in human factors by providing \$3.3 billion in funding over 6 years. It includes education, training, and outreach provisions to guarantee that States and local governments have knowledge about and access to state-of-the-art technologies and practices that will provide the most cost-effective and safest surface transportation systems. The Act supports strong Federal leadership in research, development, and deployment of intelligent transportation systems (ITS) in both metropolitan and rural areas. Such systems will be key to solving congestion and environmental problems.

Numerous other provisions and programs are included to address the myriad of transportation problems we all face. TEA 21 authorizes \$900 million toward the construction of a new bridge over the Potomac River to replace the crumbling Woodrow Wilson Bridge and preserve this major north-south route for East Coast interstate traffic. The Appalachian Development Highway System is brought under the Highway Trust Fund and \$2.3 billion is provided toward completing the System. A total of \$700 million is dedicated for national corridors to address NAFTA-related traffic and other corridors which have emerged in the post-Interstate era, and to meet infrastructure and safety needs along the border.

The Act continues the authorization for the Disadvantaged Business Enterprises Program to provide disadvantaged businesses the opportunity to participate in the increased Federal-aid transportation program. Over \$4.1 billion is provided for roads on Indian Reservations, public lands, national parks and wildlife refuges to preserve and enhance access to America's national parks and forests and other Federal lands. Magnetic Levitation (MagLev) development is encouraged through providing funding to select and develop a MagLev corridor. The Scenic Byways program to designate and promote America's most scenic and historic roads is continued at \$150 million. A new \$50 million general fund program is established to preserve, protect and conduct research on America's historic covered bridges.

Subtitle C of Title VII of TEA 21 creates an incentive grant program to encourage States to adopt and implement minimum Federal standards for one-call notification programs, or an alternative program achieving the same level of protection, in order to minimize damage to pipelines and other underground facilities during excavation. The program is voluntary and does not impose mandates on States. The Secretary of Transportation, in cooperation with other interested parties, is directed to review one-call system best practices. A total of \$6 million for fiscal years 2000 and 2001 is authorized for the grants.

The Subcommittee on Surface Transportation approved H.R. 2400 on September 10, 1997. It was ordered reported by the Full Committee, as amended, on March 24, 1998. The bill was passed by the House on April 1, 1998. The Conference Report to accompany H.R. 2400 was passed by the House and the Senate on May 22, 1998. It was signed into law (P.L. 105-178) by the President on June 9, 1998.

TEA 21 RESTORATION ACT

Title IX of Public Law 105-206 restores provisions to the Transportation Equity Act for the 21st Century (TEA 21) that were agreed to by conferees but inadvertently not included in the final conference report. It also makes other technical corrections to TEA 21 following review of the Act.

The House passed by unanimous consent the TEA 21 Restoration Act, H.R. 3978, on June 3, 1998. The Act was later incorporated as Title IX of the Internal Revenue Service Restructuring and Reform Act of 1998, H.R. 2676. This conference report was passed by the House on June 25, 1998, and by the Senate on July 9, 1998. It was signed by the President on July 22, 1998.

HEARINGS

During the 105th Congress, the Subcommittee held a total of 9 hearings in preparation for the development of surface transportation reauthorization legislation and on various other programs under its jurisdiction.

The Subcommittee held 8 hearings involving 443 witnesses during the first session of the 105th Congress. On February 12 and 27, 1997, the Subcommittee held hearings on comprehensive proposals for reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991. On March 4, 6, 11, and 13 1997, the Subcommittee held hearings focusing on Member policy initiatives and highway and transit requests for inclusion in reauthorization legislation.

On July 17, 1997, the Subcommittee held a hearing on the causes and dangers of road rage.

On November 6, 1997, the Subcommittee held a hearing on the reauthorization of the hazardous materials transportation program.

On August 5, 1998, the Subcommittee held a hearing on motor carrier economic regulatory issues that relate to elimination of the Interstate Commerce Commission. Sixteen witnesses testified.

The Subcommittee also participated in a series of Full Committee hearings that focused on the Year 2000 computer glitch as it relates to transportation. On October 2, 1998, the Committee heard from a panel of transit experts. On October 6, 1998, the Committee heard from a panel of representatives from the oil and gas pipeline industries and a panel of Federal, State and local highway officials.

SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

During the 105th Congress, the Subcommittee on Water Resources and Environment, chaired by Congressman Sherwood L. Boehlert with Congressman Robert A. Borski serving as ranking minority member, had referred to it or took action on four bills which became public laws and two bills which were approved by the House but did not become public laws. In addition, three bills were enacted which contained subject matter within the jurisdiction of the Subcommittee but were not referred to the Committee. The Committee also approved 81 Committee Resolutions authorizing studies by the Corps of Engineers of potential water resources projects and two Committee Resolutions authorizing Natural Resources Conservation Service small watershed projects. The Subcommittee held 19 hearings during the 105th Congress.

ENACTED LEGISLATION

NATIONAL DROUGHT POLICY ACT OF 1998

H.R. 3035, the "National Drought Policy Act of 1998," establishes a Commission to report to the President and Congress on ways to coordinate and improve drought management policies. The National Drought Policy Commission, to be composed of Federal, State, local and private sector representatives, will provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for, and respond to, serious drought emergencies. The legislation addresses the Nation's lack of a coordinated, integrated approach to drought management.

Representative Skeen introduced H.R. 3035 on November 12, 1997, and the bill was referred to the Committee on Transportation and Infrastructure. The introduced bill was a companion to S. 222, which the Senate passed on November 12, 1997. The Subcommittee on Water Resources and Environment received testimony on this issue on January 28, 1998, as a part of a hearing on "disaster mitigation" and related issues. On May 6, 1998, the bill was amended and ordered reported by the Committee. On June 16, 1998, H.R. 3035, as amended, was passed by the House under suspension of the rules. H.R. 3035 was then passed by the Senate, without modification, on June 24, 1998. The bill became Public Law 105-199.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

H.R. 1119, the National Defense Authorization Act for Fiscal Year 1998, includes one provision within the jurisdiction of the Subcommittee. Section 3606 amends section 4115 of the Oil Pollu-

tion Act to prevent vessel owners from reducing the gross tonnage of single hulled tank vessels to delay the requirement under the Oil Pollution Act to phase out use of such vessels. The requirement under the Oil Pollution Act to retrofit single-hulled vessels applied earlier to vessels over 5000 gross tons. This amendment bars vessel owners from reducing the tonnage of their vessels to escape these earlier deadlines, except under certain conditions. This Act was not referred to the Committee on Transportation and Infrastructure. However, the Committee participated in the conference on this Act. This bill became Public Law 105–85.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

H.R. 3616, the National Defense Authorization Act for Fiscal Year 1999, includes three provisions within the jurisdiction of the Subcommittee.

Section 141 amends the Chemical Stockpile Emergency Preparedness Program, which was established by the Department of Defense Authorization Act for 1986, to direct the Director of the Federal Emergency Management Agency to carry out a program to provide assistance to State and local governments in developing capabilities to respond to emergencies arising from the storage or destruction of chemical weapons in the United States.

Section 326 of this Act amends section 3 of the Act to Prevent Pollution from Ships (APPS) to allow submarines to discharge non-plastic garbage that has been compacted and weighted to ensure negative buoyancy. Under APPS, submarines are prohibited from discharging solid waste in special areas after December 31, 2008. The Navy determined that compliance with this requirement would impair submarine operations and operational capability, or would not be technologically feasible. According to Navy environmental impact studies, the volume of solid waste at issue is so small that its discharge would not have a significant effect on the marine environment.

Title 14 of the National Defense Authorization Act for Fiscal Year 1999 includes the Defense Against Weapons of Mass Destruction Act of 1998, which directs the President to increase the effectiveness of the domestic emergency preparedness program for response to terrorist incidents involving weapons of mass destruction. This title evolved from H.R. 3764, the Rescue and Emergency Services Preparedness for Our Nation's Defense Act, which was introduced by Representative Weldon on April 30, 1998. H.R. 3764 was referred solely to the Committee on Transportation and Infrastructure.

The National Defense Authorization Act for Fiscal Year 1999 was not referred to the Committee on Transportation and Infrastructure. However, the Committee participated in the conference on this Act. This bill became Public Law 105–277.

OMNIBUS CONSOLIDATED APPROPRIATIONS ACT FOR FISCAL YEAR 1999

H.R. 4328, the Omnibus Consolidated Appropriations Act for Fiscal Year 1999, includes several provisions within the jurisdiction of the Subcommittee.

This Act includes a slightly modified version of H.R. 3689, the Land Between the Lakes Protection Act, which requires TVA to transfer the Land Between the Lakes to the Forest Service in any year in which at least \$6 million is not appropriated to TVA to manage this property. H.R. 3689 was introduced by Representative Whitfield on April 1, 1998, and was referred to the Committee on Transportation and Infrastructure. The Subcommittee held a hearing on this legislation on May 12, 1998.

This Act includes the Denali Commission Act of 1998. This Act establishes a commission to develop a comprehensive work plan for rural and infrastructure development in Alaska. The purpose of the Act is to provide job training, promote rural development, provide power generation and communication facilities, provide water and sewer systems, and meet other infrastructure needs in Alaska. The Commission is paid for by proceeds transferred to the Oil Spill Liability Trust Fund from the Trans-Alaska Pipeline Liability Fund.

The legislation includes the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Mitigation Act of 1997, which, among other things, requires the Corps of Engineers to transfer certain lands to the Department of the Interior to be held in trust for Indian tribes. This Act was introduced in the Senate as S. 1341 and was included as part of S. 2131, the Water Resources Development Act of 1998, which passed the Senate on October 9, 1998, and was referred to the Committee on Transportation and Infrastructure.

The Omnibus Consolidated Appropriations Act for Fiscal Year 1999 establishes a new program within the Department of Housing and Urban Development for disaster relief, long-term recovery from disasters, and mitigation for communities affected by Presidentially-declared national disasters. The Subcommittee has jurisdiction of emergency preparedness and held two oversight hearings on hazard mitigation and the Federal cost of disasters during the 105th Congress.

The Act also requires the Coast Guard to issue regulations that implement the Edible Oil Regulatory Reform Act by March 31, 1999, and to comply with such Act when it issues regulations regarding edible oils. The Edible Oil Regulatory Reform Act was enacted in 1995, but the Clinton Administration has not yet revised its oil spill regulations to comply with this Act.

MICCOSUKEE RESERVED AREA ACT

H.R. 3055, the Miccosukee Reserved Area Act, establishes the rights and authorities of the Miccosukee Tribe of Indians of Florida in the Miccosukee Reserved Area, an area of land within Everglades National Park. This legislation also provides for the protection of Everglades National Park, including the applicability of re-

quirements under the Clean Water Act, and establishes dispute resolution procedures to resolve disputes between Federal and Tribal governments over implementation of this Act.

This bill was introduced by Representative Hastings on November 13, 1997, and was referred to the Committee on Resources and, in addition, to the Committee on Transportation and Infrastructure. This bill became Public Law 105–313.

SALTON SEA RECLAMATION ACT OF 1998

H.R. 3267, the Salton Sea Reclamation Act of 1998, would have authorized the Secretary of the Interior to conduct a feasibility study and implement a project to reclaim the Salton Sea. This bill would also have authorized the Secretary of the Interior to take emergency action to improve water quality in the Alamo River and the New River and allows the use of a constructed wetlands project to achieve this goal.

This bill was introduced by Representative Hunter on February 25, 1998. It was referred to and reported by the Committee on Resources and sequentially referred to the Committee on Transportation and Infrastructure. A modified version of this bill became Public Law 105–372.

COAST GUARD AUTHORIZATION ACT FOR FISCAL YEARS 1998, 1999, AND 2000

The Coast Guard Authorization Act for Fiscal Years 1998, 1999, and 2000 includes several provisions within the jurisdiction of the Subcommittee.

Section 307 amends the Oil Pollution Act of 1990 to clarify the definition of oil and that Act's relationship to the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund). It also requires a report to Congress regarding the classification of oil under the Oil Pollution Act and the Clean Water Act. Section 314 of the Act provides interim authority for dry bulk cargo residue disposal into waters of the Great Lakes under the jurisdiction of the United States. Section 415 establishes a Great Lakes Pilotage Advisory Committee that, among other things, is to make recommendations to the Secretary regarding proposed regulations and policies. Section 417 amends the Oil Pollution Act of 1990 to direct the Secretary of Transportation to coordinate with the Marine Board of the National Research Council to conduct a double hull alternative designs study.

Title VI, the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, includes various provisions under the jurisdiction of, or of interest to, the Subcommittee. Section 603 establishes an interagency task force, chaired by the Department of Commerce and including the Environmental Protection Agency, to assess harmful algal blooms and hypoxia. Section 604 directs the task force to complete and submit to Congress and the President an assessment of hypoxia in the northern Gulf of Mexico. Section 605 authorizes \$25.5 million for each of fiscal years 1999, 2000, and 2001 to the Secretary of Commerce for activities related to harmful

algal blooms and hypoxia. Section 608 includes savings clauses relating to the Clean Water Act and the Coastal Zone Management Act and the protection of States' rights.

OTHER LEGISLATION

SUPERFUND ACCELERATION, FAIRNESS, AND EFFICIENCY ACT

H.R. 2727, the Superfund Acceleration Fairness, and Efficiency Act, was introduced by Congressman Sherwood L. Boehlert on October 23, 1997. The Superfund statute was last amended comprehensively in 1986, and most of its authorizations expired in 1994. The authority to collect the taxes that provide revenue for the Superfund Trust Fund expired December 31, 1995.

This legislation would have reauthorized and reformed the Federal Superfund program by (1) providing for a less prescriptive, more risk-based remedy selection process; (2) providing orphan share funding and liability exemptions for innocent parties, small businesses, municipal solid waste, and recyclers; (3) removing the fear of Federal liability for persons who clean up brownfields sites under State laws, and providing Federal seed money for brownfields assessments and brownfields revolving loan funds; (4) providing opportunities for delegation of the Federal Superfund program to States, and opportunities for authorization of State programs; (5) increasing opportunities for participation by communities and public health officials in remedy selection; and (6) limiting natural resources damages to actual restoration by prohibiting the recovery of psychological damages. This legislation also would have reauthorized the Superfund taxes.

The Subcommittee held a series of three oversight hearings on the Superfund program in March and April 1997. Until June 1997, Chairman Boehlert and Ranking Member Robert Borski engaged in negotiations to develop Superfund reform legislation with the Democrats and Republicans on the Commerce Committee and the Administration. During the Summer and into the Fall of 1997, Chairman Boehlert and Ranking Member Borski attempted to fashion consensus legislation within the Subcommittee.

On October 23, 1997, Congressman Boehlert introduced H.R. 2727, the Superfund Acceleration, Fairness, and Efficiency Act. The Subcommittee held a legislative hearing on H.R. 2727 on October 29, 1997. On October 28, 1997, Congressman Barcia, Congressman Dooley, and others introduced similar legislation, H.R. 2750. Chairman Boehlert worked with them and other Members to incorporate provisions from H.R. 2750 into H.R. 2727. Chairman Boehlert also continued negotiations with Environmental Protection Agency Administrator Carol Browner and Ranking Member Borski.

The Subcommittee considered H.R. 2727 on March 4, March 10, and March 11, 1998. The bill was approved by the Subcommittee on March 11, 1998, by a vote of 18 to 12. The Full Committee did not take any action on this bill.

A similar bill, S. 8, was introduced in the Senate. On March 26, 1998, the Senate Environment and Public Works Committee or-

dered the bill reported by a vote of 11 to 7 and filed its report on May 19, 1998. No further action was taken on S. 8 by the Senate.

WATER RESOURCES DEVELOPMENT ACT OF 1998

The Water Resources Development Act of 1998 received considerable attention by Subcommittee and Committee Members. The comprehensive legislation would have authorized, modified, reauthorized and deauthorized various Corps of Engineers' water resources projects and authorized studies involving, among other things, navigation, flood control, environmental restoration, shore protection, hydropower, water supply, and recreation. The legislation also would have included various policy initiatives, regional programs, and other revisions to the Corps' existing water resources program.

The Subcommittee held hearings on March 31, April 22, and April 28, 1998, on proposals for a Water Resources Development Act of 1998. Testimony was received from Members of Congress, the Administration, and national organizations addressing funding and legislative proposals, including, among other things, the Administration's budget request for fiscal year 1999 for the Corps of Engineers, the recently-invalidated harbor maintenance tax, the Administration's legislative proposal, and H.R. 3243, the Alternative Water Source Development Act.

On May 11, 1998, the Administration transmitted to Congress its proposed Water Resources Development Act of 1998. On May 14, 1998, the bipartisan leadership of the House Transportation and Infrastructure Committee introduced H.R. 3866, the Administration's bill by request and on June 4, 1998, the bipartisan leadership of the Senate Environment and Public Works Committee introduced S. 2131, the Administration's bill by request. S. 2131 was passed by the Senate Committee on July 29, 1998, and the Senate on October 9, 1998, and referred to the Transportation and Infrastructure Committee on October 21, 1998.

Throughout October 1998, the leadership of both Committees and their staff and other Members met to resolve differences among the Senate-passed S. 2131, H.R. 3866, and a draft House bill circulated by the Committee. However, no final action was taken on the jointly-negotiated legislation before the end of the Second Session.

WETLANDS RESTORATION AND IMPROVEMENT ACT

H.R. 1290, the "Wetlands Restoration and Improvement Act of 1997," was introduced by Representative Jones on April 10, 1997. This bill would have promoted the restoration, conservation, and enhancement of wetlands through the establishment of a wetlands mitigation banking program. A mitigation bank is both an ecological and economic entity, created for the purpose of offsetting unavoidable wetlands impacts from other developments in a community. Economies of scale can, in certain circumstances, make it economically and environmentally advantageous to encourage permit applicants from the surrounding region to compensate for wetlands losses elsewhere by contributing to the mitigation bank.

Since the Administration's 1995 guidance on mitigation banking has taken effect, there have been numerous attempts to develop and permit mitigation banks around the country. The nature of the 1995 guidance and the lack of a statutory framework have been viewed by many to have restricted the development of mitigation banks and kept them from reaching their full potential.

On December 9, 1997, the Water Resources and Environment Subcommittee held a hearing on H.R. 1290. The Subcommittee marked up this legislation on June 4, 1998. A Subcommittee substitute amendment was offered as original text, and an additional amendment was passed. The bill, as amended, was approved by a vote of 24-10. No further action was taken, although a provision relating to mitigation banks was included in the Transportation Equity Act for the 21st Century.

DISASTER MITIGATION ACT

The Disaster Mitigation Act of 1998, H.R. 3869, would have authorized programs for predisaster mitigation, streamlined the administration of disaster relief, and provided better control over the Federal costs of disaster assistance. Specifically, the bill authorized \$200 million for a pre-disaster mitigation program through fiscal year 2000 and modified existing disaster assistance programs to reduce future costs.

The Subcommittee on Water Resources and Environment held three hearings on the two issue areas addressed by the bill: hazard mitigation and the federal costs of disasters. On January 28, 1998, the Subcommittee held a hearing on hazard mitigation. On March 26, 1998, the Subcommittee held a hearing on the Federal cost of disaster assistance. A draft bill reflecting comments received by the Subcommittee was released on May 1, 1998. The Subcommittee held a legislative hearing on the draft bill on May 7, 1998. Witnesses included representatives of FEMA, the National Emergency Management Association, the Association of State Floodplain Managers, the National League of Cities, and the International Association of Emergency Managers.

The draft language was further amended and introduced as H.R. 3869 on May 14, 1998, by Representative Sherwood Boehlert and Representative Robert Borski. The bill was referred solely to the Committee on Transportation and Infrastructure. On June 25, 1998, the Committee ordered the bill, as amended, to be reported, and reported the measure to the House on August 6, 1998. No further action was taken on H.R. 3869. The companion bill in the Senate, S. 2361, was ordered reported by the Committee on Environment and Public Works on September 11, 1998, but no further action was taken.

COASTAL POLLUTION REDUCTION ACT

In Mayaguez, Puerto Rico, the sewage treatment works is not currently meeting Clean Water Act requirements but has signed a consent decree to do so. Because of various environmental and economic considerations, the local sewer authority wants to pursue a

deep ocean outfall alternative. For example, the sewer authority claims it could achieve significant savings (\$65 to \$85 million) if allowed to pursue an outfall rather than a new secondary treatment plant. The sewer authority, however, would first need to obtain a section 301(h) waiver, and the Act currently prohibits EPA from receiving new applications after December 31, 1982.

H.R. 2207, the Mayaguez, Puerto Rico, Deep Ocean Outfall Act of 1997, was introduced by Representative Romero-Barcelo on July 22, 1997, and referred to the Committee on Transportation and Infrastructure. H.R. 2207 was designed to respond to the concerns of the sewer authority and others in Mayaguez. The bill would have allowed Mayaguez, Puerto Rico, to apply to the U.S. Environmental Protection Agency (EPA) for an alternative to secondary treatment requirements subject to various conditions and criteria intended to protect the environment.

On July 9, 1997, the Water Resources and Environment Subcommittee held a hearing on "ocean and coastal issues" including this specific issue as well as issues surrounding ocean and coastal water quality and reauthorization of the Clean Water Act's National Estuary Program. On July 23, 1997, the Committee on Transportation and Infrastructure ordered the bill reported, as amended. A key amendment was to include language reauthorizing the National Estuary Program and expanding the use of grants to include implementation of comprehensive conservation and management plans. On September 29, 1997, the Coastal Pollution Reduction Act of 1997, H.R. 2207, was considered by the House under suspension of the rules. The bill was subsequently taken up as unfinished business on November 13, 1997, and passed the House by unanimous consent. No action was taken in the Senate with respect to Mayaguez, Puerto Rico; however, the Senate passed similar language with respect to the National Estuary Program in S. 1222. The enacted VA, HUD and Independent Agencies Appropriations Act for FY 1998 also included similar language authorizing the use of National Estuary Program grants for implementation of estuary plans.

HEARINGS

The Subcommittee held hearings on March 5, March 12, April 10, and October 29, 1997, to receive testimony on reauthorizing and reforming the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund). The Subcommittee heard from EPA, State and local officials, and environmental and business interests on issues including cleanup standards, liability, and the return of brownfields to productive use. A bill (H.R. 2727) was introduced on October 23, 1997, by Congressman Boehlert. An amended bill was ordered reported by the Subcommittee on Water Resources and Environment on March 11, 1998. The bill was not considered before the full Committee on Transportation and Infrastructure.

On March 19, 1997, the Subcommittee held a hearing on flooding in California's Central Valley due to December 1996/January 1997 storms. The hearing focused on disaster response and coordination

efforts by the Federal Emergency Management Agency (FEMA) and the Army Corps of Engineers (Corps) and issues associated with levee maintenance and reconstruction and stream clearing/debris removal. Testimony was heard from Members of Congress, the Administration, State and local officials, and various citizens and representatives of local flood control districts and water agencies.

On April 23, 1997, the Subcommittee held a hearing on meeting clean water and drinking water infrastructure needs, focusing on Environmental Protection Agency's (EPA's) Clean Water Act (CWA) needs survey (including wastewater treatment, combined sewer overflows (CSOs), sanitary sewer overflows (SSOs) and other wet weather flow issues, implementation of title IV and other provisions of the Safe Drinking Water Act Amendments of 1996, and various approaches to infrastructure funding such as State Revolving Funds (SRFs) and grants for hardship communities. Testimony was heard from the Administration, State and local officials, and representatives of various environmental, rural, and construction-related interests.

On April 29, 1997, the Subcommittee held a hearing on regulatory and judicial developments regarding the U.S. Army Corps of Engineers' and EPA's wetland programs—primarily under section 404 of the CWA. The hearing focused on reissued and revised Nationwide Permits (NWP), particularly NWP#26, and the lawsuit (American Mining Congress vs. Army Corps of Engineers) invalidating the Corps' and EPA's regulation regarding excavation and other activities.

On June 5, 1997, the Subcommittee held a hearing on the future of TVA and its non-power programs. Testimony was received from or submitted in writing by Members of Congress, the Governor of Tennessee, representatives of TVA, and representatives of several Tennessee statewide associations. On June 21, 1997, the Subcommittee held a field hearing in Murray, Kentucky, on TVA's Land Between the Lakes, focusing on the perspectives of Federal agencies, and State and local representatives. A third hearing was held on May 12, 1998, to hear testimony on H.R. 3689, the "Land Between the Lakes Protection Act of 1998" and on small watershed projects. The Subcommittee heard from Members of Congress as well as Administration officials. H.R. 3689 was introduced on April 1, 1998, and referred to the Subcommittee on April 13, 1998.

On July 9, 1997, the Subcommittee held a hearing on ocean and coastal issues, including implementation of, and compliance with, title I of the Marine Protection, Research, and Sanctuaries Act of 1972 (also known as the Ocean Dumping Act), H.R. 55 (involving the disposal of dredged material in Long Island Sound), and selected Clean Water Act issues, such as wastewater discharges off the coast of Puerto Rico. H.R. 55, introduced by Representative Forbes, would amend the Ocean Dumping Act to prohibit the dumping in Long Island Sound or Block Island Sound. Testimony was heard from various Federal agencies on Ocean Dumping Act implementation and compliance issues. On July 22, 1997, Representative Romero-Barcelo introduced a bill, H.R. 2207, the Mayaguez Puerto Rico Ocean Outfall Act of 1997. The bill, as amended,

was approved and reported by the Committee on Transportation and Infrastructure on July 23, 1997.

On December 9, 1997, the Subcommittee held a hearing on wetlands protection and mitigation banking. Testimony was received on H.R. 1290, introduced by Representatives Jones and relating to mitigation banking; a proposed amendment to H.R. 2400, the Building Efficient Surface Transportation and Equity Act of 1997 (BESTEA), sponsored by Representative Baker, and relating to highway program funding and mitigation banks; H.R. 2741, introduced by Representative McKeon and relating to a conditional exemption under the Clean Water Act for permitting associated with maintenance of flood control projects; and mitigation banking provisions in H.R. 2762, a wetlands and watershed protection bill introduced by Representative Gilchrest. The Subcommittee met on June 4, 1998, to mark up H.R. 1290, the Wetlands Restoration and Improvement Act. The bill would have amended the Clean Water Act to include provisions on the establishment and use of mitigation banks, so as to help meet compensatory mitigation requirements and the national goal of no net loss of wetlands. The bill was approved 24 to 10 and reported to the Transportation and Infrastructure Committee. No further action was taken.

On January 28, and March 26, 1998, the Subcommittee held hearings on legislative proposals and issues relating to improving the Nation's mitigation against, preparedness for, and response to disasters, primarily under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Testimony was received from Members of Congress, representatives from FEMA, the Army Corps of Engineers, and other State and local officials. On November 12, 1997, Representative Skeen introduced H.R. 3035 establishing an advisory commission with the purpose of developing a national drought policy. The Subcommittee met on March 26, 1998, and adopted an amendment in the nature of a substitute by voice vote. The bill was approved and ordered reported by the Committee on Transportation and Infrastructure on May 6, 1998, and passed by the House on June 16, 1998. The bill became Public Law 105-199.

On March 21, April 22 and 28, 1998, the Subcommittee held hearings on proposals for a Water Resources Development Act to provide for 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. These hearings were conducted to receive testimony on the water resources program of the Army Corps of Engineers and on legislative proposals for a Water Resources Development Act for 1998. Testimony was received from Members of Congress, the Administration, and national organizations addressing funding and legislative proposals, including among other things, the Administration's budget request for fiscal year 1999 for the Corps of Engineers, the recently-invalidated harbor maintenance tax, the Administration's legislative proposal, and H.R. 3243, the Alternative Water Source Development Act.

On May 7, 1998, the Subcommittee held a hearing on draft legislation, the Mitigation and Cost Reduction Act of 1998, which would amend the Robert T. Stafford Relief and Emergency Assistance Act.

Testimony was heard from the Director of FEMA, and other State and local officials. A bill, H.R. 3869, the Disaster Mitigation Act of 1988 was introduced on May 14, 1998, by Representatives Boehlert and Borski. The Subcommittee adopted an en bloc amendment by voice vote on May 20, 1998. The Committee approved the bill, as amended, by voice vote on June 25, 1998, and filed its report on August 6, 1998. No further action was taken.

On August 6, 1998, the Subcommittee held a hearing on legislation relating to beach water quality and ocean issues. Testimony was given on H.R. 2094, introduced by Representative Pallone, a bill to require coastal states to adopt uniform water quality criteria and uniform water quality monitoring programs for coastal recreation waters; on H.R. 3445, introduced by Representative Saxton; and on S. 1213, bills to establish a Commission on Ocean Policy. Testimony was received from representatives of the Environmental Protection Agency and the National Oceanic and Atmospheric Administration; State and local agencies; and representatives of persons and businesses interested in coastal water quality.

A Full Committee hearing was held on October 7, 1998, to receive testimony on the year 2000 computer problem as it relates to transportation and the nation's infrastructure. Representatives of the Corps of Engineers, FEMA, EPA, and wastewater and drinking water facilities testified on their respective agencies' abilities to deal with possible interruptions in services and compliance problems which may result with the arrival of the year 2000.

SUMMARY OF OVERSIGHT ACTIVITIES

The Committee submitted its oversight plan to the Committees on Government Reform and Oversight and House Administration in accordance with Rule X, clause 2(d) of the Rules of the House. The following is a summary of the oversight plan and a summary of actions taken with respect to each. A more detailed discussion may be found under the section of this report entitled, "Summary of Activities".

AVIATION

1. *Federal Aviation Administration.* The plan includes evaluations of FAA operations, FAA's facilities and equipment program, the Airport Improvement Program, and the Airport and Airways Trust Fund. A number of hearings were held on these programs, including: the reauthorization of the war risk insurance program; FAA's modernization programs, focusing on the standard terminal automation replacement (STARS) project; allegations of sexual harassment at the FAA; allegations of cost overruns and delays in the FAA's Wide Area Augmentation System (WAAS); the airlines' proposal to establish user fees for FAA services; and a review of Coopers and Lybrand's independent financial assessment of the FAA.

2. *Oversight of safety activities of the FAA and the National Transportation Safety Board.* A number of hearings dealt with safety issues, including: FAA's emergency revocation of pilot and other FAA licenses; problems of passengers interfering with flight crews; status of aviation security efforts; the increasing number of runway mishaps; status of the investigation of the crash of TWA 800; the grounding of Great Lakes Aviation; medical kits on commercial aircraft; and a year after the ValuJet crash—FAA's response to HAZMAT and cargo fire protection issues.

3. *Oversight of activities of the Secretary of Transportation.* Several hearings dealt with the aviation functions of the Secretary of Transportation. The Subcommittee held several hearings, including hearings on: the impact of recent alliances, international agreements, DOT actions and pending legislation on air fares, air service, and competition in the airline industry; Secretary Slater's African aviation initiative, and the European Commission's preliminary position on two transatlantic alliances; aviation relationships between the U.S. and France; and international aviation bilaterals and code sharing relationships, focusing on Japan.

ADDITIONAL OVERSIGHT

The Subcommittee held other hearings overseeing activities of the aviation community: issues of concern to the travel agent com-

munity; stolen airline tickets; and the closing of FAA flight service stations.

COAST GUARD AND MARITIME TRANSPORTATION

1. *Coast Guard.* The plan included oversight of the U.S. Coast Guard's roles and missions, the effectiveness of the National Drug Control Strategy, oversight of the Coast Guard's Commercial Vessel Safety Program, oversight of its marine environmental protection and environmental compliance programs, and oversight of the U.S. role in the International Maritime Organization.

The Subcommittee held several days of hearings reviewing the Coast Guard's roles and missions and legislation was enacted reauthorizing Coast Guard programs through Fiscal Year 1999. Included among these hearings was an examination of the Coast Guard's State boating safety grant program on February 26, 1997, and a hearing about its deepwater capability replacement analysis held on May 19, 1998.

On June 10, 1998, and September 25, 1998, the Subcommittee held oversight hearings about the President's National Drug Control Strategy and the Coast Guard's drug interdiction mission. The Subcommittee held two hearings on this issue during the 105th Congress after holding two similar hearings about drug interdiction during the 104th Congress, because of its deep concerns about the precipitous increase in illicit drug use among America's youth since 1992.

On May 14, 1997, the Subcommittee held another oversight hearing to review the Coast Guard's policies, procedures, and long range plans to ensure the safety of commercial vessels operating in U.S. waters. On July 15, 1998, the Subcommittee held an oversight hearing on the Coast Guard's marine environmental protection and compliance programs. At this hearing, the Subcommittee considered the Coast Guard's goals, strategies, operational activities, and measures of effectiveness for its environmental protection programs which were developed under the Government Performance and Results Act.

On June 25, 1998, the Subcommittee held an oversight hearing on the activities of the International Maritime Organization (IMO). The IMO is a specialized organization within the United Nations established for the purpose of developing international maritime standards, promoting safety in shipping, and preventing marine pollution from ships.

2. *Maritime.* The plan included oversight of the Federal Maritime Administration (MARAD), oversight of the Passenger Services Act, and oversight of MARAD's port and intermodal development program.

On September 24, 1998, the Subcommittee held a hearing to introduce Clyde J. Hart, Jr., as the new Maritime Administrator to Members of the Subcommittee. Mr. Hart discussed MARAD's current programs and his vision for the future of this Federal maritime agency.

On April 29, 1998, the Subcommittee held an oversight hearing on the Passenger Services Act of 1886 (PSA) and considered the effect of the PSA on the domestic cruise industry. On July 29, 1998, the Subcommittee held a hearing on the needs of the U.S. waterways transportation system. Witnesses included representatives of the Coast Guard, MARAD, U.S. Army Corps of Engineers, U.S. port interests, U.S. and foreign vessel owners, pilots, and U.S. shippers.

ADDITIONAL OVERSIGHT

Oil Spill Prevention Measures: On October 30, 1997, the Subcommittee held an oversight hearing on oil spill prevention measures. At this hearing the Subcommittee considered whether it is appropriate to test certain emerging vessel design technologies which may prevent oil spills.

Ship Scrapping Activities of the United States Government: On March 18, 1998, and on June 4, 1998, the Subcommittee held hearings to examine the current Federal government policies on scrapping obsolete vessels of the U.S. Navy, the Coast Guard, and the U.S. Maritime Administration's National Defense Reserve Fleet. During the March 18th hearing, the Subcommittee examined the human health and environmental risks involved in the scrapping of these Federal government vessels in the U.S. and foreign countries. At the second hearing, the Subcommittee met to follow up on its first ship scrapping hearing and to review the Interagency Ship Scrapping Panel's final report about this issue.

Criminal Liability for Oil Pollution: On May 14, 1998, the Subcommittee held an oversight hearing on criminal liability under the Oil Pollution Act of 1990 (OPA'90). The hearing was held in response to increasing concerns in the oil transportation industry about current criminal enforcement actions under OPA'90, and the effect that these enforcement actions have on environmental and navigation safety in general.

PUBLIC BUILDINGS AND ECONOMIC DEVELOPMENT

1. *Economic Development Administration.* The plan included: evaluation of eligibility criteria used to determine the basis for Economic Development Administration (EDA) assistance; the imposition of a 50 percent cost sharing requirement; the recognition that pockets of poverty are eligible for EDA assistance; and directing the EDA to improve the coordination between Federal development programs. The Subcommittee held hearings July 10 and 17, 1997, which included oversight of EDA programs and an evaluation of the continued need for EDA programs. The Committee reported H.R. 4275, to reauthorize and reform both the programs of the EDA for 5 years and the ARC for 3 years. On October 13, 1998, the House passed under suspension of the rules, companion Senate legislation, S. 2364. The President signed this into law on November 13, 1998.

2. *Appalachian Regional Commission.* The plan included evaluation of basic programs involving Federal-State partnerships by targeting funds to the most distressed areas in the region and updat-

ing the underlying act. The Subcommittee held hearings on July 10 and 17, 1997, which included oversight of the Appalachian Regional Commission (ARC). The Committee reported H.R. 4275, to reauthorize and reform both the EDA for 5 years and ARC for 3 years. On October 13, 1998, the House passed under suspension of the rules, companion Senate legislation, S. 2364. The President signed this into law on November 13, 1998.

3. *General Services Administration.* The plan included an evaluation of the capital improvement program, courthouse construction program and GSA leasing activities. This included a review of GSA's long term acquisition strategies, and financing of capital acquisitions. The Subcommittee held several days of hearings on GSA's capital improvement program, and on two occasions, the Subcommittee had the Director of the Office of Management and Budget testify before the Subcommittee to discuss the impact of budget scoring rules on GSA's capital improvement program. Private sector witnesses provided important testimony on the financial impact of these scoring rules. The Subcommittee also held four hearings on GSA's rent shortfall, and its impact on the program. GAO issued a report on this problem, with an analysis of measures to correct the deficiencies. The Subcommittee requested several GAO reviews of specific issues that were of concern to members, including the utilization of court facilities by the judiciary, security in Federal buildings, and management of specific buildings in the GSA inventory.

The Subcommittee continued its close scrutiny of the courthouse construction program, and staff conducted several site visits of current and proposed projects. These activities have resulted in a more clearly defined construction program, with a 5-year priority program for courthouse projects.

The Subcommittee held hearings on GSA's Federal building security program, and tasked GAO to review expenditures under this effort. GAO issued a formal report on its findings.

The Subcommittee also continued review of GSA's leasing program. There were a number of high profile lease consolidations that were of interest, namely the consolidation of the Federal Communications Commission, which is finally underway after 11 years; the consolidation of the Patent and Trademark Office, which was authorized in the 104th Congress, and is nearing award; and the headquarters office for the Department of Transportation, for which offers will be requested in 1999. Other lease actions by GSA received attention by the Subcommittee.

The leasing program continues to be hampered by the scoring rules that were promulgated by the enactment of the Budget Enforcement Act of 1990. The budgetary impact has been costly to GSA and its ability to make sound financial decisions to house Federal workers. Scoring rules prohibit the use of alternative financing techniques in constructing Federal buildings, and forces GSA to enter into expensive, short term leases. Because a short term lease is an operating lease for budgetary purposes, GSA can score the cost of these leases on an annual basis, thus saving budget authority. In the long run, however, this course of action causes GSA to spend a greater portion of its budget on lease transactions, leaving

little for capital improvement to the existing inventory, or construction of Federal facilities. As a result, GSA's inventory is deteriorating, and new buildings are being deferred.

The Subcommittee also reviewed GSA's reorganization efforts in the context of the impact on portfolio management, and urged caution on untested organizational schemes. There has been a continued effort to contract out real estate services in the name of efficiency, but results are inconclusive. GSA created a broker contract program to assist in the procurement of office space. These contracts run for 5 years, and will be closely monitored to determine if they are successful in achieving the stated goals.

The Subcommittee has requested that GAO conduct reviews on GSA's rent estimating program, its new office automation system, and travel and training of GSA employees.

Federal Triangle Building. GAO concluded its informal review of the financing of this project, and while cost overruns continued to disrupt this project, it did open for use in 1998. The building occupants include a mix of Federal, private and commercial tenants.

4. *John F. Kennedy Center for the Performing Arts.* The Subcommittee held hearings on the Kennedy Centers long term master plan, and requested GAO to review the Kennedy Center's management plan to determine its effectiveness in separating appropriated funds expenditures from trust funds expenditures. As a result of these actions, the Subcommittee recommended a change in law to eliminate the need for GAO to perform a periodic audit of the Kennedy Center. GAO had concluded that the Kennedy Center's management controls, and its own certified auditors are sufficient for these purposes. The Subcommittee also extended the capital improvement program for 5 years, after a successful review of the status of the ongoing program.

5. *Architect of the Capitol.* The Subcommittee held a hearing on the proposal to construct a Visitor Center under the East Front of the Capitol. The new Architect of the Capitol appeared in support of this project. However, as a result of the shootings of the two Capitol Police Officers in July 1998, there were renewed efforts to begin building a visitor center, as part of the concept of comprehensive security for the Capitol. As a result of these efforts, funding for a visitor center was provided in the Omnibus Appropriations Bill, enacted prior to adjournment by the 105th Congress. This center still will require considerable oversight, since the original plan does not meet current needs.

RAILROADS

1. *Amtrak and Intercity Passenger Rail.* The oversight plan adopted at the beginning of the 105th Congress included an examination of Amtrak's fiscal crisis and quality of service, as well as on various alternatives to Amtrak. The Subcommittee held a hearing on Amtrak's financial condition on March 12, 1997. The Subcommittee approved legislation to reform Amtrak (H.R. 2247), which was ordered reported by the Full Committee on September 17, 1997. Floor consideration was never completed, but a similar

bill (S. 738) was passed by the House and became Public Law 105–134.

2. Intermodal Surface Transportation Efficiency Act.

A. Evaluation of the rail infrastructure components of ISTEA. The plan included an evaluation of the rail infrastructure programs contained in Title V of the Railroad Revitalization and Regulatory Reform (4R) Act of 1976, which were amended in ISTEA in 1991. A hearing was held on March 18, 1997, on these programs, and revisions to Title V were included in the rail title of the Transportation Equity Act for the 21st Century (Public Law 105–178).

B. Oversight on high-speed rail components of ISTEA. The plan included oversight on the future needs for high-speed rail research and the possibilities for folding the high-speed rail program into the infrastructure program mentioned above. A hearing was held on May 7, 1997, on the high speed rail programs, and these programs were reauthorized in the Transportation Equity Act for the 21st Century (Public Law 105–178).

3. *The Rails-to-Trails Program.* Following two hearings on the Trails Act during the 104th Congress, the plan included additional oversight on the Act to explore ways that the Rails-to-Trails program can be improved to better serve all interested parties. The Subcommittee did not have the opportunity to conduct this oversight.

4. *Overview of the Railway Labor Act.* The plan included oversight on the Railway Labor Act. No specific oversight was conducted on this issue.

5. *Railroad Retirement System.* The plan included oversight on the railroad retirement system. On September 17, 1998, the Subcommittee held a hearing on H. Con. Res. 52, which urged that the railroad industry open discussions on modifying the railroad retirement Tier II benefits for widows and widowers.

6. *Proposed Mergers of CSX and Norfolk Southern with Conrail.* The plan included possible additional hearings on the joint acquisition of Conrail by CSX and Norfolk Southern following a hearing on the STB merger review procedures during the 104th Congress. No additional oversight was conducted during the 105th Congress.

7. *Railroad Safety Oversight.* The plan included oversight on the Federal Railroad Administration's safety programs. The Subcommittee held four hearings on the topic. On March 26, 1998, a hearing was held on the FRA's resource needs. On April 1, 1998, the Subcommittee held a hearing on railroad safety hardware issues. The third hearing, on April 29, 1998, covered human factors safety issues, and the fourth hearing, on May 20, 1998, addressed FRA's regulatory process.

8. *Surface Transportation Board.* The plan included oversight on the Surface Transportation Board. Four hearings were held on this subject. On March 12, 1998, a hearing was held on the resource needs of the STB. On April 22, 1998, a hearing was held on the financial state of the railroad industry. The third hearing was held on May 6, 1998, on rates, intercarrier transactions, construction and abandonments, and on May 13, 1998, the Subcommittee held a hearing on rates, access, and remedies.

9. *Hazardous Materials Transportation*. The plan included oversight to evaluate the effectiveness of the rail-related aspects of DOT's hazmat programs to determine the need for any legislative changes. No specific oversight was conducted in this area.

SURFACE TRANSPORTATION

1. FEDERAL HIGHWAY AND FEDERAL TRANSIT ADMINISTRATIONS

Reauthorization of Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). The plan included a review of ISTEA in anticipation of the reauthorization of surface transportation programs. The ISTEA authorizations expired on September 30, 1997. The Subcommittee evaluated ISTEA programs and conducted hearings on comprehensive reauthorization proposals and other recommendations to revise Federal surface transportation programs. Several hearings were held prior to the Subcommittee and Full Committee acting on a reauthorization bill, the Transportation Equity Act for the 21st Century (P.L. 105-178).

Highway Trust Fund Accounting. The plan included a review of the Highway Trust Fund. The Subcommittee reviewed Department of the Treasury estimates and accounting methods relating to the Highway Trust Fund. During 1996, concerns were raised about the Treasury's decision to retroactively correct a clerical error in the calculation of the fiscal year 1994 and fiscal year 1995 Trust Fund Income Statements. This correction resulted in the redistribution of approximately \$320 million in obligation authority of Federal-aid highway assistance among the States.

Oversight of Implementation of Surface Transportation Law. The plan included, during the second session, the review and monitoring of the implementation of highway, transit, safety, motor carrier and research programs as reauthorized in TEA 21. No formal oversight hearings were held but the Subcommittee consulted with the Department of Transportation in the development of regulations and other guidance in the implementation of TEA 21. The Subcommittee also reviewed the performance of certain on-going programs and initiatives, such as innovative financing.

2. RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

Reauthorization of the Hazardous Materials Transportation Act. The plan included a review of the hazardous materials transportation program. The Subcommittee conducted a hearing on November 6, 1997, to review the current regulation of hazardous materials transportation and review proposals to revise the Federal program. This hearing was held in anticipation of the reauthorization of the Hazardous Materials Transportation Act, which expired on September 30, 1997.

3. SURFACE TRANSPORTATION BOARD/OFFICE OF MOTOR CARRIERS AND ECONOMIC REGULATION OF MOTOR CARRIERS

Implementation of the ICC Termination Act of 1995 (P.L. 104-88). The plan included a review of the implementation of the ICC Termination Act, which abolished the Interstate Commerce Commission, eliminated or streamlined certain motor carrier functions, and transferred and modified other remaining functions to the

newly-created Surface Transportation Board and the Office of Motor Carriers at the Federal Highway Administration. The Subcommittee held a hearing on August 5, 1998, on the economic regulation of the motor carrier industry. Several studies which were directed to be completed in the Act, such as recommendations for revisions to the current law regarding cargo loss and damage claims and the consolidation of registration and filing requirements, were also to be evaluated by the Subcommittee.

4. OFFICE OF PIPELINE SAFETY

Implementation of the Accountable Pipeline Safety and Partnership Act of 1996 (P.L. 104-304). The plan included a review of the implementation of the Accountable Pipeline Safety and Partnership Act of 1996. This Act, which reauthorized the Federal Pipeline Safety Program from fiscal year 1997 through fiscal year 2000, significantly reformed the program by incorporating risk assessment and cost-benefit analysis in the establishment of new pipeline safety standards. The new requirements are based on current Office of Pipeline Safety practices in accordance with Executive Order 12866. The Act also established a risk management demonstration program. No formal oversight hearings were conducted, but the pipeline program was reviewed in the context of the one-call notification program which was established in Title VII of TEA 21.

5. FISCAL YEAR 1998 AND 1999 BUDGETS

Evaluation of Budget Proposals for the Department of Transportation. The plan included review and evaluation of fiscal year 1998 and fiscal year 1999 budget proposals for agencies within the Department of Transportation including the Federal Highway Administration, the Federal Transit Administration, the National Highway Traffic Safety Administration, the Research and Special Programs Administration, and the Surface Transportation Board. These budgets were reviewed in the context of TEA 21.

ADDITIONAL OVERSIGHT

The Subcommittee also conducted a hearing on July 17, 1997, on the causes and dangers of aggressive driving or road rage.

The Subcommittee received a number of reports and audits by the General Accounting Office of programs in its jurisdiction, including Financial Audit: District of Columbia Highway Trust Fund's Fiscal Year 1997 Financial Statements; Mass Transit: Grants Management Oversight Improving, but Better Follow-up Needed On Grantees' Noncompliance; Financial Audit: District of Columbia Highway Trust Funds 1996 Financial Statements; Transportation Infrastructure: Review of Project Selection process for Five FHWA Discretionary Programs; Commercial Passenger Vehicles: Safety Inspection of Commercial Buses and Vans Entering the United States From Mexico; Federal-Aid Highway Program: Impact of the District of Columbia Emergency Relief Act; Commercial Trucking: Safety Concerns About Mexican Trucks Remain Even as Inspection Activity Increases; Status of Information Needed to Complete Financial Audit of the District of Columbia's Dedicated Highway Fund for Fiscal Year 1996; and Transportation Infra-

structure: States' Implementation of Transportation Management Systems.

WATER RESOURCES AND ENVIRONMENT

1. *Army Corps of Engineers (Corps)—Water Resources Program.* The plan included a review of the Corps' efforts to improve the efficiency and effectiveness of the organization and management of the water resources program and efforts to improve the efficiency, effectiveness and fairness of the agency's regulatory program, especially in the area of wetlands and dredging activities. The Subcommittee held three hearings in March and April 1998, in connection with proposals for a Water Resources Development Act and to review the water resources programs of the Army Corps of Engineers. These hearings resulted in the development of draft legislation for a Water Resources Development Act of 1998. The Subcommittee also held an April 29, 1997, hearing on regulatory and judicial developments regarding the section 404 wetlands program and a December 9, 1997, hearing on wetlands protection and mitigation banking, which resulted in part in the Subcommittee's approval of H.R. 1290, the Wetlands Restoration and Improvement Act.

2. *Environmental Protection Agency (EPA)—Clean Water Act and Water Infrastructure Programs.* The plan included a review of wastewater treatment and water pollution control funding issues; market-based, watershed-based, technology-based and risk-based approaches to regulation; and particular efforts to improve the management of combined and sanitary sewer overflows, stormwater, and nonpoint source pollution. The plan also included a review of water infrastructure provisions and programs contained in the Safe Drinking Water Act Amendments of 1996. The Subcommittee held a hearing in April 1997, on meeting clean water and drinking water infrastructure needs; a hearing in April 1997, on recent regulatory and judicial developments relating to wetlands; and a hearing in December 1997, on wetlands protection and wetlands mitigation banking legislation. The Subcommittee marked up H.R. 1290, the Wetlands Restoration and Improvement Act, on June 4, 1998, and approved this measure for consideration by the Full Committee.

3. *Corps/EPA/National Oceanic Atmospheric Administration (NOAA)—Ocean and Coastal Programs.* The plan included a review of dredged material management and disposal under the Ocean Dumping Act, Water Resources Development Act, and Clean Water Act and various ocean and coastal water quality issues under the Clean Water Act, Coastal Zone Management Act, and Coastal Zone Act Reauthorization Amendments. The Subcommittee held a hearing on ocean and coastal issues in July 1997, and a hearing on beaches and oceans legislation in August 1998. As a result, the Committee reported H.R. 2207, the Coastal Pollution Reduction Act of 1997, on July 23, 1997, which passed the House on November 13, 1997. In addition, in June 1998, the Oceans Act of 1998, which would have established a commission on ocean policy, passed the House.

4. *EPA—Superfund/CERCLA*. The plan included a review of efforts to improve the efficiency, effectiveness and fairness of the cleanup process; a review of the liability and financing mechanisms under the current Superfund program; a review of the ground water protection provisions under the current Superfund program; and a review of the relationships among the States, EPA and other Federal entities, in conducting Superfund cleanups. The Subcommittee held four hearings in 1997, on the reauthorization and reform of the Superfund program. These efforts resulted in the development of H.R. 2727, the Superfund Acceleration, Fairness, and Efficiency Act. The Subcommittee marked up H.R. 2727 in March 1998, and approved this measure for consideration by the Full Committee.

5. *Federal Emergency Management Agency (FEMA)—Disaster Relief Program*. The plan included a review of hazard mitigation activities, disaster declaration and response efforts by FEMA; and a review of efforts to improve the availability of insurance for catastrophic natural disasters. The Subcommittee held a hearing in March 1997, on flooding in California; a hearing in January 1998, on disaster prevention and hazard mitigation; and a hearing in March 1998, on the Federal cost of disaster assistance. In May 1998, the Subcommittee held a hearing on draft legislation, the "Mitigation and Cost Reduction Act of 1998." As a result, in May 1998, the Committee reported H.R. 3035, the National Drought Policy Act of 1998, which passed the House in June 1998, and became Public Law 105–199. The Committee also reported H.R. 3869, the Disaster Mitigation Act of 1998, in June 1998.

6. *Tennessee Valley Authority (TVA)*. The plan included a review of TVA's programs supported by Congressional appropriations (such as Land Between the Lakes), TVA's energy generation program and operations in a less regulated marketplace, and the impact of TVA debt on its rate payers. The Subcommittee held two hearings in June 1997, on the future of TVA and its non-power programs, including TVA's Land Between the Lakes. The Subcommittee held a hearing in May 1998, on H.R. 3689, the Land Between the Lakes Protection Act of 1998. The Land Between the Lakes Protection Act was enacted in October 1998, as part of the Omnibus Consolidated Appropriations Act for Fiscal Year 1999, Public Law 105–277.

7. *Saint Lawrence Seaway Development Corporation (SLSDC)*. The plan included a review of the efficiency and effectiveness of SLSDC's current operations and structure and its relation to the St. Lawrence Seaway Authority—its Canadian counterpart. No formal oversight was conducted on this issue, although Representative Oberstar introduced H.R. 3147, relating to SLSDC and the Seaway.

8. *Coast Guard and EPA—Oil Pollution Act (OPA)*. The plan included a review, along with the Coast Guard and Maritime Transportation Subcommittee, of the oil spill liability provisions under OPA and a review of oil spill technologies and planning and response mechanisms under OPA and the Clean Water Act. The Subcommittee examined oil spill liability issues under OPA during hearings on the reform and reauthorization of the Superfund program in March and April 1997. These issues also were examined

during the development of the Coast Guard Authorization Act for Fiscal Years 1998, 1999, and 2000.

9. *Coast Guard/EPA/Corps—National Invasive Species Act.* The plan included a review, along with the Coast Guard and Maritime Transportation Subcommittee, of efforts by various agencies to implement the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended by the National Invasive Species Act of 1996, and the effectiveness of those efforts. No formal oversight was conducted on this issue although significant issues relating to aquatic nuisance species were examined in the context of Army Corps of Engineers programs.

**PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT
OF 1959**

Date Referred	Date Approved	Location	Project
.....	May 7, 1997	Montgomery, AL	Amendment to a previously approved Committee resolution (May 17, 1994) authorizing appropriations for the construction of a U.S. courthouse.
.....	May 7, 1997	Philadelphia, PA	Amendment to a previously approved resolution (May 17, 1994) authorizing appropriations for the repair and alteration of the James A. Byrne U.S. Courthouse.
Mar. 6, 1995	July 23, 1997	Fresno, CA	Resolution authorizing appropriations for the design of a Federal building and U.S. courthouse.
Apr. 15, 1996	July 23, 1997	Denver, CO	Resolution authorizing appropriations for the design of an expansion building and connecting tunnel to the Byron G. Rogers Federal Building and U.S. Courthouse.
Mar. 6, 1995	July 23, 1997	Washington, DC	Resolution authorizing appropriations for the design of a U.S. courthouse annex.
.....	July 23, 1997	Washington, DC	Amendment to a previously approved resolution (Nov. 16, 1995) authorizing additional appropriations for the repair and alteration of the connecting wing of the former Interstate Commerce Commission-U.S. Customs building.
June 10, 1997	July 23, 1997	Washington, DC	Resolution authorizing appropriations for the acquisition by lease or the construction of a permanent headquarters for the Department of Transportation.
.....	July 23, 1997	Fort Lauderdale, FL	Resolution to investigate the feasibility and need to construct or acquire an annex facility for the U.S. District Court for Southern Florida.
Apr. 15, 1996	July 23, 1997	Miami, FL	Resolution authorizing appropriations for the design of a U.S. courthouse.
.....	July 23, 1997	Orlando, FL	Amendment to a previously approved resolution (May 17, 1994) authorizing additional appropriations for the acquisition of a site for a U.S. courthouse.
Apr. 17, 1997	July 23, 1997	Beltsville, MD	Resolution authorizing appropriations for the construction of a classroom building for the U.S. Secret Service at the U.S. Secret Service Training Center.
.....	July 23, 1997	Suburban MD	Resolution authorizing appropriations for the construction of a Federal building to house the National Laboratory Center and a Fire Investigation Research and Education Facility for the Bureau of Alcohol, Tobacco, and Firearms (ATF).
.....	July 23, 1997	Erie, PA	Resolution to investigate the feasibility and need to construct or acquire a facility to house the U.S. District Court for Western Pennsylvania.
Apr. 15, 1996	July 23, 1997	Salt Lake City, UT	Resolution authorizing appropriations for the design of an annex to the Frank E. Moss U.S. Courthouse.

**PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT
OF 1959—Continued**

Date Referred	Date Approved	Location	Project
.....	Oct. 29, 1997	Washington, DC	Resolution authorizing appropriations for the acquisition of space by lease for the Administration of Children and Families of the Department of Health and Human Services, currently located at 370 L'Enfant Promenade, SW.
.....	Oct. 29, 1997	Jacksonville, FL	Amendment to a previously approved resolution (Mar. 23, 1994) authorizing additional appropriations for the construction of a U.S. courthouse.
.....	Oct. 29, 1997	Orlando, FL	Amendment to previously approved resolutions (May 17, 1994, and July 23, 1997) authorizing additional appropriations for the acquisition of a site for a U.S. courthouse.
.....	Oct. 29, 1997	Chicago, IL	Resolution authorizing appropriations for the acquisition of space by lease for the Social Security Administration and the Department of Health and Human Services in the central business area.
July 24, 1997	Oct. 29, 1997	Lawrence, IN	Resolution authorizing appropriations for the repair and alteration of the Major General Emmett J. Bean Federal Center, for the Department of Defense.
.....	Oct. 29, 1997	Montgomery County, MD	Resolution authorizing appropriations for the acquisition of space by lease for the National Institutes of Health of the Department of Health and Human Services, currently located in the Control Data Building, Rockville.
.....	Oct. 29, 1997	Montgomery County, MD	Resolution authorizing appropriations for the acquisition of space by lease for the National Institutes of Health of the Department of Health and Human Services, currently located in the Executive Plaza, Rockville.
.....	Oct. 29, 1997	Erie, PA	Amendment to a previously approved resolution (May 17, 1994) authorizing additional appropriations for the site acquisition and design of a U.S. courthouse annex.
.....	Oct. 29, 1997	Arlington, VA	Resolution authorizing appropriations for the acquisition of space by lease for the Department of Defense, currently located at the Century Building.
.....	Oct. 29, 1997	Arlington, VA	Resolution authorizing appropriations for the acquisition of space by lease for the Department of Defense, the Department of State, and the General Services Administration, currently located at 3100 Clarendon Boulevard.
.....	Oct. 29, 1997	Arlington, VA	Resolution authorizing appropriations for the acquisition of space by lease for the Department of Defense, currently located in the Crystal Park 5 Building.
.....	Oct. 29, 1997	Arlington, VA	Resolution authorizing appropriations for the acquisition of space by lease for the Department of Defense, currently located in the Crystal Plaza 6 Building.

**PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT
OF 1959—Continued**

Date Referred	Date Approved	Location	Project
.....	Oct. 29, 1997	Arlington, VA	Resolution authorizing appropriations for the acquisition of space by lease for the Fish and Wildlife Service of the Department of the Interior, currently located in the Arlington Square Building.
.....	Oct. 29, 1997	Fairfax, VA	Resolution authorizing appropriations for the acquisition of space by lease for the Department of Defense, currently located in the Devon Corporate Center.
.....	Oct. 29, 1997	Seattle, WA	Resolution authorizing appropriations for the design of a U.S. courthouse.
.....	Mar. 11, 1998	Miami, FL	Amendment to a previously approved resolution (Sept. 27, 1996) authorizing the acquisition of a larger site for a U.S. courthouse.
.....	June 25, 1998	Los Angeles, CA	Resolution authorizing appropriations for the repair and alteration of the Edward R. Roybal Federal Building, 255 East Temple.
.....	June 25, 1998	San Francisco, CA	Resolution authorizing appropriations for the repair and alteration of the Appraisers Building, 630 Sansome Street.
.....	June 25, 1998	Washington, DC	Resolution authorizing appropriations for the repair and alteration of Federal Office Building 10B, 600 Independence Avenue, SW.
.....	June 25, 1998	Washington, DC	Resolution authorizing appropriations for the repair and alteration of the Old Executive Office Building, 17th Street and Pennsylvania Avenue, NW.
.....	June 25, 1998	Sault Sainte Marie, MI	Resolution authorizing appropriations for the acquisition of a site and the design of a border station at Interstate 75 and the International Bridge.
.....	June 25, 1998	Babb, Montana	Resolution authorizing appropriations for the construction of a border station at U.S. 89 at the border between the U.S. and Canada.
.....	June 25, 1998	Brookhaven, NY	Resolution authorizing appropriations for the repair and alteration of the Internal Revenue Service Center, 1040 Waverly Avenue.
.....	June 25, 1998	New York, NY	Resolution authorizing appropriations for the repair and alteration of the U.S. Courthouse, 40 Foley Square.
.....	June 25, 1998	Portland, OR	Resolution authorizing appropriations for the repair and alteration of the Robert Duncan Plaza Building, 333 Southwest First Avenue.
.....	June 25, 1998	Philadelphia, PA	Resolution authorizing appropriations for the repair and alteration of the James A. Byrne U.S. Courthouse, 601 Market Street; and the William J. Green Federal Building, 600 Arch Street.
.....	June 25, 1998	Reston, VA	Resolution authorizing appropriations for the Phase I repair and alteration of the J. W. Powell Building, 12201 Sunrise Valley Drive.

**PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT
OF 1959—Continued**

Date Referred	Date Approved	Location	Project
.....	June 25, 1998	Resolution authorizing appropriations for the design of repair and alteration projects for nine Federal buildings (Washington, DC; Baltimore, MD; Fort Snelling, MN; Kansas City, MO; Omaha, NE; Albuquerque, NM; Cleveland, OH; Pittsburgh, PA; and Salt Lake City, UT).
.....	July 23, 1998	American Samoa	Resolution to investigate the feasibility and need to construct or acquire a facility to house the Federal Government offices.
.....	July 23, 1998	Little Rock, AR	Resolution authorizing appropriations for the acquisition of a site and the design for construction of an addition to the U.S. post office-courthouse building located at 600 Capitol Street.
.....	July 23, 1998	San Diego, CA	Resolution authorizing appropriations for the acquisition of a site for the construction of a U.S. courthouse to be located adjacent to the existing U.S. courthouse at 880 Front Street.
.....	July 23, 1998	San Jose, CA	Resolution authorizing appropriations for the acquisition of a site for the construction of a U.S. courthouse.
.....	July 23, 1998	Denver, CO	Amendment to a previously approved resolution (Sept. 27, 1996) authorizing additional appropriations for the acquisition of a site, design, and construction of a U.S. courthouse building to be located adjacent to the existing Federal building-courthouse at 1929 Stout Street.
.....	July 23, 1998	Springfield, MA	Resolution to investigate the feasibility and need to construct or acquire a facility to house the U.S. District Court and Bankruptcy Court for the District of Massachusetts.
.....	July 23, 1998	Biloxi-Gulfport, MS	Resolution to investigate the feasibility and need to construct or acquire a facility to house the U.S. District Court for the Southern District of Mississippi.
.....	July 23, 1998	Cape Girardeau, MO	Amendment to a previously approved resolution (May 13, 1993) authorizing additional appropriations for the design for construction of a U.S. courthouse.
.....	July 23, 1998	Brooklyn, NY	Amendment to a previously approved resolution (Sept. 27, 1996) authorizing additional appropriations for the design for renovation of a general post office facility for use as a U.S. courthouse.
.....	July 23, 1998	New York, NY	Resolution authorizing appropriations for the design and review of the demolition and reconstruction of the Federal building located at 799 United Nations Plaza, which houses the U.S. Mission to the United Nations.
.....	July 23, 1998	Eugene, OR	Resolution to investigate the feasibility and need to construct or acquire a facility to house the U.S. District Court and Bankruptcy Court for the District of Oregon.
.....	July 23, 1998	Greeneville, TN	Amendment to a previously approved resolution (March 23, 1994) authorizing additional appropriations for the design and construction of a U.S. courthouse.

**PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT
OF 1959—Continued**

Date Referred	Date Approved	Location	Project
.....	July 23, 1998	Laredo, TX	Amendment to previously approved resolutions (Feb. 5, 1992; May 13, 1993; and May 17, 1994) authorizing additional appropriations for the construction of a Federal building-U.S. courthouse building.
.....	July 23, 1998	Wheeling, WV	Resolution to investigate the feasibility and need to construct or acquire a facility to house the U.S. District Court and court related agencies for the Northern District of West Virginia.
.....	Oct. 9, 1998	Washington, DC	Resolution authorizing appropriations for the acquisition of space by lease for the Department of Justice, currently located at 1100 Vermont Avenue, NW.
.....	Oct. 9, 1998	Washington, DC	Resolution authorizing appropriations for the acquisition of space by lease for the Internal Revenue Service, Department of the Treasury, currently located at 500 North Capitol Street, NW.
.....	Oct. 9, 1998	Washington, DC-Northern VA ...	Resolution authorizing appropriations for the acquisition of a site and the design of a building to house the headquarters of the Bureau of Alcohol, Tobacco, and Firearms.
.....	Oct. 9, 1998	New Orleans, LA	Resolution authorizing appropriations for the repair and alteration of the U.S. Customhouse located at 423 Canal Street.
.....	Oct. 9, 1998	Suburban MD	Resolution authorizing appropriations for the acquisition of space by lease for the Department of Health and Human Services, currently located in the Rockwall II Building, 5515 Security Lane, Rockville.
.....	Oct. 9, 1998	Springfield, MA	Resolution authorizing appropriations for the acquisition of a site and the design of a U.S. courthouse.
.....	Oct. 9, 1998	Biloxi-Gulfport, MS	Resolution authorizing appropriations for the acquisition of a site and the design of a U.S. courthouse.
.....	Oct. 9, 1998	New York, NY	Resolution authorizing appropriations for the acquisition of space by lease for the Internal Revenue Service Regional Counsel, currently located at 7 World Trade Center in lower Manhattan.
.....	Oct. 9, 1998	Eugene, OR	Resolution authorizing appropriations for the acquisition of a site and the design of a U.S. courthouse.
.....	Oct. 9, 1998	Arlington, VA	Resolution authorizing appropriations for the acquisition of space by lease for the Department of Defense, currently located at the Crystal Gateway North Building, 1111 Jefferson Davis Highway.
.....	Oct. 9, 1998	Arlington, VA	Resolution authorizing appropriations for the acquisition of space by lease for the Department of Defense, currently located at the Crystal Plaza 5 Building, 2211 South Clark Place.
.....	Oct. 9, 1998	Falls Church, VA	Resolution authorizing appropriations for the acquisition of space by lease for the Department of Defense, currently located in the Nassif Building, 5611 Columbia Pike.

**PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT
OF 1959—Continued**

Date Referred	Date Approved	Location	Project
.....	Oct. 9, 1998	Northern VA	Resolution authorizing appropriations for the acquisition of space by lease for the Department of the Army, currently located at the Park Center Office Building, 4501 Ford Avenue, Alexandria.
.....	Oct. 9, 1998	Northern VA	Resolution authorizing appropriations for the acquisition of space by lease for the Immigration and Naturalization Service, Department of Justice, currently located in the One Skyline Tower Building, 5107 Leesburg Pike, Falls Church.
.....	Oct. 9, 1998	Wheeling, WV	Resolution authorizing appropriations for the acquisition of a site and the design of a Federal building-U.S. courthouse at Chapline and 12th Street.

**RESOLUTIONS ADOPTED TO AUTHORIZE THE CORPS OF ENGINEERS TO CONDUCT
FEASIBILITY STUDIES**

Docket No	Project
2511	Redwood City Harbor, California
2512	—Black Warrior-Tombigbee Waterway, Alabama
2513	—Lower Eastern Shore, Maryland
2514	—Cosumnes and Mokelumne Rivers, California
2515	—Shrewsbury River, Borough of Monmouth Beach, New Jersey
2516	—San Francisco Bay, California
2517	—Ohio River, Ohio
2518	—Upper Passaic River and Tributaries, New Jersey
2519	—Upper Rockaway River, New Jersey
2520	—Verdigre Creek, Nebraska
2521	—Wallace Lake, Louisiana
2522	—Mohawk River Basin, New York
2523	—Wood River Levee, Illinois
2524	—Monroe County Levee System, Illinois
2525	—Prairie du Rocher and Modoc Levees, Illinois
2526	—Big Five Levee System, Union and Alexander Counties, Illinois
2527	—Morro Bay Estuary, California
2528	—Ausable River Basin, Clinton and Essex Counties, New York
2529	—Boquet River Basin, Essex County, New York
2530	—Great Chazy River Basin, Clinton County, New York
2531	—Saranac River Basin and Tributaries, Clinton County, New York
2532	—Neuse River Basin, North Carolina
2533	—Tampa Harbor, Florida
2534	—Owasco Lake Seawall, New York
2535	—Alexandria to the Gulf, Louisiana
2536	—Susquehanna River, Pennsylvania
2537	—Massachusetts and Cape Cod Bays, Massachusetts
2538	—Great South Bay, New York
2539	—Craney Island, Virginia
2540	—Miami Harbor, Florida
2541	—Currituck Sound, North Carolina
2542	—Sulphur River, Texas

**RESOLUTIONS ADOPTED TO AUTHORIZE THE CORPS OF ENGINEERS TO CONDUCT
FEASIBILITY STUDIES—Continued**

Docket No	Project
2543	—Hillsborough River Basin, Florida
2544	—Withlacoochee River Basin, Florida
2545	—Dog River, Alabama
2546	—Bayou La Batre, Alabama
2547	—San Antonio and Guadalupe Rivers, Texas
2548	—Rahway River Basin, New Jersey
2549	—Spring Bayou Area, Louisiana
2550	—Mile Point, St. Johns River, Florida
2551	—Bronx River Basin, New York
2552	—Township of Woodbridge, New Jersey
2553	—Chickamauga Lock, Tennessee
2554	—Donaldsonville, Louisiana to the Gulf of Mexico
2555	—Colorado River and Tributaries, Texas
2556	—Baldwin County, Alabama
2557	—Arthur Kill Channel, New Jersey and New York
2558	—Lynnhaven River Basin, Virginia
2559	—Palm Beach Harbor, Florida
2560	—Lower Brazos River, Texas
2561	—Harrison County, Mississippi
2562	—Mixons Creek, Mississippi
2563	—Mississinewa River, Indiana
2564	—Brewton and East Brewton, Alabama
2565	—Santa Cruz Port District, Arana Gulch Watershed, California
2566	—Indian Creek, Council Bluffs, Iowa
2567	—Huntington Local Protection Project, West Virginia
2568	—Ellicott Creek, New York
2569	—Lake Michigan Shoreline, Hammond, Indiana
2570	—West Baton Rouge Parish, Louisiana
2571	—Amite River and Tributaries, Louisiana
2572	—Fortescue Creek, New Jersey
2573	—Lakeside Beach State Park, Orleans County, New York
2574	—Hamlin Beach State Park, Monroe County, New York
2575	—St. Lucie County, Florida
2576	—Chesapeake and Delaware Canal, Maryland and Delaware
2577	—Sandusky River, City of Tiffin, Ohio
2578	—Bogue Banks, North Carolina
2579	—Camden and Gloucester Counties, New Jersey
2580	—S.E. Oklahoma Water Resources Utilization Study, Oklahoma—
2581	—Centralia, Chehalis River and Tributaries, Washington
2582	—Ocean Shores, Washington
2583	—Richland County, Ohio
2584	—San Gabriel to Newport Bay, California
2585	—Town of Earlimart, California
2586	—Lubbub Creek, Alabama
2587	—Lockwoods Folly River, North Carolina
2588	—San Jacinto River, California
2589	—Sabine Pass to Galveston Bay, Texas
2590	—Santa Ynez River, Santa Barbara County, California

**RESOLUTIONS ADOPTED TO AUTHORIZE THE CORPS OF ENGINEERS TO CONDUCT
FEASIBILITY STUDIES—Continued**

Docket No	Project
2591	—Cass River, Vassar, Michigan

**RESOLUTIONS ADOPTED TO AUTHORIZE THE NATURAL RESOURCES CONSERVATION
SERVICE OF THE DEPARTMENT OF AGRICULTURE TO ASSIST IN CONDUCTING SMALL
WATERSHED PROJECTS**

Upper Delaware and Tributaries Watershed Project, Kansas
East Fork of the Grand River Watershed Project, Missouri

PUBLICATIONS

105-1—Compilation of Laws Relating to Railroads (as amended through January 1, 1997), including Rail-Related Provisions of Title 49, United States Code; Regional Rail Reorganization Act of 1973; Railroad Revitalization and Regulatory Reform Act of 1976; Staggers Rail Act of 1980; Northeast Rail Service Act of 1981; Rail Safety and Service Improvement Act of 1982; Conrail Privatization Act; Milwaukee Railroad Restructuring Act; Rock Island Railroad Transition and Employee Assistance Act; Emergency Rail Services Act of 1970; Rail-Related Excerpts from Americans with Disabilities Act of 1990; Excerpts from Title 11, United States Code; Excerpts from National Trails System Act. Volume 2.

105-2—Proposals to Establish User Fees for Federal Aviation Administration Services. Hearings before the Subcommittee on Aviation, February 5 and 13, 1997.

105-3—Reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA): Comprehensive Reauthorization Proposals. Hearings before the Subcommittee on Surface Transportation, February 12 and 27, 1997.

105-4—Reauthorization of the State Boating Safety Grant Program. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, February 26, 1997.

105-5—Proposal to Require Traffic Alert and Collision Avoidance Systems on Cargo Aircraft. Hearing before the Subcommittee on Aviation, February 26, 1997.

105-6—Member Policy Initiatives and Requests for Highway and Transit in the ISTEA Reauthorization (Vol. I–II). Hearings before the Subcommittee on Surface Transportation March 4, 6, 11 (Vol. I), and 13 (Vol. II), 1997.

105-7—U.S. General Services Administration's Capital Investment Program. Hearings before the Subcommittee on Public Buildings and Economic Development, March 6, 1997 (GSA FY 1998 Program and Rent Shortfall); April 24, 1997 (GSA Rent Shortfall and Vacant Space); May 15, 1997 (Innovative Financing for Acquiring Real Estate and Scoring Issues); June 19, 1997 (Budget Scoring Rules as They Relate to Real Estate Transactions).

105-8—Superfund Reauthorization. Hearings before the Subcommittee on Water Resources and Environment, March 5, 1997 (Lessons from the States); March 12, 1997 (U.S. Environmental Protection Agency Perspective); April 10, 1997 (Perspectives of Interested Parties).

105-9—Current Amtrak Financial Condition. Hearing before the Subcommittee on Railroads, March 12, 1997.

105-10—ISTEA Rail Infrastructure Programs. Hearing before the Subcommittee on Railroads, March 18, 1997.

105-11—Recent Flooding in California. Hearing before the Subcommittee on Water Resources and Environment, March 19, 1997.

105-12—The President's Fiscal Year 1998 Budget Request for the U.S. Coast Guard and the Federal Maritime Commission. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, March 19, 1997.

105-13—Review of Coopers and Lybrand Independent Financial Assessment of the Federal Aviation Administration. Hearing before the Subcommittee on Aviation, March 20, 1997.

105-14—Compilation of Selected Aviation Laws. (Selected Provisions of Title 49, United States Code; Tax Provisions Relating to Air Transportation; Airport and Airway Trust Fund; Acts Relating to Washington Area Airports; Selected Provisions of Title VIII of the Trade Act of 1974; International Security and Development Cooperation Act of 1985; Railway Labor Act; Selected Provisions of the Federal Aviation Reauthorization Act of 1996; Miscellaneous Provisions.) (Committee Print.)

105-15—Compilation of Selected Surface Transportation Laws. Volume 1—Laws Relating to Infrastructure (Title 23, U.S.C.—Highways; Subtitle III of Title 49, U.S.C.—General and Intermodal Programs; Subtitle VI of Title 49, U.S.C.—Motor Vehicle and Driver Programs; National Highway System Designation Act of 1995; Intermodal Surface Transportation Efficiency Act of 1991; Selected Provisions of the Surface Transportation and Uniform Relocation Assistance Act of 1987; Selected Provisions of the Internal Revenue Code of 1986; Titles II and III of the Americans with Disabilities Act of 1990; Selected Provisions of the Clean Air Act; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. (Committee Print.)

105-16—Compilation of Selected Surface Transportation Laws. Volume 2—Regulatory Laws (Subtitle I of Title 49, U.S.C.—Department of Transportation; Chapter 11 of Subtitle II of Title 49, U.S.C.—National Transportation Safety Board; Subtitle III of Title 49, U.S.C.—General and Intermodal Programs; Subtitle IV of Title 49, U.S.C.—Interstate Transportation; Subtitle VI of Title 49, U.S.C.—Motor Vehicle and Driver Programs; Subtitle VIII of Title 49, U.S.C.—Pipelines; Selected Provisions of the Surface Transportation and Uniform Relocation Assistance Act of 1987; Selected Provisions of the ICC Termination Act). (Committee Print.)

105-17—Oversight Visit to Wichita, KS, Denver, CO, Seattle, WA, Long Beach, CA, and Memphis, TN, February 18–21, 1997. Report Prepared for the Use of the Committee on Transportation and Infrastructure, April 1997. (Committee Print.)

105-18—Meeting Clean Water and Drinking Water Infrastructure Needs. Hearing before the Subcommittee on Water Resources and Environment, April 23, 1997.

105-19—Commercial Vessel Traffic. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, May 14, 1997.

105-20—Reauthorization of the War Risk Insurance Program. Hearing before the Subcommittee on Aviation, May 1, 1997.

105-21—High-Speed Rail Programs. Hearing before the Subcommittee on Railroads, May 7, 1997.

105-22—One Year After ValuJet Crash: FAA Response to HAZMAT and Cargo Fire Protection Issues. Hearing before the Subcommittee on Aviation, May 15, 1997.

105-23—Medical Kits on Commercial Airlines. Hearing before the Subcommittee on Aviation, May 21, 1997.

105-24—H.R. 20, the Capitol Visitor Center. Hearing before the Subcommittee on Public Buildings and Economic Development, May 22, 1997.

105-25—H.R. 1747, the John F. Kennedy Center Parking Improvement Act of 1997. Hearing before the Subcommittee on Public Buildings and Economic Development, June 4, 1997.

105-26—Grounding of Great Lakes Aviation. Hearing before the Subcommittee on Aviation, June 5, 1997.

105-27—The Future of the Tennessee Valley Authority and Its Non-Power Programs. Hearing before the Subcommittee on Water Resources and Environment, June 5, 1997.

105-28—International Aviation Bilaterals and Code Sharing Relationships (Focusing on Japan). Hearing before the Subcommittee on Aviation, June 12, 1997.

105-29—Tennessee Valley Authority's Land Between the Lakes Area. Hearing before the Subcommittee on Water Resources and Environment, June, 21, 1997, in Murray, Kentucky.

105-30—Market-Based Solutions for Air Service Problems at Medium-Sized Communities. Hearing before the Subcommittee on Aviation, June 25, 1997.

105-31—Ocean and Coastal Issues. Hearing before the Subcommittee on Water Resources and Environment, July 9, 1997.

105-32—Reauthorization of the Economic Development Administration and the Appalachian Regional Commission. Hearings before the Subcommittee on Public Buildings and Economic Development, July 10 and 17, 1997.

105-33—Status of the Investigation of the Crash of TWA 800 and the Proposal Concerning the Death on the High Seas Act. Hearing before the Subcommittee on Aviation, July 10, 1997.

105-34—Road Rage: Causes and Dangers of Aggressive Driving. Hearing before the Subcommittee on Surface Transportation, July 17, 1997.

105-35—Aviation Relations between the United States and France. Hearing before the Subcommittee on Aviation, July 31, 1997.

105-36—Recent Regulatory and Judicial Developments on Wetlands. Hearing before the Subcommittee on Water Resources and Environment, April 29, 1997.

105-37—H.R. 991, To Apply the Railway Labor Act to Pilots Engaged in Flight Operations Outside the United States. Hearing before the Subcommittee on Aviation, September 9, 1997.

105-38—FAA's Efforts to Close and Consolidate Flight Service Stations and to Consider H.R. 1454, Which Would Prohibit the FAA from Closing Certain Flight Service Stations. Hearing before the Subcommittee on Aviation, September 30, 1997.

105-39—Allegations of Cost Overruns and Delays in the FAA's Wide Area Augmentation System (WAAS). Hearing before the Subcommittee on Aviation, October 1, 1997.

105-40—Fiscal Year 1998 U.S. General Services Administration Leasing Program and General Leasing Policies. Hearing before the Subcommittee on Public Buildings and Economic Development, October 8, 1997.

105-41—H.R. 145, a Bill to Restrict the Use of Foreign Repair Stations by U.S. Airlines. Hearing before the Subcommittee on Aviation, October 9, 1997.

105-42—Allegations of Sexual Harassment at the Federal Aviation Administration. Hearing before the Subcommittee on Aviation, October 23, 1997.

105-43—H.R. 2118, A Bill to Prohibit Smoking in Federal Buildings. Hearing before the Subcommittee on Public Buildings and Economic Development, October 23, 1997.

105-44—Superfund Reauthorization and Reform Legislation. Hearing before the Subcommittee on Water Resources and Environment, October 29, 1997.

105-45—Oil Spill Prevention Measures. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, October 30, 1997.

105-46—Reauthorization of the Hazardous Materials Transportation Program. Hearing before the Subcommittee on Surface Transportation, November 6, 1997.

105-47—The Increasing Number of Mishaps on Our Nation's Runways. Hearing before the Subcommittee on Aviation, November 13, 1997.

105-48—Joint Oversight Field Hearing on National Park Overflights. Joint oversight hearing before the Subcommittee on National Parks and Public Lands of the Committee on Resources and the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, November 17, 1997, at St. George, Utah.

105-49—Wetlands Protection and Mitigation Banking. Hearing before the Subcommittee on Water Resources and Environment, December 9, 1997.

105-50—Volume 1: Compilation of Water Resources, Disaster Relief and Related Laws (Selected Provisions of WRDA 1986; Selected Provisions of WRDA 1988; Selected Provisions of WRDA 1990; Selected Provisions of WRDA 1992; Selected Provisions of WRDA 1996; Federal Water Project Recreation Act; Water Resources Planning Act; National Dam Safety Program Act; Robert T. Stafford Disaster Relief and Emergency Assistance Act; Watershed Protection and Flood Prevention Act; Tennessee Valley Authority Act of 1933; Act of May 13, 1954 (St. Lawrence Seaway Act); Deepwater Port Act of 1974; Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990). (Committee Print.)

105-51—Volume 2: Compilation of Water Pollution Control, Environmental Protection, and Related Laws (Federal Water Pollution Control Act; Oil Pollution Act of 1990; Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Superfund); Superfund Amendments and Reauthorization Act of 1986 (SARA); Titles I and V of the Marine Protection, Research, and Sanctuaries Act of 1972; Sections 9 to 20 of the Act of March 3, 1899 (Rivers and Harbors Act); Act to Prevent Pollution from Ships; Selected Provisions of the Coastal Zone Act Reauthorization Amendments of 1990; Selected Provisions of the Safe Drinking Water Act Amendments of 1996). (Committee Print.)

105-52—Disaster Mitigation, Preparedness and Response. Hearing before the Subcommittee on Water Resources and Environment, January 28, 1998.

105-53—Issues Related to Stolen Airline Ticket Stocks from Travel Agents. Hearing before the Subcommittee on Aviation, February 26, 1998.

105-54—The President's Fiscal Year 1999 Budget Request for the U.S. Coast Guard. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, March 4, 1998.

105-55—The General Services Administration Fiscal Year 1999 Budget and Related Issues. Hearings before the Subcommittee on Public Buildings and Economic Development, March 5, and April 1, 1998.

105-56—FAA's Modernization Programs: Focusing on STARS. Hearing before the Subcommittee on Aviation, March 5, 1998.

105-57—Reauthorization of the FAA and Airport Improvement Program in Light of the Recommendations of the National Civil Aviation Review Commission. Hearings before the Subcommittee on Aviation, March 12, 18, 19, and 25, 1998.

105-58—Reauthorization of the Surface Transportation Board. Hearings before the Subcommittee on Railroads, March 12, 1998 (Resource Requirements); April 22, 1998 (State of the Railroad Industry); May 6, 1998 (Inter-Carrier Transactions, Construction and Abandonments); and May 13, 1998 (Rates, Access and Remedies).

105-59—Ship Scrapping Activities of the United States Government. Hearings before the Subcommittee on Coast Guard and Maritime Transportation, March 18 and June 4, 1998.

105-60—H.R. 3504, a Bill to Reauthorize Federal Funding for Operations, Maintenance, and Capital Improvement for the John F. Kennedy Center for the Performing Arts. Hearing before the Subcommittee on Public Buildings and Economic Development, March 25, 1998.

105-61—The Federal Cost of Disaster Assistance. Hearing before the Subcommittee on Water Resources and Environment, March 26, 1998.

105-62—Reauthorization of the Federal Railroad Administration. Hearings before the Subcommittee on Railroads, March 26, 1998 (Resource Requirements, Personnel and Budget Issues); April 1, 1998 (Safety Hardware Issues); April 29, 1998 (Human Factors Issues); May 20, 1998 (Regulatory Process).

105-63—Proposals for a Water Resources Development Act of 1998. Hearings before the Subcommittee on Water Resources and Environment, March 31, April 22 and 28, 1998.

105-64—The Impact of Recent Alliances, International Agreements, DOT Actions, and Pending Legislation on Air Fares, Air Service, and Competition in the Airline Industry. Hearings before the Subcommittee on Aviation, April 29, 1998.

105-65—Effect of the Passenger Services Act on the Domestic Cruise Industry. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, April 29, 1998.

105-66—Mitigation and Cost Reduction Act of 1998. Hearing before the Subcommittee on Water Resources and Environment, May 7, 1998.

105-67—Land Between the Lakes Legislation and Small Watershed Projects. Hearing before the Subcommittee on Water Resources and Environment, May 12, 1998.

105-68—Aviation Security Efforts with a Focus on the National Safe Skies Alliance and Passenger Profiling Criteria. Hearing before the Subcommittee on Aviation, May 14, 1998.

105-69—Criminal Liability for Oil Pollution. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, May 14, 1998.

105-70—Coast Guard Deepwater Capability Replacement Analysis. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, May 19, 1998.

105-71—Security in Federal Buildings. Hearing before the Subcommittee on Public Buildings and Economic Development, June 4, 1998.

105-72—Drug Interdiction and Other Matters Relating to the National Drug Control Policy. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, June 10, 1998.

105-73—Problems of Passenger Interference with Flight Crews and a Review of H.R. 3064, the Carry-on Baggage Reduction Act of 1997. Hearing before the Subcommittee on Aviation, June 11, 1998.

105-74—Oversight of the U.S. Role in the International Maritime Organization. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, June 25, 1998.

105-75—Oversight of the U.S. Coast Guard Marine Environmental Protection and Compliance Programs. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, July 15, 1998.

105-76—Status of Courthouse Construction, Review of New Construction Request for the U.S. Mission to the United Nations, and Comments on H.R. 2751, the General Services Administration Improvement Act of 1997. Hearing before the Subcommittee on Public Buildings and Economic Development, July 16, 1998.

105-77—The Needs of the U.S. Waterways Transportation System. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, July 29, 1998.

105-78—Secretary Slater's African Aviation Initiative; H.R. 3741, the Aviation Bilateral Accountability Act of 1998; and the European Commission's Preliminary Position on Two Transatlantic Alliances. Hearing before the Subcommittee on Aviation, July 30, 1998.

105-79—Motor Carrier Economic Regulatory Issues. Hearing before the Subcommittee on Surface Transportation, August 5, 1998.

105-80—H.R. 1846: FAA's Emergency Revocation of FAA Licenses. Hearing before the Subcommittee on Aviation, August 6, 1998.

105-81—Beaches and Oceans Legislation. Hearing before the Subcommittee on Water Resources and Environment, August 6, 1998.

105-82—Issues of Concern to the Travel Agent Community. Hearing before the Subcommittee on Aviation, September 10, 1998.

105-83—H.Con.Res. 52, Modifying the Railroad Retirement Tier II Benefits for Widows and Widowers. Hearing before the Subcommittee on Railroads, September 17, 1998.

105-84—Oversight of the Programs of the U.S. Maritime Administration. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, September 24, 1998.

105-85—Transportation Equity Act for the 21st Century as Amended by the TEA 21 Restoration Act Together with Updated Explanatory Materials. October 1998. (Committee Print.)

105-86—Issues Related to the Year 2000 Computer Problem, “Y2K: Will We Get There on Time?” Hearings before the Committee on Transportation and Infrastructure, September 29 (Joint hearing with the House Task Force on Y2K), October 2, 6, and 7, 1998.

105-87—Oversight of the Coast Guard’s Drug Interdiction Strategy. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, September 29, 1998.

105-88—H.R. 4034, to Reform the Federal Protective Service. Hearing before the Subcommittee on Public Buildings and Economic Development, October 2, 1998.

105-89—Summary of Legislative and Oversight Activities of the Committee on Transportation and Infrastructure, 105th Congress.

